

# European Single Procurement Document (ESPD)

## Part I: Information concerning the procurement procedure and the contracting authority or contracting entity

### Information about publication

For procurement procedures in which a call for competition has been published in the Official Journal of the European Union, the information required under Part I will be automatically retrieved, provided that the electronic ESPD-service is used to generate and fill in the ESPD. Reference of the relevant notice published in the Official Journal of the European Union:

**Notice number in the OJS:**

-

**OJS URL**

**National Official Journal**

-

In case publication of a notice in the Official Journal of the European Union is not required, please give other information allowing the procurement procedure to be unequivocally identified (e. g. reference of a publication at national level)

### Identity of the procurer

**Official name:**

LITHUANIAN RESEARCH LIBRARY CONSORTIUM

**Country:**

Lithuania

### Information about the procurement procedure

**Type of procedure**

Not specified

**Title:**

PROCUREMENT OF SUBSCRIPTION SERVICES TO THE ONLINE RESEARCH DATABASE NAXOS MUSIC LIBRARY

**Short description:**

The services of subscription to the online research database Naxos Music Library for the Authorised Users of the LMBA Authorised Institutions from 1 January 2019 till 31 December 2019

**File reference number attributed by the contracting authority or contracting entity (if applicable):**

-

## **Part II: Information concerning the economic operator**

### **A: Information about the economic operator**

**Name:**

Naxos Digital Services Limited

**Street and number:**

Level 11, Cyberport 1, 100 Cyberport Road

**Postcode:**

Pokfulam

**City:**

Hong Kong

**Country:**

Hong Kong

**Internet address (web address) (if applicable):**

-

**E-mail:**

amanda.lai@naxos.com

**Telephone:**

+852 2993 5649

**Contact person or persons:**

Amanda, Lai

**VAT number, if applicable:**

-

**If no VAT number is applicable, please indicate another national identification number, if required and applicable**

-

**Is the economic operator a Micro, a Small or a Medium-Sized Enterprise?**

Yes

No

**Only in case the procurement is reserved: is the economic operator a sheltered workshop, a 'social business' or will it provide for the performance of the contract in the context of sheltered employment programmes?**

Yes

No

---

**If applicable, is the economic operator registered on an official list of approved economic operators or does it have an equivalent certificate (e.g. under a national (pre)qualification system)?**

Yes

No

- In addition, please complete the missing information in Part IV, Sections A, B, C or D as the case may be ONLY if this is required in the relevant notice or procurement documents

**e) Will the economic operator be able to provide a certificate with regard to the payment of social security contributions and taxes or provide information enabling the contracting authority or contracting entity to obtaining it directly by accessing a national database in any Member State that is available free of charge?**

Yes

No

**If the relevant documentation is available electronically, please indicate:**

-

---

**Is the economic operator participating in the procurement procedure together with others?**

Yes

No

---

**Where applicable, indication of the lot(s) for which the economic operator wishes to tender:**

-

**B: Information about representatives of the economic operator #1**

- Where applicable, please indicate the name(s) and address(es) of the person(s) empowered to represent the economic operator for the purposes of this procurement procedure:

**First name**

Amanda

**Last name**

Lai

**Date of birth**

08-08-1972

**Place of birth**

Hong Kong

**Street and number:**

Level 11, Cyberport 1, 100 Cyberport Road

**Postcode:**

Pokfulam

**City:**

Hong Kong

**Country:**

Hong Kong

**E-mail:**

amanda.lai@naxos.com

**Telephone:**

+852 2993 5649

**Position/Acting in the capacity of:**

-

**If needed, please provide detailed information on the representation (its forms, extent, purpose ...):**

-

**C: Information about reliance on the capacities of other entities**

**Does the economic operator rely on the capacities of other entities in order to meet the selection criteria set out under Part IV and the criteria and rules (if any) set out under Part V below?**

Yes

No

## **D: Information concerning subcontractors on whose capacity the economic operator does not rely**

- (Section to be filled-in only if this information is explicitly required by the contracting authority or contracting entity.)

### **Does the economic operator intend to subcontract any share of the contract to third parties?**

Yes

No

- If the contracting authority or contracting entity explicitly requests this information in addition to the information under Part I, please provide the information required under Sections A and B of this Part and Part III for each of the (categories of) subcontractors concerned.

## **Part III: Exclusion grounds**

### **A: Grounds relating to criminal convictions**

#### **Article 57(1) of Directive 2014/24/EU sets out the following reasons for exclusion**

##### **Participation in a criminal organisation**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for participation in a criminal organisation, 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? As defined in Article 2 of Council Framework Decision 2008/841/JHA of 24 October 2008 on the fight against organised crime (OJ L 300, 11.11.2008, p. 42).

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

## **Corruption**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for corruption, 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? As defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, OJ C 195, 25.6.1997, p. 1, and in Article 2(1) of Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector (OJ L 192, 31.7.2003, p. 54). This exclusion ground also includes corruption as defined in the national law of the contracting authority (contracting entity) or the economic operator. "

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

## **Fraud**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for fraud, 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? Within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests (OJ C 316, 27.11.1995, p. 48).

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

### **Terrorist offences or offences linked to terrorist activities**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for terrorist offences or offences linked to terrorist activities, 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? As defined in Articles 1 and 3 of Council Framework Decision of 13 June 2002 on combating terrorism (OJ L 164, 22.6.2002, p. 3). This exclusion ground also includes inciting or aiding or abetting or attempting to commit an offence, as referred to in Article 4 of that Framework Decision.

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

### **Money laundering or terrorist financing**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for money laundering or terrorist financing, 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? As defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing (OJ L 309, 25.11.2005, p. 15).

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

### **Child labour and other forms of trafficking in human beings**

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for child labour and other forms of trafficking in human beings, 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? As defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1).

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

### **B: Grounds relating to the payment of taxes or social security contributions**

**Article 57(2) of Directive 2014/24/EU sets out the following reasons for exclusion**

#### **Payment of taxes**

Has the economic operator breached its obligations relating to the payment of taxes, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment?

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

### **Payment of social security**

Has the economic operator breached its obligations relating to the payment social security contributions, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment?

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

### **C: Grounds relating to insolvency, conflicts of interests or professional misconduct**

**Article 57(4) of Directive 2014/24/EU sets out the following reasons for exclusion**

#### **Breaching of obligations in the field of environmental law**

Has the economic operator, to its knowledge, breached its obligations in the field of environmental law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.

Your answer?

Yes

No

#### **Breaching of obligations in the field of social law**

Has the economic operator, to its knowledge, breached its obligations in the field of social law? As referred to for the purposes of this procurement in national law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.

Your answer?

Yes

No

#### **Breaching of obligations in the fields of labour law**

Has the economic operator, to its knowledge, breached its obligations in the field of labour law? As referred to for the purposes of this procurement in national

law, in the relevant notice or the procurement documents or in Article 18(2) of Directive 2014/24/EU.

Your answer?

Yes

No

### **Bankruptcy**

Is the economic operator bankrupt? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

### **Insolvency**

Is the economic operator the subject of insolvency or winding-up? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

### **Arrangement with creditors**

Is the economic operator in arrangement with creditors? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

**Analogous situation like bankruptcy under national law**

Is the economic operator in in any analogous situation like bankruptcy arising from a similar procedure under national laws and regulations? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

**Assets being administered by liquidator**

Are the assets of the economic operator being administered by a liquidator or by the court? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

**Business activities are suspended**

Are the business activities of the economic operator suspended? This information needs not be given if exclusion of economic operators in this case has been made mandatory under the applicable national law without any possibility of derogation where the economic operator is nevertheless able to perform the contract.

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

### **Agreements with other economic operators aimed at distorting competition**

Has the economic operator entered into agreements with other economic operators aimed at distorting competition?

Your answer?

Yes

No

### **Guilty of grave professional misconduct**

Is the economic operator guilty of grave professional misconduct? Where applicable, see definitions in national law, the relevant notice or the procurement documents.

Your answer?

Yes

No

### **Conflict of interest due to its participation in the procurement procedure**

Is the economic operator aware of any conflict of interest, as indicated in national law, the relevant notice or the procurement documents due to its participation in the procurement procedure?

Your answer?

Yes

No

### **Direct or indirect involvement in the preparation of this procurement procedure**

Has the economic operator or an undertaking related to it advised the contracting authority or contracting entity or otherwise been involved in the preparation of the procurement procedure?

Your answer?

Yes

No

**Early termination, damages or other comparable sanctions**

Has the economic operator experienced that a prior public contract, a prior contract with a contracting entity or a prior concession contract was terminated early, or that damages or other comparable sanctions were imposed in connection with that prior contract?

Your answer?

Yes

No

**Guilty of misinterpretation, withheld information, unable to provide required documents and obtained confidential information of this procedure**

Can the economic operator confirm that:

- a) It has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria,
- b) It has withheld such information,
- c) It has not been able, without delay, to submit the supporting documents required by a contracting authority or contracting entity, and
- d) It has undertaken to unduly influence the decision making process of the contracting authority or contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award?

Your answer?

Yes

No

**D: Purely national exclusion grounds**

**Do the purely national grounds of exclusion, which are specified in the relevant notice or in the procurement documents, apply?**

**Purely national exclusion grounds**

Other exclusion grounds that may be foreseen in the national legislation of the contracting authority's or contracting entity's Member State. Has the economic operator breached its obligations relating to the purely national grounds of exclusion, which are specified in the relevant notice or in the procurement documents?

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

## **Part IV: Selection criteria**

### **a: Global indication for all selection criteria**

**Concerning the selection criteria the economic operator declares that it satisfies all the required selection criteria**

Your answer?

Yes

No

## **Finish**

### **Part V: Reduction of the number of qualified candidates**

**The economic operator declares that:**

**It meets the objective and non discriminatory criteria or rules to be applied in order to limit the number of candidates in the following way:**

**In case certain certificates or other forms of documentary evidence are required, please indicate for each whether the economic operator has the required documents:**

If some of these certificates or forms of documentary evidence are available electronically, please indicate for each:

Your answer?

Yes

No

---

Is this information available at no cost to the authorities from an EU Member State database?

Yes

No

## Part VI: Concluding statements

The economic operator formally declare that the information stated under Parts II - V above is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declare to be able, upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where:

a) The contracting authority or contracting entity has the possibility of obtaining the supporting documentation concerned directly by accessing a national database in any Member State that is available free of charge (on condition that the economic operator has provided the necessary information (web address, issuing authority or body, precise reference of the documentation) allowing the contracting authority or contracting entity to do so. Where required, this must be accompanied by the relevant consent to such access), or

b) As of 18 October 2018 at the latest (depending on the national implementation of the second subparagraph of Article 59(5) of Directive 2014/24/EU), the contracting authority or contracting entity already possesses the documentation concerned.

The undersigned formally consent to [identify the contracting authority or contracting entity as set out in Part I, Section A], gaining access to documents supporting the information, which has been provided in [identify the Part/Section/Point(s) concerned] of this European Single Procurement Document for the purposes of [identify the procurement procedure: (summary description, reference of publication in the Official Journal of the European Union, reference number)].

Date, place and, where required or necessary, signature(s):

**Date**

22-10-2018

**Place**

Hong Kong  
**Signature**

A handwritten signature in black ink, appearing to be 'Edmund', written in a cursive style.