|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Belgian public limited company INFRABEL**    **ADMINISTRATIVE CLAUSES**    **QUALIFICATION OF SUPPLIERS**  delivering products   |  |  |  |  | | --- | --- | --- | --- | |  | Name | Date | Sign | | Written by | **Meyad Rahma** |  |  | | Checked by | **De Voeght Sigrid** |  |  | | Approved by | **Van Droogenbroeck Sven** |  |  |  |  |  |  |  | | --- | --- | --- | --- | | Approved by | **De Mulder Kristof** |  |  |   **VERSION: 01/2018** |

**Table of amendments**

|  |  |
| --- | --- |
| **Version** | **Most important amendments** |
| **09/2014** | Revision of Q1/Q3 document to Y15. |
| **01/2017** | General revision and clarification of the meaning of a representative with a mandate, third party, requirements of AD6, AD11, the addition of the 'Solemn declaration' template as an annex, etc. |
| **10/2017** | Adaptation to be in line with new legislation. Translation into German. Adaptation of the ‘Solemn declaration’ template, clarification of the meaning of a representative with a mandate and third party. |
| **01/2018** | Adaptation of title. Addition in chapters 0 and 6. Correction validity certificate social security. Clarification certificate of non-bankruptcy. |

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This document is also available in Dutch, French and German.

# Scope of the administrative clauses Y15

The Y15 administrative clauses applies to the launch of a public contract based on a Y15 qualification system.

Every Y15 qualification system is announced according to Article 29 of the Royal Decree of 18 June 2017.

Such an announcement is published on enot.publicprocurement.be and in the Official Journal of the European Union (ted.europa.eu). It also serves as an announcement of contracts launched based on the published qualification system.

Qualification applications can be submitted at all times.

When a contract is launched based on a published Y15 qualification system, only the suppliers qualified under this qualification system shall be consulted.

Infrabel reserves the right to process contracts outside the qualification system.

Document Y15 is in line with the European Single Procurement Document (ESPD) and full documentary evidence has to be provided at the time of qualification file submission.

Laws, Royal Decrees and Directives referred to in this document, can be consulted in French or Dutch using following link :

http://www.publicprocurement.be/nl/publicprocurementbe-english-0

# Definitions

Qualification conditions/criteria

Describes the conditions/criteria a supplier must meet to become and remain

qualified.

Qualification process

Describes the process the supplier should follow in order to

become qualified.

Supplier

Every natural person or legal entity, every government authority or any combination of these individuals or government authorities offering to execute deliveries in the market.

Qualified supplier

Supplier who is qualified.

Authorised representative

Intermediary, having the required mandate to represent the supplier as described below under section 3.1.1 and Annex 2. This intermediary is

an external representative, either a legal person or a natural person (who does not belong to the company aiming to qualify).

Production site

Site where production takes place.

Production method

Production process used to manufacture certain products.

Qualification suspension

When a qualified supplier is suspended, this shall be temporary. A suspension can last for a certain period or for a certain number of tenders. During the suspension, the relevant supplier shall not participate in tenders.

Qualification withdrawal

Qualification withdrawal means that a qualified supplier loses its qualification and can therefore no longer participate in tenders until the supplier has completed a new qualification process and is qualified again.

Technical specification

Includes the technical criteria of the qualification system.

Time-out

Period between the qualification withdrawal and the date when a new qualification application can be submitted.

QA

The QA technical specification describes the quality assurance of goods purchased by Infrabel and the relationship between Infrabel and the suppliers. What does Infrabel expect from the suppliers and how does Infrabel follow up on the suppliers?

QP

The QP technical specification describing the requirements for a quality and audit plan at Infrabel was included in document QA. Every reference to QP shall therefore be read as a reference to QA.

# Purpose of the Y15 administrative clauses

The Y15 administrative clauses explains the conditions a supplier must meet to become and remain qualified.

When the Y15 administrative clauses applies, the references to Q1 and Q3 of the technical specification must be seen as Y15.

# Qualification procedure

## Representation/using a third party

### A supplier wishes to use an authorised representative.

A representative with a mandate is NOT part of the supplier's organisation (and is therefore not a commercial representative of the supplier's own organisation).

When a supplier completes Annex 2 to give an external representative a mandate to manage the qualification procedure (option 1) and possibly receive specifications (option 2), it is always the supplier who shall qualify.

If the supplier also wants to be represented for the submission of bids, it must authorise the external representative per contract. This mandate shall then be enclosed with the bid.

### A supplier wants to use the resources of another entity (as provided in Article 72 of the Royal Decree of 18 June 2017).

A supplier can submit a qualification application and use the capacity of other entities for the qualification criteria that include requirements in terms of the economic, financial or technical capacity and professional competence.

Other entity refers to any natural or legal person other than the supplier himself.

In that case, the supplier must be able to demonstrate that it has these resources available for the qualification system's complete period of validity by presenting the agreement of these entities to make such resources available.

All requirements are described in Annex 1 item 4.2.

It is the supplier that will be qualified, not the other entity.

In short, when a supplier uses another location as production site, there are three possibilities:

* If the supplier uses another company as production site, this is a different legal entity so the requirements of Annex 1 item 4.2 shall be met.
* If the supplier uses within its own company a different location as production site and this production site belongs to a legal entity different from the supplier’s, the requirements of Annex 1 item 4.2 shall be met.
* If the supplier uses within its own company a different location as production site and this production site does belong to the same legal entity as the supplier, this is not regarded as a third party and the requirements of Annex 1 item 4.2 do not have to be met.

## Submission of the qualification application

Qualification applications must be submitted to:

Infrabel 10-31 Procurement I-FBA.518

Marcel Broodthaersplein 2

B-1060 Brussels

[kwalificaties@infrabel.be](mailto:kwalificaties@infrabel.be)

(hereinafter referred to as "Infrabel Procurement").

The qualification is valid per supplier, per production site, per production method and per product (where applicable) for which a qualification is required.

The qualification application can be submitted by the supplier or by its authorised representative.

If an authorised representative is used, the application must be accompanied by a document signed by the supplier in which this representative specifically receives permission to represent the supplier in terms of the qualification (see Annex 2, option 1).

## The qualification conditions/criteria

### Neither the supplier, nor the possible third party (referred to in 3.1.2) can meet one of the exclusion criteria listed in Articles 67 to 69 of the Law of 17 June 2016, referred to in Article 151 of that same Law, and the Articles 61 to 63 of the Royal Decree of 18 April 2017 and the Articles 67 to 69 of the Royal Decree of 18 June 2017 (cf. item 4.2 and 5 of Annex 1 - Questionnaire).

### The supplier must have a quality management system that meets the requirements of ISO 9001 or an equivalent standard (cf. item 9 of Annex 1 - Questionnaire).

### The supplier must be able to supply the correct quality products on time (cf. item 6.3 of Annex 1 - Questionnaire).

### The supplier shall meet the quality document QA and technical specification applicable to the relevant Y15 qualification system.

These qualification conditions are explained further either in the questionnaire enclosed with this administrative clauses as Annex 1 or

in the QA quality document or in the technical specification.

### ***3.4 The qualification process***

In order to establish whether the supplier meets the conditions/criteria listed under item 3.3, the supplier shall

follow the qualification process described below.

### 3.4.1 Submitting the qualification file

Infrabel Procurement requests the supplier to provide administrative, financial, legal, technical and organisational information by submitting an application file consisting of:

1. Administrative file:

The questionnaire in Annex 1 + all documents requested as enclosures with the questionnaire, ordered and identified according to the checklist (Annex 5).

The requested format is therefore a digital version and a paper version of the administrative Y15 file divided per annex (Annex AD1, AD2, etc.). The digital annexes also need to be arranged and saved separately as one PDF file for each annex under the name AD1, AD2, etc.

1. Technical file:

All documents requested as enclosures with the technical specification, ordered and identified as requested in the technical specification.

The requested format is therefore a digital version and a paper version of the technical file divided according to the subtitles of the technical specification.

This qualification file (administrative and technical file) must be sent to the address mentioned under 3.2.

If the file is not complete, Infrabel may request additional information, although it is not obliged to do so.

A file is considered as formally complete if the checklists indicate that all necessary enclosures have been included with the file.

In this case, the supplier shall be advised that the content of its qualification file shall be investigated further.

The supplier must also comply with the following regulations:

* The questionnaire (Annex 1) must be answered in Dutch, French, English or German.
* The answers to the questionnaire must be sincere and complete.
* Infrabel must be given free access to the company.
* Infrabel must be able to consult all quality system documents freely.
* The supplier shall agree to a (possible) financial audit by an independent agency.

Within 2 months of its notification that it will examine the qualification file's content, Infrabel shall take one of the following decisions and shall inform the supplier and/or its authorised representative accordingly:

\* supplier qualification,

\* continuation of the qualification process,

\* supplier non-qualification.

### 3.4.2 Visit to the manufacturing site

If mentioned in the technical specification, the manufacturing site(s) shall be visited. The purpose of this is to allow Infrabel to assess the supplier's technical capacity (including monitoring resources) and its quality management system.

If mentioned in the technical specification, other areas can be assessed as well (logistics capacity, for example).

At the end of this visit, Infrabel may suggest some improvements before taking a decision about the continuation of the qualification process.

After visiting the manufacturing site(s) and within 4 months of its notification that it will examine the qualification file's content, Infrabel shall take one of the following decisions and shall inform the supplier and/or its authorised representative accordingly:

\* supplier qualification,

\* continuation of the qualification process,

\* supplier non-qualification.

### 3.4.3 The trial order

If mentioned in the product's technical specification, Infrabel shall place a trial order.

The offered products shall be verified (inspected) according to the terms provided in the technical specification.

* The trial order must be placed within 4 months of the notification that the qualification file's content shall be investigated.
* The total term of the qualification process shall be suspended for the duration of a trial order's production time.
* The trial order shall be assessed within 2 months of receiving the inspection request.

When the trial order evaluation is finished, Infrabel shall take one of the following decisions and inform the supplier and/or its authorised representative accordingly:

\* supplier qualification,

\* continuation of the qualification process,

\* supplier non-qualification.

### 3.4.4 Trial period

If mentioned in the product's technical specification, a trial period may be requested.

The relevant technical specification determines the terms and minimum requirements for the trial period.

When the trial period products have been accepted (prototypes or products of the trial order), the trial period shall start. The standard trial period term is 15 months, unless mentioned otherwise in the technical specification.

When the trial period has ended, Infrabel shall take one of the following decisions and inform the supplier and/or its authorised representative accordingly:

\* supplier qualification,

\* supplier non-qualification.

## 3.5 Simplified qualification process

Suppliers who can objectively demonstrate that their products comply with the technical specification applicable to the relevant qualification system, only have to submit the qualification file as defined in 3.4.1.

Of course these suppliers must meet the conditions/criteria listed under item 3.3.

Each case shall be assessed individually to establish whether the process steps still need to be done.

## 3.6 Contribution

Every opening of a qualification file is free of charge the first time.

If the technical specification mentions a visit to the manufacturing site, this shall be free of charge once.

If a second visit is necessary because the first visit did not meet the requested requirements, the contribution for this second visit shall be billed to the potential supplier. This sum remains payable to Infrabel regardless of the procedure's outcome.

Price list (excl. VAT):

* travel and hotel costs,
* a 500-euro contribution per day per person.

All testing and analysis costs are at the applicant's expense.

The payable amounts are transferred to Infrabel's account number

001-4468762-48.

IBAN code: BE11 0014 4687 6248

SWIFT code: GEBABEBB

The IBAN (International Bank Account Number) and SWIFT (Society for Worldwide Interbank Financial Telecommunication) codes must be provided.

## 3.7 Notification of (non-)qualification to the supplier

Under Article 7, section 2, paragraph 1 of the Law of 17 June 2013, last changed by the Law of 16 February 2017, Infrabel Procurement shall inform the supplier and its authorised representative whether or not it qualified and for which products, and this within 6 months (cf. Article 29 of the Royal Decree of 18 June 2017) of receipt of the complete formal file, as referred to under item 3.4.1.

In the following cases, an exception is made to the above period:

\* the technical specification imposes a trial period: see 3.4.4,

\* the technical specification imposes a trial order: see 3.4.3.

# Supplier qualification term

1. A supplier's qualification is valid for a term of 5 years.

# After the 5-year period, the qualification may be extended for the same period after the administrative and technical files are updated. The Infrabel Procurement section sends the supplier an invitation in this regard about 6 months before the qualification's expiry date.

# The supplier shall submit a new administrative and technical file within 2 months. If the supplier does not take action on time, it runs the risk that its qualification extension is not completed before expiry date.

# Infrabel reserves the right to perform an audit if this is deemed necessary before extending the qualification.

# If these updated files and a possible audit show that the supplier still meets the qualification conditions/criteria, the qualification of the relevant supplier shall be extended.

1. The qualified supplier must continue to meet all qualification conditions/criteria for the entire qualification period.

# The qualified supplier shall inform the Infrabel Procurement section of all administrative, legal, financial, organisational or technical changes in terms of the supplier itself and/or the third party (referred to under item 3.1.2).

# The qualified supplier shall renew all certificates requested for the qualification expiring during the qualification period and shall provide Infrabel with a copy.

# Possible sanctions in case of default by the qualified supplier

Infrabel has the option to suspend a qualification if it is established, for example, that:

* either the qualified supplier fails to meet its obligation to provide information according to the above Article 4B,
* or the qualified supplier no longer meets one or several qualification conditions,
* or it is established that the qualified supplier or the third party referred to in 3.1.2 meet one of the exclusion criteria of Article 68 §1and/or Article 69 2° of the Law of 17 June 2016.

Infrabel has the option to withdraw a qualification if it is established, for example, that:

* either a qualified supplier cannot provide, will not provide or has not provided an adequate response to a suspension sanction,
* or the qualified supplier no longer meets one or more conditions of its qualification,
* or it is established that the qualified supplier or the third party referred to in 3.1.2 meet one of the exclusion criteria of Article 67 §1 and/or Article 69 1°, 3° up to and including 9° of the Law of 17 June 2016.

Following the decision to reject or withdraw a qualification, Infrabel always decides on the time-out, which can range from 0 to 2 years. After this time-out, the supplier and/or its authorised representative can submit a new qualification application. The new application is considered as a new file.

At least 15 calendar days before the date of the withdrawal or suspension of the qualification, the Infrabel Head of Procurement shall inform the (qualified) supplier and its authorised representative of his or her intention to suspend or withdraw the qualification, the reasons for this and the qualified supplier's opportunity to provide its comments within the same term. After the above term, the Infrabel Head of Procurement shall inform the (qualified) supplier and its authorised representative of his or her final decision.

# Amendment of an existing qualification system

When a qualification system changes, the amended version shall be made available.

The suppliers that qualified already are informed of this. It shall also be mentioned how much time the qualified company has to meet the requirements of the new specification.

During this term, the supplier remains qualified based on the previous version of the qualification system.

If the supplier can demonstrate within the stated period that it meets the requirements of the amended qualification system, the qualification shall continue and the supplier shall be informed in writing.

If the supplier fails to demonstrate that it meets the requirements of the amended qualification system within the stated period, its qualification shall be withdrawn. Infrabel shall also inform the supplier of this in writing.

If the qualification system is terminated, the qualifications granted will cease to be valid as from that date.

# 

**ANNEX 1:** Questionnaire

**Belgian public limited company INFRABEL**

Procurement

I-FBA.518 10-31

Marcel Broodthaersplein 2

*B-1060 BRUSSELS*

*kwalificaties@infrabel.be*

1. **Introduction**

Questionnaire to be completed by the supplier and/or its authorised representative (in Dutch, French, English or German) and returned to the above address.

Every supplier applying for qualification must answer the various questions of this questionnaire very accurately.

The analysis of this document may be followed by an inspection of your manufacturing site(s) or other branches (1).

1) Our representative must be given free access to all areas as required by the inspection.

1. **Subject of the application**

Supplier name

……………………………………………………………………………………………

wants to be accredited as a qualified supplier for

…………………………………………………………………………………………………

…………………………………………………………………………………………………

according to technical specification

………………………………………………………………………………………………..

Trade name of the proposed product

……………………………………………………………………………………………….

…………………………………………………………………………………………………

**Production site**

Name …………………………………………………………………………………….

Address ………………………………………………………………………………………

………………………………………………………………………………………………..

………………………………………………………………………………………………..

1. **Supplier identification**

Supplier name: full name and abbreviated name if one exists

………………

………………

Trade register entry/company number:

No. ................................................ (according to the rules of every country)

VAT number ……………………………………………………………………………….

***Please enclose an extract from the trade register as enclosure AD3.***

Registered office address:

Address: …………….....................................………………………………………………

…………………………………………………………………………….………………….

Postcode: .................................... City: .........................……………………………

Country: ……………………………………………………………………………………….

Telephone: ...................................... Fax: ...……………………………………………..

E-mail: ............................…………………………………………………..…………..

Operations

……………

……………

……………

Company goal (main activity for which the supplier is registered with the commercial court registry)

…………….

…………….

**Names of key management personnel**

Director(s) ............................................................................................……..

Sales department ............................................................................…….

Order Management ......................................................................….

Quality Management ......................................................................................……

Monitoring ................................................................................................…

Production .............................................................................................……

Laboratory ......................................................................................…….

Authorised signatories

……………

……………

***Please enclose a supplier organisation chart as Enclosure AD4.A.***

1. **Practical information**

* Address to be used for correspondence (requests for quotes, orders) if different from the registered office:

Address: …………….....................................……………………………………….

…………………………………………………………………………….……………

Postcode: .............................. City: .........................…………………………

Country: …………………………………………………………………………………

Telephone: .............................. Fax: ...……………………………………………

E-mail: ............................………………………………………………………..

* Address to be used for payment (billing) if different from the registered office:

Trade register entry:

No. .................................................................. (according to the rules in every country)

Address: …………….....................................………………………………………..

…………………………………………………………………………….…………….

Postcode: ............................. City: .........................…………………………..

Country: …………………………………………………………………………………..

Telephone: .............................. Fax: ...……………………………………………..

E-mail: ............................…………………………………………………………..

* Bank: …………………………………………………….......................... Address: …………………………………………………………………………………..  
  ……………………………………………………………………………………………

Postcode: …………………...................... Country: …...…………………………………  
Bank account no.: ..................................... SWIFT code: ......................……………

IBAN code: ………………………..

1. **Representation/using a third party**

4.1 Authorised representative

The supplier HAS/DOES NOT HAVE an authorised representative (cf. item 3.1.1) (delete as appropriate).

If the supplier has an authorised representative, it shall enclose a completed and signed Annex 2 as Enclosure AD2 with its qualification application.

4.2 Use of a third party

In case the supplier uses the resources of another entity (cf. item 3.1.2), it shall enclose the following third-party documents with its qualification application:

AD11.1. Extract from the trade register of the third-party company.

AD11.2. Organisation chart of the third-party company.

AD11.3. Memorandum of association of the third-party company.

AD11.4. If not included in AD11.1 or AD11.3, proof that the undersigned of Annexes 3 and 4 can represent this third-party company.

AD11.5. Proof that the third-party company does not meet one of the exclusion criteria mentioned under Article 67, 68 and 69 of the Law of 17 June 2016 according to Article 72 of the Royal Decree of 18 April 2017[[1]](#footnote-1):

* A: Solemn declaration (see Annex 4).
* B: Extract from the criminal records in the name of the third-party company. Only if this does not exist in the country where the company is based, shall we accept an extract from the criminal records in the name of the CEO. Documents that are more than 3 months old shall not be accepted.
* C: Official certificate, max 3 months old, issued by the third party's social security institution, proving that the third party has fulfilled all social security payment obligations in accordance with Belgian law or the laws of the third party's country of residence.
* D: Official tax certificate proving that the third-party company is in order with its tax payments. We do not accept documents older than the previous quarter.
* E: Official certificate of non-bankruptcy, max 3 months old, issued by the Commercial Court or, if non existent, a sworn affidavit or certificate in compliance with the conditions set forth in the member state in which the applicant is based.

AD11.6. Completed Annex 3 proving that the third-party company has the resources required to meet the qualification condition(s) and can make them available to the supplier.

AD11.7. Valid ISO 9001 certificate or equivalent quality manual for the third-party company. Optional: ISO 14000, EMAS or other certificates held by the company.

1. **Legal and financial information/supplier criteria**

Current legal form .......................................................……………..

Date of establishment .................................................................……………..

***Enclose the company's memorandum of association as Enclosure AD5.***

This is thenotarial deed drawn up when the company was established, which includes amongst others information on the company's purpose and legal status.

Background, history

Name and position of the persons authorised to represent the company:

Chairman .......................……………………………………………………...

General Manager …….....................………………………………………..

Sales Director ..................…………………………………………

Director ...........................…………………………………………………

Share capital ...........................

Capital outside the EU ...........……%

Major company shareholders:

(Provide your major shareholders, which may be individuals or companies, and their participation)

…………………………………………………………………………………………….…………%

…………………………………………………………………………………………….…………%

……………………………………………………………………………………………………….%

Is the company quoted on the stock exchange? 🞏 Yes 🞏 No

Are you part of an industrial group? .............…………………….….

If so, which?

***Enclose a group organisation chart as Enclosure AD4.B.***

Do you have any subsidiaries? ….………………………………..……….

If so, which?

***Enclose an organisation chart of the subsidiaries as Enclosure AD4.C.***

Do you have any agreements with other companies? .............…………………...

If so, which?

If so, what type of agreements are they?

………………………………………………………………………………..…..

………………………………………………………………………………..…..

Does your company have any intellectual property rights in the field of the requested qualification? ………………………………………..…...

If so, which? In which field?

………………………………………………………………………………………

………………………………………………………………………………………

Turnover:

Annual turnover before taxes, company profit and loss for the last three financial years:

Expressed in ………

Year Turnover Loss Profit

……….. ……………….. ……………… ………………….

……….. ……………….. ……………… ………………….

……….. ……………….. ……………… ………………….

Railway industry share of the turnover of the last three financial years.

Year : .........% Year : .........% Year : .........%

***Neither the supplier, nor the third party (referred to in item 3.1.2) can meet one of the exclusion criteria according to Articles 67, 68 and 69 of the Law of 17 June 2016.***

***Proof of this must be supplied according to Article 72 of the Royal Decree of 18 April 2017 and enclosed with the qualification application as Enclosure AD6 and AD11.5.***

We specifically request the following documents in the name of the supplier as Enclosure AD6[[2]](#footnote-2):

* A: Solemn declaration (see Annex 4).
* B: Extract from the criminal records in the name of the company aiming to qualify. Only if this does not exist in the country where the company is based, shall we accept an extract from the criminal records in the name of the CEO. Documents that are more than 3 months old shall not be accepted.
* C: Official certificate, max 3 months old, issued by the social security institution, proving that the supplier has fulfilled all social security payment obligations in accordance with Belgian law or the laws of the supplier's country of residence.
* D: Official tax certificate proving that the supplier is in order with its tax payments. We do not accept documents older than the previous quarter.
* E: Official certificate of non-bankruptcy, max 3 months old, issued by the Commercial Court or, if non existent, a sworn affidavit or certificate in compliance with the conditions set forth in the member state in which the applicant is based.

1. **Identification of production site activities**
2. Type of products the production site can supply

................................................................................................................…..

.......................................................................................................…......…..

................................................................................................................…..

***If possible, enclose a list or catalogue as Enclosure AD7.***

1. Services provided by the production site

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| SERVICES | Are you capable of providing the following services? | | Do you have part of these services executed by a third party? | |
|  | (tick as appropriate) | | | |
|  | YES | NO | YES | NO |
| Sales department |  |  |  |  |
| Design,  Consultancy |  |  |  |  |
| Supply,  Purchasing |  |  |  |  |
| Inspection, monitoring  Quality of the purchased products |  |  |  |  |
| Manufacturing  And/or production |  |  |  |  |
| Inspections, testing  During manufacturing and/or production |  |  |  |  |
| Inspections, testing  At the end of manufacturing and/or production |  |  |  |  |
| Storage, handling,  Packaging |  |  |  |  |
| Shipment, delivery,  Transport |  |  |  |  |
| After-sales |  |  |  |  |

1. Competence

**Qualification condition*: The supplier must be capable of supplying products meeting the quality standards on time.***

***The supplier shall enclose a list of references with attestations from at least 3 different customers confirming the supplier's good execution of deliveries less than 3 years ago. Each certificate shall state the following: customer details (name and address), the year of the deliveries, the contact (name, office address, telephone number and e-mail address) and a concise description of the content of the contract and a confirmation of the good execution of the deliveries in terms of quality, quantity and lead times, stamped and signed by the customer. Enclose as Enclosure AD8.***

**Note:**

**The observation of incorrect and/or late deliveries under a specific contract may be seen as failure to meet the above condition, despite the enclosure of the requested list of references.**

1. Have you already worked in the railway industry? 🞏 Yes 🞏 No

🞏 Manufacturers 🞏 Rail infrastructure manager

🞏 Railway operator 🞏 Other: ……………..

Please specify the companies involved: ………………………………

……………………………………………………………………………………

Supplied products in this industry: ……………………………………….

………………………………………………………………………….………..

1. Do you have a Research & Development department? 🞏 Yes 🞏 No
2. Origin of the main raw materials

Raw material Supplier

....................................................... ..................................................…….

....................................................... ..................................................…….

....................................................... ..................................................…….

1. **Production site staff**
2. Workforce

Overall number of staff: .....................

Categorisation per role:

Consultancy: ................ Production: .....................

Sales: .................. Quality/inspection roles: .................. Other: ..............…...

Temporary staff: ......... % of the overall number of staff at the site.

1. Staff professional competence

Is your staff subjected to internal qualification?

🞏 Yes 🞏 No

If so, please specify the number of people involved and the reference documents used for each field:

…………………………………………………………………………………….

…………………………………………………………………………………….

…………………………………………………………………………………….

…………………………………………………………………………………….

Is the staff subjected to external qualification?

🞏 Yes 🞏 No

If so, please specify the number of people involved and the reference documents used for each field:

…………………………………………………………………………………….

…………………………………………………………………………………….

…………………………………………………………………………………….

…………………………………………………………………………………….

…………………………………………………………………………………….

1. **Production means at the production site**

Who owns the land?

The supplier 🞏 Yes 🞏 No

The third party (referred to in item 3.1.2) 🞏 Yes 🞏 No

Another third party 🞏 Yes 🞏 No

If the answer is another third party, please provide its details here: ...............................................................................................

………………………………………………………………………

Who owns the buildings?

The supplier 🞏 Yes 🞏 No

The third party (referred to in item 3.1.2) 🞏 Yes 🞏 No

Another third party 🞏 Yes 🞏 No

If the answer is another third party, please provide its details here: ...............................................................................................

………………………………………………………………………

………………………………………………………………………

Who owns the installations?

The supplier 🞏 Yes 🞏 No

The third party (referred to in item 3.1.2) 🞏 Yes 🞏 No

Another third party 🞏 Yes 🞏 No

If the answer is another third party, please provide its details here: ….................................................................................................

….................................................................................................

Used surface area Total ........................................ m²

Indoor ...................................... m²

Office space ............................ m²

Workshop ................................ m²

Storage .................................... m²

Are some of your products technically qualified by customers? 🞏 Yes 🞏 No

If so, please specify the products and the customers.

…………………………………………………………………………………….

…………………………………………………………………………………….

1. **Quality management and quality assurance**

Qualification condition: the supplier must have a quality management system that meets the requirements of ISO 9001 or an equivalent standard.

Is your quality system certified? 🞏 Yes 🞏 No

If so, ***enclose a copy of the obtained (national and/or international) certificates as Enclosure AD9*** and clarify the field of certification, any restrictions and the institution:

......................................................................................................................

......................................................................................................................

......................................................................................................................

If not, ***enclose a copy of your quality manual as Enclosure AD9.***

......................................................................................................................

...................................................................................................................

By signing this Y15 administrative clauses, the supplier declares that it has read the QA document and shall meet its requirements. The QA document is available on [www.infrabel.be](http://www.infrabel.be)

If the supplier uses a third party (referred to in item 3.1.2), the supplier shall also enclose a statement signed by this third party with its qualification application in which the third party declares that it has read the QA document and shall meet its requirements.

1. **Supplier code of conduct**

Available on [www.infrabel.be](http://www.infrabel.be).

**🞏 Please tick as "read and approved"**

By signing this administrative clauses, the supplier declares that it has read this code of conduct and shall respect it.

If the supplier uses a third party (referred to in item 3.1.2), the supplier shall also enclose a statement signed by this third party with its qualification application in which the third party declares that it has read the abovementioned code of conduct and shall respect it.

Do you and/or the third party (referred to in item 3.1.2) have ISO 14000, EMAS or other certificates? 🞏 Yes 🞏 No

……………………………………………………………………………………

If so, ***please enclose a copy of the obtained (national and/or international) certificates as Enclosure AD10.***

In ................................................ on .............................

NAME .............................................

Position .........................................

*(to be signed by the person(s) authorised to represent the supplier according to the articles of association)*

Signature

**ANNEX 2:** Model form ‘Supplier statement for the official appointment of an authorised representative’ (cf. 3.1.1 Administrative clauses)

I, the undersigned, …………………………………… (1), authorised to officially represent the supplier ……………………………………………………………………………………. (2), hereby appoint …………………………………………………………… (3)  
as authorised representative to:

(tick and fill in the desired option)

Option 1

Manage the administration of the qualification process of a supplier system no. …………… (4) for the delivery of …………………………………………………… (5).

Option 2

Manage the administration of the qualification process of a supplier system no. …………… (4) for the delivery of …………………………………………………… (5) and to receive the specifications for this following qualification.

I hereby accept the conditions of the Y15 administrative clauses.

In .............................................., on ...................................................

(signature)

1. First name and surname of the person(s) allowed to represent the supplier.
2. Supplier name and address.
3. First name and surname or company name and address of the authorised representative.
4. Number of the qualification system as defined in the issue of the Official Journal of the European Union.
5. Name of the deliveries according to the qualification system.

**ANNEX 3:** Model form ‘Agreement for using a third party’

(cf. 3.1.2 Administrative clauses)

To be completed by the persons authorised to represent the third party according to the articles of association.

The company [enter name] with company number [enter number] and its registered office at [enter address], represented by [enter representative name and position], undertakes to make available the necessary resources for the supplier qualification regarding [enter for which qualification condition(s) the supplier uses a third party] during the entire qualification term of the supplier [enter supplier name and details] for qualification system [enter qualification system name].

By signing this agreement, the undersigned declare(s) that they have read Infrabel code of conduct (available on www.infrabel.be) and shall respect it.

By signing this agreement, the undersigned declare(s) that he/she/they has/have read the QA document (available on www.infrabel.be) and shall respect it.

[name, signature and position] [date]

**ANNEX 4:** Model form ‘Solemn declaration’

**Solemn declaration[[3]](#footnote-3)**

I, the undersigned (surname, first name and position),

in my capacity as representative of the company (trade name, legal status)

with registered office at (postcode, town)

(street), (no.) .................................................................................................

Hereby solemnly declare that neither above mentioned company nor any person who is a member of its administrative, management or supervisory body nor any person who has powers of representation, decision or control therein, has been subject of a conviction by final judgment for one of the reasons listed below, by a conviction rendered at the most five years ago or in which an exclusion period set out directly in the conviction continues to be applicable.

Article 57 (1) of Directive 2014/24/EU sets out the following reasons for exclusion : Participation in a criminal organisation;

Corruption;

Fraud;

Terrorist offences or offences linked to terrorist activities;

Money laundering or terrorist financing;

Child labour and other forms of trafficking in human beings.

Hereby solemnly declare that the above company is not in any condition that could give rise to the company's exclusion in accordance with 1°, 3° up to and including 9° of Article 69 of the Law of 17 June 2016. The company is in a condition of exclusion according to this article in following cases :

1° if the contracting authority demonstrates by any appropriate means that the candidate or tenderer has violated the applicable environmental, social and labour law obligations stated in Article 7;  3° if the contracting authority can demonstrate, by any appropriate means, that the candidate or tenderer is guilty of grave professional misconduct, on account of which their integrity can be called into question;

4° if the contracting authority has at its disposal sufficient plausible evidence to conclude that the candidate or tenderer purportedly carried out actions, concluded agreements or made arrangements which are geared towards the distortion of competition within the meaning of Article 5 paragraph 2;

  5° if a conflict of interests within the meaning of Article 6 cannot be effectively remedied with other less far-reaching measures;  6° if distortion of competition as referred to in Article 52 occurred on account of the prior involvement of the candidate or tenderer in preparation of the procurement procedure which cannot be remedied with other less far-reaching measures;  7° if the candidate or tenderer has demonstrated considerable or continued shortcomings in the performance of an essential requirement during a previous public contract, a previous contract with a contractor or a previous concession contract, resulting in the adoption of official measures, compensation or other similar sanctions;  8° if the candidate or tenderer is guilty of serious misrepresentation when supplying the information required for verifying the absence of grounds for elimination or compliance with the selection criteria, or if they have withheld information, or were unable to hand over the supporting documents which are required in accordance with Article 73 or Article 74; or  9° if the candidate or tenderer has attempted to improperly influence the decision-making process of the contracting authority, to obtain confidential information which can bring them undue advantages in the procurement procedure, or to provide deliberately misleading information which can have an important impact on decisions pertaining to elimination, selection and award.

Drawn up in (location),

on *(date)*

The service provider,

(signature)

|  |  |  |  |
| --- | --- | --- | --- |
| **ANNEX 5: Checklist ‘Documents requested for qualification’**  \* = mandatory enclosure \*\* = mandatory enclosure if applicable | | | |
| **Supplier:** | **Number qualification system:** | | |
| **ADMINISTRATIVE FILE** | **Page** | **Column for I-FBA.518** | |
| **Enclosure AD1\*:** Questionnaire |  |  | |
| **Enclosure AD2\*\*:** Authorised representative |  |  | |
| **Enclosure AD3\*:** Extract from the trade register |  |  | |
| **Enclosure AD4\*:**  AD4.A Supplier organisation chart  AD4.B Group organisation chart  AD4.C Subsidiary organisation chart |  |  | |
| **Enclosure AD5\*:** Memorandum of association |  |  | |
| **Enclosure AD6\*:**  AD6.A Solemn declaration  AD6.B Extract from the criminal records  AD6.C Official certificate social security  AD6.D Official tax certificate  AD6.E Official certificate of non-bankruptcy |  |  | |
| **Enclosure AD7:** Catalogue |  |  | |
| **Enclosure AD8\*:** 3 customer references/attestations of good execution |  |  | |
| **Enclosure AD9\*:** ISO9001 certificate or quality manual |  | Valid until |  |
| **Enclosure AD10:** ISO14000, EMAS, other certificates |  |  |  |
| **Enclosure AD11\*\*:** Using a third party. Third-party documents to be enclosed:  AD11.1 Extract from the trade register  AD11.2 Organisation chart  AD11.3 Memorandum of association  AD11.4 Proof signature authorisation  AD11.5.A Solemn declaration  AD11.5.B Extract from the criminal records  AD11.5.C Official certificate social security  AD11.5.D Official tax certificate  AD11.5.E Official certificate of non-bankruptcy  AD11.6 Agreement for using a third party  AD11.7 ISO9001 certificate or quality manual |  | Valid until | |
|  |  |  | |
| **TECHNICAL FILE** | **Page** | **Column for I-FBA.518** | |
| According to the requirements of the relevant \*\* technical specification |  |  | |

1. Starting May 2018 Infrabel will print itself the documents freely available on Telemarc for Belgian companies. [↑](#footnote-ref-1)
2. Starting May 2018 Infrabel will print itself the documents freely available on Telemarc for Belgian companies. [↑](#footnote-ref-2)
3. *In case of a temporary association (consortium), this solemn declaration shall be submitted by each member. The exclusion of one of the temporary association's members shall also lead to the exclusion of the entire temporary association.* [↑](#footnote-ref-3)