

Multiple framework contracts with reopened competition for the provision of consumer market studies

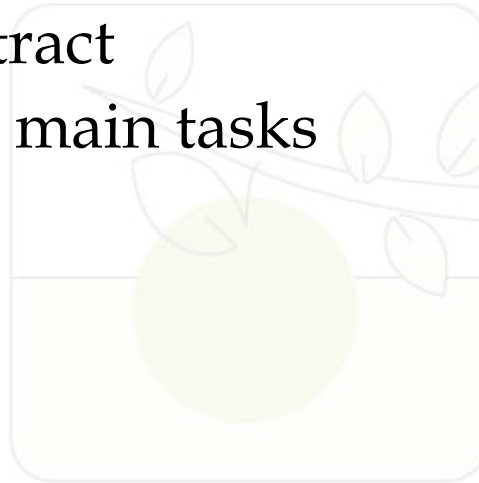
**Information meeting
16.06.2009**

Agenda

- Introduction - presentation of the scope of the call for tenders
- Open session to questions:
 - Regarding technical issues
 - Regarding financial issues
 - Regarding legal issues
- Conclusions

Presentation of the scope of the call for tenders

- Objective of the call for tenders
- Nature of the contract
- Deliverables – the main tasks
- Reports
- Price
- Exclusion criteria
- Selection criteria
- Award criteria
- Financial proposal – unit prices



Objective of the call for tenders

- The objective of this call for tender is to conclude Framework Contracts to provide DG Health and Consumers and other consumer policy related Commission services, and the Community Executive Agency for Health and Consumers with **market studies that will give its services answers to questions regarding market functioning from the consumer perspective**. The studies will cover elements such as data gathering, information, market intelligence as well as an in-depth analysis of specific consumer markets. Such market studies will develop the understanding of consumers' conditions and ensure an evidence base for possible policy recommendations.

- The main areas identified by the Commission as **indicators of consumers' situation** are:
 1. Consumers' ability to make informed, rational and empowered choices
 2. Consumers' ability to benefit from a well functioning and effective market, in terms of choice
 3. Integration of the European Single Market

Nature of the contract

- Multiple framework contract with **reopening of competition** system
- Framework Contracts (FWC) with a **minimum of 3 and a maximum of 5 contractors**
- Concluded for a period of **24 months**, may be renewed twice for consecutive periods of 12 months
- Procedure for specific contracts – request for services will set out: terms of reference, deliverables, estimated max. price, duration of the contract, role of the expert group, reporting, meetings, payment instalments, reimbursable expenses

Deliverables

Main Task 1: The overall study on consumers' conditions in a given market

- The study will comprise of a description, an analysis and an evaluation of consumer situation in the market. It will present the context of the conditions described, in terms of economic, legal, social, behavioural and other aspects
- The contractor will develop a framework for analysis and for presenting results
- The contractor will coordinate the different stages and tasks of the study
- The contractor will help prepare consultations with stakeholders
- Experts' advice and analysis on the chosen market: preparation of the study, knowledge of the market, assessment of results

- Tenderers should indicate in their bid (Main Task 1)
 - A generic *methodology*, in a form of an analytical framework
 - A *list of countries and a list of consumer markets* that the tenderer is able to cover
 - Description of the *method of composing a group of experts* and incorporating the experts' work
 - A proposed *description, timeline and work plan* of the whole study
 - Proposed *resources* in terms of time and personnel
 - Proposed *quality control* and supervision methods
 - Presentation of the way in which *continuity of the service* will be ensured

Main Task 1 will be based on results and analysis obtained from the other tasks, complemented by additional sources of information available to the Commission or the contractor.

- **Main Task 2:** Carrying out of in-depth consumers' opinion surveys (based on the model developed for the consumer satisfaction survey) and analysis of results.
- **Main Task 3:** Collection of prices for defined goods/services in a defined market at a given time across the EU
- **Main Task 4:** Survey based on Mystery Shopping methodology carried out on a defined market

The Commission will indicate which tasks will be used for the data collection.

Main Task 2: Carrying out of in-depth consumers' opinion surveys and analysis of results

Main deliverables:

- Large scale face-to-face or telephone survey on consumer opinion in the chosen markets
- Adaptation of the methodology to the specific market
- Structural Equation Modelling with the previously developed model
- General and regression analysis of the findings

It will be the contractor's task to suggest a list of questions in a questionnaire for the Commission to approve.

- Tenderers should indicate in their bid (Main Task 2)
 - A generic *methodology for preparing a questionnaire and conducting opinion survey*
 - *Methodology of selection of key areas* concerning consumers' conditions that could be described by results of interviews
 - Presentation of the general methodology of *constructing a sample* necessary to obtain representative results
 - A proposed *timeline* of the task
 - A description of *work organisation*
 - Presentation of the envisaged *briefing and training* of the interviewers
 - Proposed *quality control* and supervision methods
 - Description of the way in which *data would be recorded and stored*

Main Task 3: Collection of prices for defined products/services

- The contractor will supply price data for comparable and representative or reference products or services within the consumer market chosen
- The contractor will compile a list of products that are comparable between the Member States and representative for the consumer market for the whole of the European Union. The final list of products will be approved by the Commission
- The contractor will collect price observations sufficient for indicating prices in the following dimensions:
 - all the Member States covered (plus Iceland and Norway, if needed), in aggregate,
 - each Member State
 - if possible, region, sales channel (notably e-commerce) and outlet type.
 - one or two different points in time
- All prices should be supplied as both actual market prices paid by the consumer (thus including taxes) and excluding taxes (VAT, excise duties etc.).
- Prices should be given in both Euro and local currencies

- Tenderers should indicate in their bid (Main Task 3)
 - A generic *methodology for conducting of the price collection* ensuring statistical robustness of average prices
 - *Methodology of selection of representative products*
 - *Methodology* and criteria of assessing *comparability* of products
 - Presentation of the methodology of *constructing a sample*
 - A proposed *timeline* of the task
 - A description of *work organisation* for the task
 - Presentation of the envisaged *briefing and training* of the surveyors
 - Proposed *quality control* and supervision methods
 - Description of the way in which *data would be recorded and stored*

Main Task 4: Mystery Shopping study carried out in a defined market

- The scope of information to be collected by the task may include the following aspects:
 - *The extent to which traders/providers appear to comply in practice with certain basic consumer protection rules and other relevant sector-specific regulations*
 - *Internal market aspects with a consumer dimension*
 - *Restrictions, discriminations and commercial practices that may result in consumer detriment, where applicable*
- The contractor will be responsible for identifying key potential problems and research questions relevant to the specific market
- The contractor should envisage either visits to physical premises as well as visits to Internet sites – to be decided by the Commission

- Tenderers should indicate in their bid (Main Task 4)
 - A generic *methodology for conducting of each type of visits*
 - *Methodology of selection of key areas* concerning consumers' conditions that could be described by results of the mystery shopping
 - Presentation of the methodology of *constructing a sample* necessary to obtain representative results
 - A proposed *timeline* of the task
 - A description of *work organisation* for the task
 - Description of *how mystery shoppers are recruited*, and the envisaged *briefing and training* of mystery shoppers
 - Proposed *quality control* and supervision methods
 - Description of the way in which *data would be recorded and stored*

Reports

- After the award of the framework contract all communication between the contracting authority and the contractors, as well as work delivered by operators awarded for specific contracts will be done in English
- Reporting requirements will be defined in the frame of each specific contract
- Reports would normally be required by the contracting authority during the course of the work carried out
 - An inception report or methodology report delivered maximum 5 weeks after the signature of the specific contract
 - An intermediary report during the fieldwork phase
 - A second intermediary report or a pre-final report depending on the duration, size and complexity of the study
 - A final report, which includes conclusions and recommendations
- The copyrights of each document produced under the framework contract belong to the European Commission. The Commission has also exclusive rights to publish these documents.

Price

- Prices must be quoted in Euro
- Prices must be fixed amounts
- Prices shall be quoted free of all duties, taxes and other charges, including VAT
- Prices shall be fixed and not subject to revision for the period of 24 months laid own in the contract. In case of a contract renewal, as at each renewal, the amount may be revised upwards or downwards.

Exclusion criteria

- Tenderers must certify that they are not in one of the situations listed in the specifications (Section 14.1) by completing and signing the form in Annex 4, “Certification with respect to the Exclusion Criteria”
- The tenderer to whom the contract is to be awarded must **also** provide **evidence** that they are not in any of the situations described
- Contracts may not be awarded to candidates or tenderers who, during the procurement procedure
 - are subject to a conflict of interest;
 - are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information;
 - find themselves in one of the situations of exclusion, referred to in paragraph 14.1, for this procurement procedure.

Selection criteria

- Tenderers must demonstrate that they have the financial and technical and human resources necessary to provide the services required
- Evidence of access to contracts (proof of eligibility)
- **Economic and financial capacity**
 - an average annual turnover for the last three years of at least € 1 million
 - Furnished by documents listed in Section 15.2 of the specifications

- **Technical and professional capacity**
 - Relevant experience in the last three years
 - The core team members should have professional experience and expertise of at least four years in market research
 - The project leader should have professional experience and expertise of at least seven years in market research
 - Tenderers must demonstrate that they have the human resources needed to provide the services required by indicating the number of full-time and part-time staff to be assigned

- Evidence for the technical and professional capacity:
 - CVs
 - List of relevant services provided in the past three years
 - Description of the technical equipment
 - Description of the measures employed to ensure the quality of services
 - Statement of the average annual manpower and the number of managerial staff of the service provider or contractor in the last three years
 - Proof of compliance with relevant professional and market research standards
 - An indication of the proportion of the contract which the service provider may intend to subcontract
 - A list of potential subcontractors

Award criteria

The Framework Contracts will be awarded to the tenderers who submit the best value for money bid, as assessed on the basis of the following factors:

- **Technical evaluation criteria**
- **Price**

■ **Technical evaluation criteria as weighted by percentage (maximum total of 100 points)**

	Qualitative Award criteria	Weighting (max. points)
1)	Number of countries and consumer markets covered by all tasks in the studies	20
2)	<u>Task 1 - Overall study on consumers' conditions on a given market:</u> Proposed methodologies and tools. Approach proposed for the management of the work.	20
3)	<u>Task 2 - Carrying out of in-depth consumers' opinion surveys and analysis of results:</u> Proposed methodologies and tools. Approach proposed for the management of the work.	20
4)	<u>Task 3 - Collection of prices for defined products/services:</u> Proposed methodologies and tools. Approach proposed for the management of the work.	20
5)	<u>Task 4 - Mystery Shopping study carried out in a defined market:</u> Proposed methodologies and tools. Approach proposed for the management of the work.	20

■ Price

- **The price must be indicated in the financial part of the tender**
- Financial proposals will be compared on the basis of the subtotal proposed at line A) of the Table of Unit Prices (**Annex 5**). The reimbursable expenses (travel expenses and subsistence costs) indicated at line B) will not be taken into account for evaluation purposes

- formula

$$\text{Points} = (\text{price of the lowest bid} / \text{price of the bid in question}) \times 100$$

- Best value for money bids will be awarded. This will be determined on the basis of the price and the quality of the tender by weighing technical quality against price on a 60/40 basis

■ **Financial proposal (Annex 5) – part referring to personnel and experts' fees**

Price component	Unit	Unit Price	Quantity	Total (Unit Price x Quantity)
Personnel and experts' fees				
Price estimation for 1 working day of Category I expert	Working day		1	1)
Price estimation for 1 working day of Category II personnel	Working day		4	2)
Price estimation for 1 working day of Category III personnel	Working day		5	3)
Price estimation for 1 working day of Category IV personnel	Working day		10	4)
Price estimation for 1 working day of Category V personnel	Working day		80	5)
Subtotal = 1) + 2) + 3) + 4) + 5)				A)

Submission of tenders

- **Deadline for submission of tenders:**

06.07.2009, 16:00

- **Opening committee**

13.07.2009, 10:30

Details under:

http://ec.europa.eu/consumers/tenders/information/tenders/cont_notices_en.htm

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