

## Procedure by Private Treaty SCM nº 07/2009

### Attachment I

### Specifications

#### 1. Specifications:

#### The Instituto dos Vinhos do Douro e do Porto (IVDP)

The Port and Douro Wines Institute is planning to hold on its stand a number of events to promote Port and Douro wines and draw professional visitors attending Prowein

##### 1.1 This event consists in :

- 1.1.1 Tasting of Port and Douro Wines, with gastronomic harmonisations
- 1.1.2 We intend to organize 3 tastings in each day of the first two days of the fair, and 2 tastings on the last day – in a total of 8 tastings
- 1.1.3 The tastings will take place at IVDP generic counter
- 1.1.4 IVDP is responsible for providing the wines
- 1.1.5 A sommelier must be hired to present the wines in the tasting
- 1.1.6 Invitations must be produced to be distributed in the fair
- 1.1.7 A Press Release must be produced in English and German, and sent to Professional magazines
- 1.1.8 In the tasting, the wines must be served with simple gastronomic harmonisations (pâtés, chocolates, cheeses, small desserts, etc.)
- 1.1.9 The costs of coordination must be specified, travel costs, printing of catalogues, invitations, press release and others which may be essential to the execution of the work
- 1.1.10 The use of sound system must be assured

##### 1.2 We also intend to hire receptionists to support the stand during the fair.

- 1.2.1 The company must suggest 3 persons to handle this Job, preferably 2 women and 1 man.
- 1.2.2 This collaborators shall take care of the proper functioning of the stand: change of glasses and spittoons of the stands of the companies, invite visitors to the fair to visit the producers present at IVDP stand, and other required services:

#### 2. Price

The maximum price, in terms of art 47º from Decree-Law nº 18/2008 from 29th January, is €**15.000** (fifteen thousand euros), including taxes.

#### 3. Award Criterion

Price (100%)

#### 4. Essential information, in the proposal:

- 4.1 **Total Price in Euros**, with indication of the inclusion of all the taxes;
- 4.2 **Payment conditions**, with information of the bank data (Name of the account holder, Bank, Swift Code, Agency and N<sup>o</sup> of the Agency), as IVDP will pay by bank transfer in Euros;
- 4.3 **Period of validity of the proposal**, which, in accordance with art. 65<sup>th</sup> from the Law-Decree n. 18/2008, of 29<sup>th</sup> January, can't be inferior to 66 days.

#### 5. Other information that must be present in the proposal:

Reference to aspects and facts that, for the competing bidder, are relevant and contribute to the good understanding of the bid relatively to the goods or services to be supplied.

#### 6. Documents required:

Statement signed by the bidder, as laid down in paragraph a) of n. 1 article 57<sup>th</sup> of the Decree-Law n. 18/2008 from 29<sup>th</sup> January, duly filled in and signed (see Model annex to this specifications)

#### 7. Term of Delivery and Presentation of the tenders:

- 7.1. The bid must be signed and formulated by any written means, and the following information should be included:

**Name and address of the bidder**  
**Private Treaty n. SCM 007/2009.**

- 7.2. The proposal and documents requested must be closed in a opaque and closed pack, in accordance with the terms on n. 5 of article 62<sup>o</sup> of the Decree-Law n. 18/2008, de 29 de Janeiro.
- 7.3. The proposal and documentation required must be delivered at the Instituto dos Vinhos do Douro e do Porto, I.P., at Rua Ferreira Borges, 27 – 4050-253 PORTO, until 17h30 of the **10th March 2009** otherwise it will be excluded
- 7.4. If the bidder decides to send the proposal by post, the date of the register at the Post Office or post stamp is considered valid.

**8.** Any clarification may be obtained with Communication and Marketing Department (Maria Cabral [mcabral@ivdp.pt](mailto:mcabral@ivdp.pt) - +351 22 2071600)

Opening hours :

Weekdays: from 9h00 to 12h30 and from 14h00 to 17h30.

## ATTACHMENT II

### Model Declaration (nr. 1 art.57.º]

1 — ..... (*name*, bearer of identity card number resident at .....), acting as legal representative of ..... (1) (*company, VAT nr. and head-office*), having **made ware of** of the Specifications Document on the execution of the contract to be celebrated on the Private Treaty **SCM nº 07/2009**, hereby declare upon my honour that the party on whose behalf I am acting(2), compromises on executing the contract mentioned in conformity with the content of the mentioned Specifications Sheet, declaring to accept all its clauses.

2 — Also declare that I will execute the mentioned contract according to the terms of the following documents, which are attached (3):

- a) ...
- b) ...

3 — Also declare that I renounce to any special jurisdiction and submit, in everything related to the execution to the referred contract, to the Portuguese legislation applicable

4 — Also declare, upon my honour, that:

a) Is not currently under bankruptcy, in liquidation or closure, nor are there any such procedures pending against him;

b) Has not been condemned by the Courts for any wrongdoing that might affect his professional honour (4) [nor the owners or managers have been condemned for any crime that may affect his professional good repute (5)] (6)  
(see note 6);

c) Has not been the object of a grave professional disciplinary procedure (7) [nor the owners or managers have been object of a grave professional disciplinary procedure (8)]

d) Owes no outstanding amounts regarding contributions to the Social Security Authorities in Portugal [or the country in which he is incorporated/resident] (10);

e) ) Owes no outstanding amounts to the Internal Revenue Authorities of the Autonomous Region or to the local contracting authority (11);

f) Has not been the subject of the complementary sanction foreseen in item e) n.º 1 art 21.º Decree of Law n.º 433/82, from 27 October , art 45.º Law n. 18/2003, 11th June, and n.º 1 of art. 460.º of Code of Public Contracts (12)

g) Has not been the subject of the complementary sanction foreseen in item b) n. 1 art. 627 of the Code of Labour (13);

h) Has not been the subject, in the past two years, of an administrative sanction or judiciary penalty for not declaring his having in his employ persons who are legally subject to internal revenue taxes and social security contributions under the terms of the regulations that so require this in Portugal [or in the EU Member State of which he is a citizen or where he is incorporated or resident] (14)

i) Has not been condemned on judgement by the court of last resort for any of the following crimes (15) [nor the owners or managers have been condemned by any of the following crimes (16)] (17):

- i) Participation in activities of criminal organisation, as defined in n.1 art 2º of Common Action n.º 98/773/JAI, of the Council;
- ii) Corruption, within the meanings of art 3.º of the Act of the Council from 26<sup>th</sup> May 1997 and of n.º 1 art 3.º of Common Action n.º 98/742/JAI, of the Council;
- iii) Fraud , within the scope of art 1.º of the Convection concerning the **Protection of the European Communities' Financial Interests** ;
- iv) Money laundering, within the meanings of art. 1 of the Directive n.º 91/308/CEE, from the Council of 10<sup>th</sup> June, on the prevention of using financial system to money laundering;

j) Didn't give, at any title, directly or indirectly, technical support to the preparation of this procedure

5 — The declarant is fully aware that the rendering of false declarations implies, depending on the reason, the exclusion of the presented proposal or the forfeiture of the adjudication that eventually constitutes regulatory serious offence, within the meaning of art 456º of the Code on Defence Procurement, that may determine the application of the sanction of privation of the right to participate, as a candidate, as bidder or as a member of group of candidates in any procedures adopted to public contracts, without prejudice of report to the competent authority for criminal procedure.

6 — Upon the contract entity's request, the competing bidder must, within the scope of the art. 81º of the Code on Defence Procurement, present a declaration that constitutes the annex II of the mentioned Code, as well as the documents proving that his situation as per lines b), d), e) and i) of nº 4 of this declaration.

7 - Furthermore, the declarant states that he is fully aware that failure to submit the documents requested under the terms of the previous clause, for reasons for which he can be held accountable, is punishable by disqualification from the procedure or cancellation of the offer of the Contract, as the case may be, constitutes serious offence, and within the terms of art. 456º of the Code of Defence Procurement, may determine the application of supplementary penalty by his being banned from participating as a candidate, as bidder or as a member of group of candidates in any procedures adopted for public contracts , without prejudice of participation to the competent authority for criminal procedure.

[Place, Date and signature (see note 18)]



- (1) Applies only to corporate bodies.
- (2) In the case of an individual, strike out "that the party on whose behalf I am acting" and simply state "declare upon my honour that I"
- (3) state all the documents that constitute the proposal, as well as this declaration, in accordance to item b), c) and d) of nº 1 and nº 2 and 3 of art. 57.
- (4) Indicate whether he has been rehabilitated/readmitted
- (5) Indicate whether he has been rehabilitated/readmitted.
- (6) Declare whether the bidder is a single or corporate person
- (7) Indicate whether he has been rehabilitated/readmitted.
- (8) Indicate whether he has been rehabilitated/readmitted.
- (9) Declare whether the bidder is a single or corporate person
- (10) Declare according to the situation.
- (11) Declare according to the situation.
- (12) In the event of this sanction, indicate whether the period of ineligibility has been completed.
- (13) In the event of this sanction, indicate whether the period of ineligibility has been completed
- (14) Declare according to the situation.
- (15) Indicate whether the period of ineligibility has been completed.
- (16) Indicate whether the period of ineligibility has been completed.
- (17) Declare whether the bidder is a single or corporate person
- (18) In the meanings of n.os 4 and 5 of art. 57.º