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TENDER SPECIFICATIONS

PART I

No EEAS/DELKENN/2026/RP/0097

Cleaning Services for the Delegation of the European Union to Kenya

Services framework contract

RESTRICTED PROCEDURE

IMPORTANT INFORMATION!!

Due to their confidential nature, the technical specifications will be disclosed only to the candidates that are successful at the end of the first stage of this procedure.

DO NOT SUBMIT the technical and financial tenders at this first stage. For the details, please see point 3 of this document.

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1. INTRODUCTION

The contracting authority is the European Union, represented by the European Union Delegation to Kenya ('the contracting authority'), represented by the Head of the Delegation of the European Union in Kenya or its duly authorized representative.

The contracting authority intends to conclude a framework contract for the provision of cleaning services, in accordance with the specifications set out in the procurement documents.

2. SUBJECT OF THE CONTRACT

The contractor shall provide the human and material resources necessary to provide the service in the non-exhaustive list below:

- Daily, weekly, monthly, quarterly, yearly and fortnightly regular cleaning services for the EU delegation premises;
- Ad-hoc cleaning services;
- Collection and disposal of garbage

The place of performance is Nairobi, Kenya.

3. DESCRIPTION OF PUBLIC PROCUREMENT PROCEDURE

This tender procedure will be taking place in two stages, as follows:

A. First stage (selection stage):

Request to participate must be submitted exclusively via the electronic submission system (eSubmission) available on the Funding &Tenders Portal (F&T Portal).

At the end of this stage, candidates complying with the access to procurement, exclusion and selection criteria are selected.

B. Second stage (tender stage):

Selected candidates shall be invited to submit a tender. The following procurement documents will be provided to selected candidates:
- The letter of invitation to tender.
- The technical specifications.

Only at the second stage, shall the candidate submit its technical and financial tenders.

Use of a negotiated procedure without prior publication of a contract notice to increase the ceiling of the services framework contract

In compliance with the Point 11.1 e) of Annex I FR, the contract value may be increased via a negotiated procedure without prior publication of a contract notice in the event of a:

i. Increase of the cleaning needs; or

ii. Increase of the staff number of the contracting authority.

This negotiated procedure may only be used during the performance of the original contract and at the latest during the three years following its signature. The contract value

may be increased via one or several of these negotiated procedures up to 50% of the initial contract value without the estimate made by the contracting authority of the impact of the price revision.

4. GROUPS OF ECONOMIC OPERATORS AND SUBCONTRACTING

Tenders or requests to participate can be submitted by a single economic operator or jointly by two or more economic operators.

No more than one request to participate or tender (per lot) can be considered per candidate or tenderer by the contracting authority. In case the same candidate or tenderer submits more than one request to participate or tender (per lot) within the deadline, only the latest submitted request to participate or tender will be considered. In case of omissions in the latest request to participate or tender, candidates or tenderers will not be able to refer to earlier submitted requests to participate or tenders and may be rejected if mandatory information is missing.

No more than one request to participate or tender can be submitted by the same natural or legal person whatever the form of participation (as a single legal entity or as leader or member of a group). In the event that a natural or legal person participates in more than one request to participate or tender, all requests to participate or tenders in which that person has participated will be rejected.

In case of lots, the candidates or tenderers may submit only one request to participate or tender per lot. Contracts will be awarded lot by lot and each lot will form a separate contract.

Economic operators linked by a relationship of control or of association (i.e. belonging to the same group or affiliated companies) are allowed to submit different and separate tenders provided that each tenderer is able to demonstrate that its tender was drawn independently and autonomously.

A natural or legal person may act as subcontractor for several candidates or tenderers as long as the requests to participate or tenders are drawn and submitted in complete independence and autonomously from each other. However, cross subcontracting among candidates or tenderers is forbidden, more precisely an entity "A" may participate as candidate or tenderer (either as single operator or as member of a group of economic operators) and as subcontractor to another candidate or tenderer "B" [for the same lot] within the same procurement procedure. However, it is then forbidden that candidate or tenderer "B" (or any of its participating members in case of a group of economic operators) is at the same time subcontractor for candidate or tenderer "A" (or for the group of economic operators in which "A" participates) [for the same lot] within the same procurement procedure. In this case, both requests to participate or tenders A and B shall be rejected.

4.1. Joint tender

A joint tender is a situation where a request to participate or tender is submitted by a group of economic operators; in other words, by several legal entities (natural or legal persons) regardless of the link they may have between them.

Each individual legal entity of the group shall assume joint and several liabilities with all its resources towards the contracting authority for the fulfilment of the terms and conditions of the contract.

The group shall nominate one legal entity ('the leader') who shall be granted by the other members of the group the full authority to bind the group and each of its members, and who shall be responsible for the administrative management of the contract (including invoicing, receiving payments, etc.) on behalf of all other entities.

The "Request to participate form" must be signed by the legal representative of each legal entity of the group and will identify the leader.

At the second stage (tender stage), the tender will clearly identify the division of tasks amongst the different members of the group.

Any change in the composition of the group during the procurement procedure or after the signature of the contract may lead to the rejection of the request to participate or the tender or to the termination of the contract by the contracting authority, respectively.

The group will not be required to adopt a specific legal form in order to submit a request to participate or a tender.

The contract shall be signed by all legal entities or, through a power of attorney to be attached to the contract, by the leader duly authorised to bind the group and each of its members.

4.2. Subcontracting

"Subcontractor" means an economic operator that is proposed by a candidate or tenderer or contractor to perform part of the contract.

Subcontracting is allowed but the contractor will retain full liability towards the contracting authority for the implementation of the contract.

Candidates must give an indication of the tasks that they intend to subcontract and are required to identify all subcontractors whose share of the contract is above 10%.

The subcontractors whose share of the contract is above 10% must comply with the same exclusion criteria applicable to candidates.

If the subcontractors' capacity is necessary to fulfil the selection criteria applicable to candidates, they shall submit the relevant documentary evidence.

Any change in subcontracting during the procurement procedure or after the signature of the contract may lead to the rejection of the tender or to the termination of the contract, respectively. During contract execution, the change of any subcontractor identified in the tender will be subject to prior written approval of the contracting authority (see art.II.10 of the framework contract).

5. ELIGIBILITY OF ECONOMIC OPERATORS

5.1. Access to public procurement

Participation in this tender procedure is open on equal terms to all natural and legal persons whose domicile (natural person) or whose registration of their headquarters (legal persons) is:

- in one of the European Union Member States;

- in a third country which has a special agreement with the European Union in the field of public procurement **on the conditions laid down in the agreement**;

- in a country registered as a signatory of the Government Procurement Agreement (GPA) concluded within the WTO[1];

- exceptionally, in Kenya

- Participation is also open to international organisations.

Economic operators, including each member of a joint tender, must confirm that the legal entity's headquarters (for legal persons) or domicile (for natural person) is in one of the abovementioned States and present the supporting evidence normally acceptable under their own law (for example, an extract from a trade register or companies' register). The evidence must contain the official registration number of the economic operator.

5.2. Non-exclusion of economic operators

Economic operators who have access to public procurement are evaluated on the basis of the information provided in their "Request to participate form" for exclusion criteria.

Candidates shall provide a 'Declaration on Honour' on exclusion criteria and selection criteria (Declaration on Honour) attached to "the Request to participate form" duly filled in, signed and dated by their legally authorised representative.

The declaration on honour shall be provided by each member of the group in case of joint tenders, and by the entities on whose capacity it intends to rely by all identified subcontractors whose share of the contract is above 10%.

Upon request by the contracting authority, the candidate or tenderer, as well as other entities which provided the above mentioned declaration on honour, shall provide within a time limit defined by the contracting authority the evidence referred to in paragraph "Evidence upon request", to support the declaration on honour. In any case, this evidence shall be requested from the successful tenderer, including each member of the group in the case of a joint tender, to whom the contract is to be awarded, prior to the signature of the contract.

The contracting authority may waive the obligation for a candidate or tenderer to submit the documentary evidence if it has already been submitted for a previous procurement procedure and provided the documents were issued not more than one year earlier and are still valid at the date of the request by the contracting authority. In such cases, the candidate or tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that there has been no change in the situation.

The contracting authority may also waive the obligation for a candidate or tenderer to submit the documentary evidence if it can access it on a national database free of charge.

[1] Please check the list of countries at: https://www.wto.org/english/tratop_e/gproc_e/memobs_e.htm.

5.3. Selection of economic operators

Candidates must prove their legal, regulatory, economic, financial, technical and professional capacity to perform the services subject to this call for tender by meeting the minimum capacity levels as listed at points 5.3.1, 5.3.2 and 5.3.3 hereafter.

Each candidate shall submit the evidence on selection criteria in their request to participate (first stage).

If a candidate is relying on the capacities of other entities (e.g. parent company, other company in the same group, or third party) in order to achieve the required minimum level of the capacity, its request to participate must contain a signed and dated statement by the concerned entity which clearly confirms which relevant resources shall be placed at the disposal of the tenderer for the performance of this contract. The contracting authority will verify whether the entities on whose capacity the candidate intends to rely fulfil the relevant selection criteria. The candidate may only rely on the technical and professional capacities of other entities where the latter will perform the services or works for which these capacities are required.

If an entity provides the whole or a very large part of the economic and financial capacity to the candidate, the contracting authority may demand that the said entity be jointly liable for the performance of the contract in case of award. In order to do so, the contracting authority may require that this entity signs the contract or that it provides a joint and several first-demand guarantee, should that tenderer be awarded the contract. If this entity is required to sign the contract, it has to have access to public procurement and shall not be in an exclusion situation as indicated in point 5.1 and 5.2 of these tender specifications.

5.3.1. Legal and regulatory capacity criteria and evidence

The economic operators are required to have the following:

Criterion 5.3.1.a) Authorisation to provide the services at the place of performance of the contract.

Minimum capacity level:

The candidate shall be authorised to provide the services being subject to this contract at the place of performance of this contract. The relevant certificate must be valid on the date of the deadline for the submission of requests to participate. Before the signature of the contract, the validity of the certificate will be verified again.

Supporting document(s)/evidence requested:

A copy the incorporation/business registration with a valid business permit for cleaning services as main activity, issued by the Register of companies of Kenya.

The criterion is applied and the evidence pertains to:

The economic operators who will perform the services, for which the certificates is requested.

The candidate cannot rely on the capacity of other entities (including subcontractors) in order to achieve the required minimum level of legal and regulatory capacity. The tasks for which a certificate is requested are considered critical and must be executed directly by the tenderer itself or, where the tender is submitted by a group of economic operators, by a participant in the group.

5.3.2. Economic and financial capacity criteria and evidence

Candidates must prove the financial and economic capacity to perform this contract by meeting the following criterion:

Criterion 5.3.2.a) Turnover.

Minimum capacity level:

The average annual turnover for the last three financial years for which accounts have been closed must be at least EUR 200,000,00[2].

Supporting document(s)/evidence requested:

1. Duly completed table of the "Request to participate form".
2. Profit and loss accounts (Income statement) for the last three financial years for which accounts have been closed.

The criterion is applied to:

The candidate; In case of joint tender this selection criterion will be applied to the group as a whole.

The evidence shall pertain to:

At least one economic operator provided that the minimum capacity level is met.

5.3.3. Technical and professional capacity criteria and evidence

Candidates must prove the technical and professional capacity to perform this contract by meeting the following criteria:

Criterion 5.3.3.a): Previous contracts.

Minimum capacity level:

1. At least two service contracts managed by the economic operator relevant to cleaning services, during the last three years preceding the submission deadline.
2. At least one contract listed under 1. having a duration of at least one year.

[2] The exchange rate used by the Contracting Authority to convert the turnover into EUR will be the rate of December of the year of the financial statement as published at https://ec.europa.eu/info/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-inforeuro_en.

3. The cumulative value during the last three years preceding the submission deadline of the above mentioned listed contracts must be at least EUR 67,000.00.

Supporting document(s)/evidence requested:

1. Duly completed table (list) of the "Request to participate form". The candidate may include in the list any contract implemented at any moment during the last three years preceding the submission deadline. The candidate may include any contract started or completed during that period and any contract ongoing through the whole period.
2. For each contract in the table (list), the candidate must present a client's reference letter relevant to *cleaning services* contracts performed during the last three years preceding the submission deadline, specifying whether the services have been carried out in a professional manner in compliance with the contractual terms.

Contracts without reference letters shall not be included in the list of the contracts as they will not be accepted. The reference letters provided for the contracts which are not in the list will not be accepted either.

The criterion is applied to:

The candidate. In case of joint tender this selection criterion will be applied to the group as a whole.

The evidence pertains to:

At least one of the economic operators who will perform cleaning services.

Criterion 5.3.3.b): Manpower.

Minimum capacity level:

The candidate must currently employ at least 30 staff in the fields related to cleaning services.

Supporting document(s)/evidence requested:

Duly completed table of the "Request to participate form".

The criterion is applied to:

The candidate. In case of joint tender this selection criterion will be applied to the group as a whole.

The evidence pertains to:

At least one of the economic operators who will perform the cleaning services.

5.4. Compliance with the conditions for participation and minimum requirements specified in the procurement documents

By submitting a tender a tenderer commits to perform the contract in full compliance with the terms and conditions of the procurement documents for this call for tenders. Particular attention is drawn to the minimum requirements specified in [Section 2 of these specifications][the Technical specifications document (Tender specifications – part 2)] and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

The minimum requirements shall be observed throughout the entire duration of the contract. Compliance with these requirements is mandatory and cannot be subject to any assumptions, limitations, conditions, or reservations on the part of a tenderer.

Tenderers must declare when submitting their tenders in eSubmission whether their tenders comply with the minimum requirements specified in the procurement documents.

☝ **Tenders that are not compliant with the applicable minimum requirements shall be rejected.**

6. PRELIMINARY INFORMATION ON THE SECOND STAGE (TENDER STAGE)

6.1. Evaluation of tenders on the basis of the award criteria

The tenders are evaluated in order to award the contract to the tender offering the best price quality ratio. For this purpose, the tender will be evaluated technically and financially.

At the second stage, the tenderers shall upload on eSubmission a "Statement of compliance with the procurement documents duly completed, dated and signed in order to be considered technically compliant. The statement to be used for this purpose will be sent together with the letter of invitation to tender and the technical specifications to the successful candidates at the end of the first stage (selection stage).

The technically compliant tenders are then evaluated in order to award the contract to the tender offering the best price/quality ratio. For this purpose, the tender will be evaluated technically and financially.

6.2. Technical tender

The technical quality of the tenders will be evaluated on the basis of documents provided by the tenderers in the technical tender with regard to the award criteria described in the table below.

Technical award criteria

No	Criteria	Max. number of points	Sub-criteria
1	**Organisation of the services**	**(40 points – minimum threshold 50%)**	a) For each type of cleaning service listed in the technical specifications (daily, weekly, fortnightly, monthly, quarterly,

	This criterion will enable the assessment of the organisation of the services by the tenderer. Tenderers will develop in detail the organisation they propose and in particular provide detailed information for each of the questions.		yearly and ancillary services), develop a concrete deployment plan. **(15 points)** The deployment plan must be established per type of cleaning service; it shall detail all the subtasks and for each of them shall determine: 1) The service hours (start and end time) 2) The number of people b) Provide the most adequate service management plan that you commit to implement which ensures the highest quality of the services i.e. How to follow up with the implementation. **(15 points)** The service management plan will include detailed information about the following elements: 1) the supervisory measures to monitor the quality of the services provided by the cleaners at all times, 2) the complaints management system: detailing an exhaustive list of possible complaints by the contracting authority and, for each of them, the solution provided and the timeframes. c) Provide the most adequate business continuity plan that you commit to implement to guarantee the provision of the services. **(10 points)** This plan will include an exhaustive list of possible risks (unplanned absences of cleaning personnel included) and for each of them the mitigating measures.
2	**Health and safety measures** This criterion will enable the assessment of the Health & safety protocols to ensure the safety of the personnel and EU Delegation staff and guests.	**(15 points – minimum threshold 50%)**	Description of the tenderer's policy of health and safety applicable for this contract also in light of the infectious diseases.
3	**Respect of the environment measures** This criterion will enable the assessment of environmental measures to be performed under this contract.	**(15 points – No Minimum threshold)**	How the tenderer will select the cleaning and disinfecting products considering the impact on the environment. – **5 points** What is the professional cleaning equipment that will be used under this contract (Attach a detailed list) and how they will reduce use of water and energy? – **5 points**

	Tenderers will develop in detail their measures and in particular provide detailed information for each of the questions.		How will the tenderer eliminate and reduce the waste deriving from the cleaning activity? – **5 points**
4	**Social and economic conditions** This criterion targets the social and economic conditions of the contractor's personnel, deployed under this contract, that are more favourable to the personnel than the conditions provided for by the applicable legislation. These conditions are intended to increase the degree of motivation and loyalty of the personnel, thus having a positive impact on the services in addition to contribute to the commitment of the contracting authority in terms of social responsibility.	**(20 points – minimum threshold 50%)**	Provide the reward structure that you commit to implement. This structure shall detail the following elements: 1) Portray all **incentives and benefits** not covered above which will apply to the staff to be deployed **(5 points)**, for example: • Competitive monthly financial remuneration for the maintenance worker, cleaners, expressed as a percentage paid above the legal minimum wage; • Enrolment in a social security fund/system which goes beyond the local legal minimum requirements; • Enrolment in a health care insurance which goes beyond the local legal minimum requirements; • Paid annual leave days which goes beyond the local legal minimum entitlements; • Paid transport services from the place of living to working place. 2) Elaborate on the health and safety policy and procedures applied to the personnel. Portray, how health and physical fitness of the staff will be ensured **(5 points)** 3) Substantiate the reward structure in place and training plan, which promotes staff motivation and job satisfaction. **(5 points)** 4) Explain the career structure in place and mention the career opportunities in place for cleaning staff. Explain how the staff will be kept informed and consulted on professional matters and matters concerning their rights and entitlements **(5 points)**
5	**Diversity and inclusion** This criterion targets the diversity and the inclusion of the contractor's personnel deployed under this contract, with an additional focus on people with disability.	**(10 points – No Minimum threshold)**	a) Provide a list of measures that you commit to implement to ensure the highest degree of diversity in the personnel deployed and develop the initiatives to make them fell involved. (**5 points**) b) Provide a list of measures that you commit to implement to integrate cleaners with disabilities to be deployed under this contract. (**5 points**)

	TOTAL	**100**	

Any tender not scoring the minimum quality threshold of 50% of the points for each criterion where indicated and 60% of points for all the criteria combined will be eliminated.

6.3. Financial tender

Only the financial tenders submitted by those tenderers who have obtained an overall technical score of 60% of total points or more and at least 50% of the maximum score allocated for each individual criterion will be considered for the award.

The prices for the tender must be tendered:

- in EUR
- free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under the Vienna Convention.
- all inclusive. This means that, unless otherwise mentioned in these tender specifications, prices tendered for shall include all the costs to be incurred by the tenderers in order to fully implement the contract;
- using the unit price schedule (Annex A) and the price scenario table in annex (Annex B) included in the technical specifications during the second stage. Any change in the table(s) as annexed to the technical specifications will lead to the rejection of the tender.

Prices cannot be revised during the validity of the tender. They can however be revised during the implementation of the contract in conformity with Article I.5.2 of the framework contract.

The unit price schedule (Annex A) is binding during implementation of the contract.

The price "scenario" is an estimate by the contracting authority of the quantities of the services over the duration of the contract in order to compare the financial tenders.

Financial tenders will then be checked for arithmetical accuracy. Where arithmetical errors are found, tenderers will be requested to correct them.

6.4. Calculation of the overall score

The tender chosen will be that which offers the best price - quality ratio among the technically compliant tenders, namely the tender obtaining the best overall score Pi calculated as follows where the weighting is 60% for the quality and [40]% for the price:

$$\mathbf{Pi} = Ti * [0.60] + Fi * [0.40]$$

Ti = (technical quality score of the tender under consideration / score of the best technical quality tender) * 100

Fi = (cheapest total price for the scenario without the reimbursable expenses / price of the scenario of the tender under consideration without the reimbursable expenses) * 100

6.5. Calculation of the total contract value

When awarding the contract, the contracting authority will calculate the maximum ceiling of the FWC by adding to the total amount of the scenario of the successful tender: an estimate for the price revision, the maximum amount for the reimbursable expenses as established in the draft FWC and up to 10% as security margin.

If the amount resulting from the application of the formula above, exceeds the amount indicated in Section 2.1.3 of the contract notice, the contract ceiling will be capped to the maximum published value.

If the total amount of the scenario 1 exceeds the maximum value, the tender will be considered unacceptable.

7. CONTENT OF THE REQUEST TO PARTICIPATE

The tenderers shall submit via the electronic submission system eSubmission the request to participate shall contain the "Request to participate form" duly filled in and signed, accompanied by all the documents listed in the Form.

Instructions on how to submit a tender by means of eSubmission can be found in the letter of invitation to submit a request to participate.

PART II: TECHNICAL SPECIFICATIONS

In order to protect the confidential nature of information contained in the technical specifications (Part II of tender specifications), the contracting authority will disclose them only to the candidates selected at the end of the first stage (every economic operator complying with the access, exclusion and selection criteria evaluated during the selection stage). **Only the candidates invited to the second stage (tender stage) shall submit their technical and financial tenders.**

8. ANNEXES

8.1. Annex 1. Power of attorney

Public procurement procedure EEAS/DELKENN/2026/RP/0097 - Cleaning Services for the Delegation of the European Union to Kenya

POWER OF ATTORNEY FROM GROUP MEMBERS TO THE GROUP LEADER AND ACCEPTANCE OF THE POWERS GRANTED BY THE GROUP LEADER

The undersigned:

1. [*Insert name and surname of the signatory person of this document*], with ID number [*complete*] [and VAT number [*complete*]][3], [(*group leader*).][4] [having the legal capacity required to act on behalf of:

Company (***group leader***)*:* [*complete with full official name*]
Official legal form: [*complete*]
Statutory Registration Number: [*complete*]
Registered address: [*complete with full official address*]
VAT Number: [*complete*]][5]

2.[6] [*Insert name and surname of the signatory of this power of attorney*], with ID number [*complete*] [and VAT number [*complete*]][7], [(*group member*).][8] [having the legal capacity required to act on behalf of:

Company (***group member***): [*complete with full official name*]
Official legal form: [*complete*]
Statutory Registration Number: [*complete*]
Registered address: [*complete with full official address*]
VAT Number: [*complete*]][9]

HEREBY AGREE TO THE FOLLOWING:

1) To submit a joint request to participate/tender as members of a group (the *Group*), led by the person identified in position 1 above as the *Group leader*, in accordance with the conditions specified in the procurement documents and the terms specified in the request to participate/tender to which this Power of Attorney is attached.
2) The *Group members* grant to the *Group leader* all the necessary powers to act on their behalf in the submission of the request to participate/tender. The *Group leader* shall submit the request to participate on behalf of all the *Group members* and indicate the name and e-mail address of an individual within the *Group leader* who will act as

[3] For natural persons, if applicable.
[4] For natural persons.
[5] For legal persons.
[6] Add as many lines as members of the group.
[7] For natural persons, if applicable.
[8] For natural persons.
[9] For legal persons.

single point of contact authorised to communicate officially with the *Contracting authority* in connection with the submitted request to participate on behalf of all *Group members*, including in connection with all relevant questions, clarification requests, notifications, etc., that may be received during the evaluation, award and until the contract signature.

3) If the *Contracting authority* awards the contract[10] resulting from this public procurement procedure to the *Group* on the basis of the joint tender, all *Group members* shall be considered parties to the contract in accordance with the following conditions:
   (a) All *Group members* shall be jointly and severally liable towards the *Contracting authority* for the performance of the contract.
   (b) All *Group members* shall comply with the terms and conditions of the contract and ensure the proper delivery of the purchases under the contract.
   (c) The *Group members* grant the *Group leader* all the necessary powers to act on their behalf before the *Contracting authority* for the administration of the contract, including:
      (i) The *Group leader* shall sign any contractual documents — including the contract, and any amendments thereto — and issue any invoices related to the performance of the contract on behalf of all *Group members*.
      (ii) The *Group leader* shall act as a single contact point with the *Contracting authority* in relation to the performance of the contract. It shall co-ordinate the delivery of the purchases by the *Group* to the *Contracting authority*, and shall see to a proper administration of the contract.
      (iii) Payments by the *Contracting authority* related to the contract shall be made to the bank account of the *Group leader*.
4) The Group leader accepts all the above-mentioned powers granted by the Group members to act on their behalf.

Any modification to the present Power of Attorney shall be subject to the *Contracting authority*'s express approval. This Power of Attorney shall expire when all the contractual obligations of the *Group* have ceased to exist. The *Group members* cannot terminate it before that date without the *Contracting authority*'s consent.

1. Group Leader
   Name and surname (in capital letters): [***of the signatory of this power of attorney power of attorney***]

   Signature:

   Place and date: [*complete*]

[10] When the contract for the procedure is a framework contract, the term "contract" in this document refers to the framework contract and, if relevant, to its specific contracts.

2. [11]Group Member
   Name and surname (in capital letters): [***of the signatory of this power of attorney power of attorney***]
   Signature:

   Place and date: [*complete*]

In duplicate in English[12].

[11] Add as many lines as members of the Group.

[12] When preparing the contract, one original will be attached to the contracting authority's copy of the contract and the other original to the contractor's copy.

8.2. **Annex 2. Commitment letter by an identified subcontractor**

Commitment letter by the identified subcontractor[13]

[*Letterhead*]

EUROPEAN EXTERNAL ACTION SERVICE
Public Procurement Procedure Ref.: EEAS/DELKENN/2026/RP/0097 - Cleaning Services for the Delegation of the European Union to Kenya
Attn: Andreas PESCHKE
Place and date: *Nairobi, Kenya*

Ref.: [*insert subcontractor's reference for the letter*]

I, the undersigned, [*insert name and surname of the signatory of this commitment*], with ID number [*complete*] [and VAT number [*complete*]][14], [having the legal capacity required to act on behalf of:

Company: [*complete with full official name*]
Official legal form: [*complete*]
Statutory Registration Number: [*complete*]
Registered address: [*complete with full official address*]
VAT Number: [*complete*]][15]

hereby confirm that [I][the above-mentioned company] agree[s] to participate as subcontractor in the tender submitted by [*insert name(s) of the candidate(s)/tenderer(s)*] for the above-referred public procurement procedure.

In the event that the tender of the aforementioned candidate(s)/tenderer(s) is successful, [I][the above-mentioned company] commit[s] to make available the resources necessary for the performance of the tasks assigned to [me][our company] in compliance with the terms of the contract[16] .

I further declare that I [am] [or the above-mentioned company are] not subject to conflicting interests which may negatively affect the performance of the contract and that [I][the above-mentioned company] accept[s] the general conditions of the contract, in particular the contractual provisions related to checks and audits.

Name (in capital letters): [*complete name and surname of the signatory of this commitment*]

[13] One commitment letter per subcontractor.
[14] For natural persons, if applicable.
[15] For legal persons.
[16] When the contract for the procedure is a framework contract, the term "contract" in this letter refers to the framework contract and its specific contracts.

Signature:

In duplicate in English[17].

Annexes: Declaration on honour on exclusion criteria and selection criteria duly filled in and signed
Copy of ID Card of signatory person
[Proof of VAT number]
[Extract of Registry of Commerce]
[Proof of power of attorney to represent legally the company]

[17] When preparing the contract, one original will be attached to the contracting authority's copy of the contract and the other original to the contractor's copy.

8.3. Annex 3. Commitment letter by an entity on whose capacities is being relied

[*Letterhead*]

EUROPEAN EXTERNAL ACTION SERVICE
Public Procurement Procedure Ref.: EEAS/DELKENN/2026/RP/0097 - Cleaning Services for the Delegation of the European Union to Kenya
Attn: Andreas PESCHKE
Place and date: *Nairobi, Kenya*

Ref.: [*insert entity's reference for the letter*]

I, the undersigned, [*insert name and surname of the signatory of this commitment*], with ID number [*complete*], having the legal legal capacity required to act on behalf of:

Company: [*complete with full official name*]
Official legal form: [*complete*]
Statutory Registration Number: [*complete*]
Registered address: [*complete with full official address*]
VAT Number: [*complete*]

hereby confirm that the above-mentioned company authorises the *[insert name(s) of the candidate(s)/tenderer(s)]* to rely on [the financial and economic capacity][and][the technical and professional capacity] of the company I represent in order to meet the minimum levels required for the above-referred public procurement procedure.

In the event that the tender of the aforementioned candidate(s)/tenderer(s) is successful, the company I represent commits to make available the resources necessary for the performance of the contract[18]. I further declare that I or the company I represent are not subject to conflicting interests which may negatively affect the performance of the contract and that we accept the general conditions of the contract, in particular the contractual provisions related to checks and audits.

Name (in capital letters): [*complete name and surname of the signatory of this commitment*]
Signature:

Annexes: Copy of ID Card of signatory person
Extract of Registry of Commerce
Proof of power of attorney to represent legally the company

[18] When the contract for the procedure is a framework contract, the term "contract" in this letter refers to the framework contract and its specific contracts.