

Specifications to invitation to tender

**Multiple Framework Contracts with reopened competition for the provision of
Consumer Market Studies**

Table of content

- 1. Preamble..... 3
- 2. Background 4
- 3. Nature and duration of the contract..... 4
 - 3.1. Procedure for specific contracts 5
- 4. Objective of the contract 5
- 5. Subject of the contract..... 7
 - 5.1. Main Task 1: The overall study on consumers' conditions in a given market 7
 - 5.1.1. Content of a specific market study 7
 - 5.1.2. Experts' advice and analysis on the chosen market..... 8
 - 5.1.3. Tenderers should indicate in their bid: 8
 - 5.2. Main tasks providing data basis for a market study 9
 - 5.2.1. Main Task 2: Carrying out and an in-depth analysis of consumers' opinion surveys..... 9
 - 5.2.2. Main Task 3: Collection of prices for defined products/services 11
 - 5.2.3. Main Task 4: Mystery Shopping study carried out in a defined market 12
 - 5.3. Additional elements which should be included in the tenders 14
- 6. Participation in the tendering procedure 14
 - 6.1. Subcontracting 14
 - 6.2. Consortia..... 15
- 7. Volume of contract..... 15
- 8. Place of performance..... 15
- 9. Price..... 15
- 10. Terms of payment..... 16
- 11. Contractual terms and guarantees 17
- 12. Reports and documents to be submitted 17
- 13. Provisions relating to tenders – what parts a tender should include 18
- 14. Exclusion criteria..... 18
 - 14.1. Candidates or tenderers shall be excluded from participation in a procurement procedure if:..... 18
 - 14.2. Evidence 19
 - 14.3. Contracts may not be awarded to candidates or tenderers who, during the procurement procedure: 20
- 15. Selection criteria 20
 - 15.1. Evidence of access to contracts (proof of eligibility)..... 20
 - 15.2. Economic and financial capacity 21
 - 15.3. Technical and professional capacity 21
 - 15.3.1. Tenderers must meet the following technical and professional criteria: 21
 - 15.3.2. Evidence of the technical and professional capacity of economic operators may be furnished on the basis of the following documents: 22
- 16. Award criteria..... 23
- 17. Financial proposal 27
- 18. Final provisions 29
- Appendix 1: List of consumer markets 31
- Appendix 2: List of EU countries with weighing 34
- 34

1. PREAMBLE

On the 09/05/2009 the Commission has published the call for tender SANCO/2009/B1/010 for a framework contract in the Official European Journal (2009/S 89-127616) about survey activities on consumer markets.

As the Executive Agency for Health and Consumers (EAHC) will be managing the financial, administrative and potentially any other part of the contract resulting from this tendering process, throughout the contract any phrase referring to "the Commission" should be interpreted as: *The European Commission or EAHC*.

Any approvals, signatures or commitments defined in the contract can thus be done by either the Commission or EAHC. This is valid both in terms of the framework contract and any specific contract deriving from this.

2. BACKGROUND

"The Communication on a single market for 21st century Europe" COM(2007)724¹ underlines the need to ensure that the Single Market delivers positive outcomes for consumers.

It also committed the Commission to develop market monitoring as a new tool to deliver more evidence based policy. In December 2008 the Commission staff working document "Market Monitoring: State of Play and Envisaged Follow-Up" SEC(2008)3074² set out the Commission's plans for further work.

In addition particular attention has been given to market monitoring in consumer markets. The Consumer Markets Scoreboard³ seeks to indicate consumer markets that might be malfunctioning, according to five indicators (prices, switching, complaints, safety and satisfaction). The Commission then intends to carry out more detailed market monitoring studies of consumer markets identified in the Scoreboard as malfunctioning. The Commission has announced its intention to carry out such a study into the retail electricity market⁴.

The current call for tender should result in delivering data, information and analysis about different aspects of consumers' situation on specific markets.

3. NATURE AND DURATION OF THE CONTRACT

This contract follows the multiple framework contract with reopening of competition system. The Commission will conclude Framework Contracts (FWC) with a minimum of 3 and a maximum of 5 contractors. The terms of the FWC will be the same for each contractor. The FWC will state the general contractual terms, including technical, administrative, financial and legal. These terms will refer to commercial relations between the Commission and the contractors and will apply during the period of validity of the FWC.

The model framework contract, which will apply to this call for tenders, is provided in Annex 7. Tenderers must declare that they accept it and must take it under consideration when preparing their tender.

The framework contract will be concluded for a period of 24 months from the date of signature. The period of execution of the tasks described in the contract may be renewed twice for consecutive periods of 12 months.

1 http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007_0724en01.pdf

2 http://ec.europa.eu/economy_finance/publications/publication13688_en.pdf

3 http://ec.europa.eu/consumers/strategy/docs/2nd_cons_scoreboard_en.pdf

4 <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/202&type=HTML&aged=0&language=EN>

3.1. Procedure for specific contracts

The framework contract sets out a general description of the tasks. When the Commission decides to contract specific services, a more detailed description of tasks will be set out in a request for services that will be sent to all contractors.

It will set out:

- the terms of reference for the study
- the deliverables to be provided (Main Tasks 1 will be required in each case, and the Commission will decide on an ad hoc basis, carrying out of which of the Main Tasks 2, 3 and 4 will be required in a specific contract)
- the estimated maximum price including all expenses
- the duration of the study (however, the individual study should usually last 9 months, and no longer than 18 months) and the performance deadlines
- the exact role of the expert group
- the exact form of reporting
- the number of meetings between the Commission and the Contractor
- payment instalments and invoicing address

Within 3 days, the contractors shall acknowledge receipt of the request for services. The Contractor has the obligation to respond to each request received from the Commission. If he is not in position to make an offer, a justification must be provided by the deadline for submission of the offer at the latest.

Within 15 calendar days after the date of sending the request for services, the contractors will provide the Commission with a written proposal for the execution of the tasks required, including an outline of the methodologies proposed, names and CVs of the members of the group of experts, a work programme and a lump-sum price for the service, complemented by a list of the costs, based on the unit prices provided in Annex 5. This lump-sum price will include travel and subsistence costs.

The Commission services concerned will examine the proposals received. The specific contract will be awarded to the best proposal, on the basis of the award criteria established in Annex 6 to the Framework Contract. Evaluation of these criteria when awarding the specific contract will be independent of the evaluation of the award criteria in the course of the award of the Framework Contract, however the criteria will be consistent. Evaluation of the award criteria when awarding specific contracts will lead to awarding of the most economically advantageous tender, however the weighing attributed to the qualitative award criteria and to the total price criterion will differ from the weighing used for evaluation of the Framework Contract itself (see Annex 6 of the Framework Contract).

4. OBJECTIVE OF THE CONTRACT

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 Consumers⁵ with market studies that will give its services answers to the questions below, and other issues regarding market functioning from a consumers' 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 on a given market are:

1. **Consumers' ability to make informed, rational and empowered choices.** For example:

- How transparent are prices and quality for consumers?
- Is it easy for consumers to compare prices and quality?
- Are consumers faced with a noticeable amount of unfair or fraudulent commercial practices, e.g. misleading advertising, aggressive selling practices, unfair contract terms) in the market?
- How easy it is to get a product returned, repaired or replaced?
- What is the level of complaints?
- How are complaints addressed and what are their outcomes?
- How effective are enforcement regimes?
- How effective are redress mechanisms?
- To what extent are consumers aware of their rights?
- Do consumers trust businesses operating in the market?
- Do consumers show behavioural biases specific to the market and are these biases unduly taken advantage of?

2. **Consumers' ability to benefit from a well functioning and effective market, in terms of choice.** For example:

- Are prices perceived as fair, reasonable and affordable by the consumers?
- Does the quality, safety and reliability of products or services on the market satisfy consumers' expectations?
- Is the market dynamic in terms of responding to consumers' changing needs?
- Is the choice of products or services on offer sufficient?
- Is it easy to switch to another supplier or retailer?

3. **Integration of the European Single Market.** For example:

- Do prices for representative and comparable products on offer differ significantly across the EU and to what extent are such differences justified economically?
- Are price evolutions uniform across the EU?
- Does the quality of representative and comparable products on offer differ significantly across EU countries?
- Are consumers able to purchase products or services from abroad?
- Are consumers and businesses confident to trade cross border?

⁵ The term Community agencies refers in this document to the bodies set up by the Communities on the basis of article 54 (2 a, b) of the Financial Regulation.

- What is the kind of restrictions consumers face, if they face any, when attempting to shop cross border, which would be imposed by producers or retailers?
- Does the quality of representative and comparable products on offer differ significantly across EU countries?

The call for tender is aimed at identifying operators capable of fulfilling the tasks described below. Due to the fact that each specific contract will be complex and will comprise tasks of different nature (tasks described in Section 5), a single economic operator may lack sufficient capacities and therefore the Commission also welcomes tenderers presenting joint bids or a bid by a consortium.

5. SUBJECT OF THE CONTRACT

The framework contract is aimed at providing the European Commission with market studies under specific contracts. Each market study under one specific contract will comprise of the Main Task 1 plus all or some of the Main Tasks 2, 3 and 4. The market study will focus on the outcomes a market delivers to consumers.

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

The task will be carried out for a market chosen from the list of potential markets to be studied (Appendix 1). The list is indicative and the Commission reserves a right to define a market in a broader or a narrower sense, or to study a market not mentioned on the list.

The evaluation of the bids will take into account tenderer's ability to cover markets quoted on the list (see Section 16).

5.1.1. Content of a specific market study

- a) The contractor will provide the Commission with a study of a chosen consumer 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.
- b) The contractor will develop a framework for analysis and for presenting results.
- c) The contractor will coordinate the different stages and tasks of the study. Evaluation of the results will also include preparing policy recommendations for the Commission.
- d) If the Commission decides to consult stakeholders itself, the contractor will help Commission's services identify and contact the most relevant stakeholders, suggest the

topics such a consultation should cover, and to incorporate the results of the consultation in the overall study.

5.1.2. Experts' advice and analysis on the chosen market

- a) Expert advice and analysis on the chosen market will be delivered by a group of experts proposed by the contractor and approved by the Commission. The group of experts, basing on their knowledge of a specific market, will contribute to:
 - o the exact definition of the market,
 - o the definition of appropriate benchmarks
 - o preparation of all or some of the Main Tasks 2, 3 and 4
- b) The experts will also provide the Commission with knowledge of the regulatory environment of a market, in particular regulatory obstacles to integration, competition or consumer welfare. The experts, together with contractor's specialists, will also contribute to a better understanding of a national/local market, the main suppliers of a product or service (as well as main components of the service).
- c) They will also participate in the assessment of results obtained and provide the Commission with their comments and knowledge of the context of eventual problems described by the survey.

5.1.3. Tenderers should indicate in their bid:

- a. *A generic methodology, in a form of an analytical framework, for preparing, carrying out, analysis and evaluation of results of a market study, as well as description of the manner in which the methodology would be applied to the hypothetical study for the specific sector indicated in Section 16, Box 1.*
- b. *A list of countries and a list of consumer markets⁶ that the tenderer is able to cover in a market study. Additionally, tenderers should also indicate whether they are able to cover Iceland and Norway in the study.*
- c. *Description of the method of composing a group of experts and incorporating the experts' work into the preparation, carrying out, analysis and evaluation of results of the study and tasks 2, 3 and 4.*
- d. *A proposed description, timeline and work plan of the whole study, covering ALL three options of data collecting (Main Tasks 2, 3 and 4). It should be indicated what the roles and responsibilities of the team members are and how the work would be distributed inside the team or between teams. In a case of a joint bid, it should be explained how different areas of work will be allocated to consortium members or*

⁶ The list should refer to the indicative list of 50 consumer markets presented in Appendix 1.

subcontractors. A description of how the work will be coordinated between the team(s) and the project leader.

- e. Proposed resources in terms of time and personnel to be devoted to the work on a specific market study.*
- f. Proposed quality control and supervision methods that would ensure high quality results, in particular:*
 - The procedures the tenderer intends to implement and the indicators to be used to ensure the quality and monitoring of the services rendered*
 - The methods of dealing with the personnel in terms of management, including the mechanisms for notification to the Commission and timely and full replacement of any reduction in capacity (and training if necessary), aimed at ensuring that the level of expertise and resources committed in the bid will be sustained during the whole duration of the Framework Contract*
- g. Presentation of the way in which continuity of the service will be ensured, and how the tenderer would provide a rapid response and timely delivery of the expertise and results of surveys required under specific contracts following the Framework Contract.*

5.2. Main tasks providing data basis for a market study

Under a specific contract resulting from this Framework Contract, the contractor will conduct Main Task 1, together with some or all of the 3 other main tasks/ deliverables listed and presented below:

- Carrying out of in-depth consumers' opinion surveys (based on the model developed for the consumer satisfaction survey⁷) and analysis of results.**
- Collection of prices for defined goods/services in a defined market at a given time across the EU**
- Survey based on Mystery Shopping methodology carried out on a defined market**

The 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.

The tasks are deliverables which a contractor will have to be able to provide.

⁷ The reports from consumer satisfaction surveys conducted by the EC can be seen under the link: http://ec.europa.eu/consumers/strategy/facts_studies_en.htm. This publication also includes description of the Structural Equation Modelling used.

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

The contractor must be able to deliver in-depth surveys of consumer satisfaction in specific markets according to the Commission's needs. A model and methodology for this type of study has already been developed in the Commission and includes the following main deliverables:

- Large scale face-to-face or telephone⁸ 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

Extensive analysis of the findings will constitute a part of the final report/reports (it may be both overall and in separate reports for each participating country).

The model described above should be seen as an example only.

In general, a consumers' opinions survey carried out under a specific contract would consist of approximately 30 questions. Apart from the 30 questions, approximately 6 socio-demographic background questions would have to be asked to each respondent⁹.

It will be the contractor's task (based on the experts' group's support) to suggest a list of questions in a questionnaire for the Commission to approve.

5.2.1.1. Tenderers should indicate in their bid:

- A generic methodology for preparing a questionnaire (basing on the draft questions in the model developed for the consumer satisfaction survey) and conducting opinion survey as well as indication of the way the results will be incorporated into the study, as well as a description of the manner in which the methodology would be applied to the hypothetical study for the specific sector indicated in Section 16, Box 1*
- Methodology of selection of key areas concerning consumers' conditions that could be described by results of the opinion survey (i.e. identifying issues that would be reflected in survey questions), which would be suitable for any consumer market subject to analysis, as well as more in-depth presentation on the example of the hypothetical study.*
- Presentation of the general methodology of constructing a sample necessary to obtain representative results. This should be illustrated by a more in-depth description of sampling methodology used for the hypothetical study.*

⁸ Computer Assisted Personal Interview or Computer Assisted Telephone Interview – the choice of method will be subject to Commission's decision.

⁹ The tenderer must note that in the consumer satisfaction surveys carried out by the Commission, the sample size has accounted for 1000 respondents having experience in a given market, per country.

- d. *A proposed timeline of the task that could be incorporated into the timeline of the whole study. The work plan should cover a phase needed to assess and eventually amend the questionnaire.*
- e. *A description of work organisation for the task that would form a part of the work organisation plan for the whole market study. It should be indicated what the roles and responsibilities of the team members are and how the work would be distributed inside the team or between teams.*
- f. *Presentation of the envisaged briefing and training of the interviewers.*
- g. *Proposed quality control and supervision methods that would ensure high quality results.*
- h. *Description of the way in which data would be recorded and stored, which would enable the Commission to obtain such records on their request. Tenderers should present their ability to validate data recorded¹⁰, if the need arises.*

5.2.2. **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 (plus Iceland and Norway, if needed).

For this study, products are comparable if they may be perceived as substitutes from the consumer's point of view. Their technical parameters should be similar to the point that the consumer can choose either of them without incurring significant loss of utility. For example, different models under the same brand or under different brands, being close with respect to the parameters meaningful for the consumer, are comparable.

Products proposed should be representative for a given product group on the whole of the European market. They should have a sufficient market share (of the European market) within the product group. Absence or weak presence of a product on particular national markets does not preclude representativity for the European market as a whole. However, the representative products (or classes of models representing comparable products) should be on sale in the overwhelming majority of the Member States.

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:

- a) all the Member States covered (plus Iceland and Norway, if needed), in aggregate,
- b) each Member State

¹⁰ Validate data analysed, without coming back to respondents.

- c) if possible, region, sales channel (notably e-commerce) and outlet type.
- d) 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 :

- a. *A generic methodology for conducting of the price collection ensuring statistical robustness of average prices, as well as indication of the way the results would be incorporated into the study, as well as a description of the manner in which the methodology would be applied to the hypothetical study for the specific sector indicated in Section 16, Box 1.*
- b. *Methodology of selection of representative products in general, which would be suitable for any consumer market subject to analysis, as well as more in-depth presentation of methodology of selection of representative products on the example of the hypothetical study.*
- c. *Methodology and criteria of assessing comparability of products in general, which would be suitable for any consumer market subject to analysis, as well as more in-depth presentation of methodology and criteria of assessing comparability of products on the example of the hypothetical study.*
- d. *Presentation of the methodology of constructing a sample necessary to obtain representative results. This should be illustrated by a more in-depth description of sampling methodology (including appropriate size and structure of the sample of price observations for each Member State) used for the hypothetical study.*
- e. *A proposed timeline of the task that could be incorporated into the timeline of the whole study. The work plan should cover a test phase needed to assess and eventually amend the method for collection of prices.*
- f. *A description of work organisation for the task that would form a part of the work organisation plan for the whole market study. It should be indicated what the roles and responsibilities of the team members are and how the work would be distributed inside the team or between teams.*
- g. *Presentation of the envisaged briefing and training of the surveyors.*
- h. *Proposed quality control and supervision methods that would ensure high quality results.*
- i. *Description of the way in which data would be recorded and stored, which would enable the contracting authority to obtain such records on their request. Tenderers should present their ability to validate data recorded, if the need arises.*

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

Definition of mystery shopping

Mystery shopping is defined as the use of anonymous resources to perform evaluations of services and transactions. It involves the use of mystery shoppers who are trained and/or briefed to observe, experience, and measure a customer service process by acting as a prospective customer and by undertaking a series of pre-determined tasks to assess performance against specific criteria, reporting back on their experience in a comparable, consistent and objective way.

Objective and scope of the task

The task will consist in setting up a mystery shopping project in order to gather information about the experience of consumers on a given market.

The scope of information to be collected by the task may include the following aspects:

- a. *The extent to which traders/providers appear to comply in practice with certain basic consumer protection rules and other relevant sector-specific regulations*
- b. *Internal market aspects with a consumer dimension*
- c. *Restrictions, discriminations and commercial practices that may result in consumer detriment, where applicable*

The contractor, supported by the group of experts, will be responsible for identifying key potential problems and research questions relevant to the specific market being studied, taking into account the scope of information mentioned above in points a, b and c.

For the conduct of the mystery visits, the contractor should envisage either visits to physical premises (hereafter referred to as "in-store visits") as well as visits to Internet sites (hereafter referred to as "web-visits"). Whether in-store visits or web-visits are required will depend on the nature of the specific study and will be decided by the Commission.

Tenderers should indicate in their bid:

- a. *A generic methodology for conducting of each type of visits, as well as indication of the way the results of mystery shopping would be incorporated into the study, as well as a description of the manner in which the methodology would be applied to the hypothetical study for the specific sector indicated in Section 16, Box 1.*
- b. *Methodology of selection of key areas concerning consumers' conditions that could be described by results of the mystery shopping (i.e. identifying issues that would be reflected in questions covered by scenarios), which would be suitable for any consumer market subject to analysis, as well as more in-depth presentation on the example of the hypothetical study.*

- c. *Presentation of the methodology of constructing a sample necessary to obtain representative results. This should be illustrated by a more in-depth description of sampling methodology used for the hypothetical study.*
- d. *A proposed timeline of the task that could be incorporated into the timeline of the whole study. The work plan should cover a test phase needed to assess and eventually amend the evaluation guidelines and research questions.*
- e. *A description of work organisation for the task that would form a part of the work organisation plan for the market study as a whole. It should be indicated what the roles and responsibilities of the team members are, how the work would be distributed inside the team or between teams, and the relation of the project team with the mystery shoppers.*
- f. *Description of how mystery shoppers are recruited. This should ensure the best possible level of objectivity of their findings and ensure that the mystery shoppers are representative of the target population for the study. Tenderers should also present the envisaged briefing and training of the mystery shoppers.*
- g. *Proposed quality control and supervision methods that would ensure high quality and objective results.*
- h. *Description of the way in which data would be recorded and stored, which would enable the contracting authority to obtain such records on their request. Tenderers should present their ability to validate data recorded, if the need arises.*

5.3. Additional elements which should be included in the tenders

Tenderers should prove their capacity to work in several EU official languages, and in any case, in English. 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.

For certain consumer markets, the tenderers could envisage a possibility of combining the fieldwork phase of collection of prices with carrying out the fieldwork of the mystery shopping task.

Tenderers should not include financial information in the technical part of the offer; instead all financial information should only be included in the financial part of the offer in Annex 5.

6. PARTICIPATION IN THE TENDERING PROCEDURE

Participation in tendering procedures is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons in a third country which has a special agreement with the Communities in the field of public procurement on the conditions laid down in that agreement.

6.1. Subcontracting

Subcontracting is allowed. However, the contracting authority reserves the right to validate the proposed subcontractor(s) and is entitled to demand that not only the tenderer but also any subcontractor proposed will present evidence of their compliance with the requirements regarding technical and professional capacities. The Certification with respect to the exclusion criteria (Annex 4) also applies to subcontractors and has to be signed by them. The Commission will request these documents during the evaluation / before the awarding of the framework contract.

The bid must clearly identify the subcontractor(s) and document their willingness to accept the tasks identified to them as well as their acceptance of the terms and conditions of the services entrusted upon them.

The selected tenderer must ensure that approved subcontractors are aware of the entirety of their obligations as provided for in the conditions which govern the contract the tenderer has signed. The contractor will be held responsible for any breach of these obligations where they are performed by their said subcontractors to which they maintain full responsibility for throughout the duration of the contract and beyond.

Once the contract has been signed, Article II.13 of the standard framework service contract (Annex 7) shall govern the subcontracting.

6.2. Consortia

Applications may be presented by a single legal entity or by a lead applicant in a consortium. In the case of a joint bid the tenderer(s) must stipulate the role, qualifications and experience of each service provider and, where relevant, the monitoring and contractual agreements that exist between them. The lead applicant must be clearly identified as such. If awarded a contract, the lead applicant would have to be the signatory of the framework contract/ specific contracts (the person authorised to sign on behalf of this legal entity) and will remain responsible for both the technical and financial implementation/ management of the contract (hereafter understood as both the framework contract and specific contracts) throughout its duration.

Furthermore, there should be a person from the signatory contractor who is designated as the main point of contact for all communication with the European Commission services and who has the responsibility to coordinate with the other members of the consortium. Under no circumstances can the European Commission services be obliged to contact other members of the consortium in order to have its requests for information etc. fulfilled.

7. VOLUME OF CONTRACT

The maximum price for this project is €2 200 000 per year, which means €4 400 000 for the 24 months of the duration of the contract. The period of execution of the tasks described in the contract may be renewed twice for consecutive periods of 12 months.

Given the special and innovative characteristics of this Framework Contract, the volume of services required by the Commission can vary. Therefore no assurance is given on the volume, value and frequency of the assignments implemented under this FWC.

8. PLACE OF PERFORMANCE

The place of performance of the tasks shall be the Contractor's premises or any other place indicated in the tender, with the exception of the Commission's premises.

9. PRICE

Prices must be quoted in Euro using, if necessary, the conversion rates published in the C series of the Official Journal of the European Union on the day when the contract notice was published (if no notice was published, on the day when the invitation to tender was sent out).

Prices must be fixed amounts in Euro.

Prices shall be quoted free of all duties, taxes and other charges, including VAT, as the European Community is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Communities; VAT should be shown separately.

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. This revision will be made only if one of the contracting parties requests it by registered mail received by the other party not later than three months before the anniversary of the date on which the contract was signed.

The revision shall be determined by the trend in the harmonised consumer price index published by the Publications Office. This index is published in the monthly bulletin of the Statistical Office of the European Communities (Theme 2 - Economy and Finance, Collection Detailed tables, Money, finance and the euro: Statistics). <http://www.ec.europa.eu/eurostat/>.

Where necessary, revision shall be calculated in accordance with the following formula:

$$Pr = Po \left(0,2 + 0,8 \frac{Ir}{Io} \right)$$

where:

- Pr = revised price;
- Po = price in the original tender;
- Io = index for the month in which the validity of the tender expires;
- Ir = index for the month of receipt of the letter requesting a revision of prices.

10. TERMS OF PAYMENT

- Pre-financing:

Following signature of the Specific Contract by the last contracting party, within forty-five days of *the latest of the following dates*:

- the receipt by the Commission of a request for pre-financing with a relevant invoice
- the receipt by the Commission of a duly constituted financial guarantee in case the pre-financing exceeds €150.000.

a pre-financing payment equal to 10% of the total amount shall be made.

- Interim payment:

Within forty-five days of the date on which the first intermediary report is approved by the Commission, an interim payment equal to 30% of the total amount shall be made.

- Payment of the balance:

Within forty-five days of the date on which the report is approved by the Commission, payment of the balance equal to 60% of the total amount shall be made.

- Payment for travel and subsistence expenses:

Reimbursement will be made on presentation of statements of reimbursable expenses according to article II.7 of the contract, and after their approval.

11. CONTRACTUAL TERMS AND GUARANTEES

In drawing up his bid, the tenderer should bear in mind the provisions of the standard Framework Contract attached to this invitation to tender (Annex 7).

Submission of a tender implies acceptance of all the terms specified in the present specifications and in particular in the attached standard Framework contract including the general conditions applicable to contracts (Annex 7).

All documents presented by the tenderer become the property of the European Commission and are deemed confidential.

The Commission will not reimburse expenses incurred in preparing and submitting offers.

12. REPORTS AND DOCUMENTS TO BE SUBMITTED

Reporting requirements, including delivery deadlines and schedules of the meetings, will be defined in the frame of each specific contract.

The reports or documents will describe the work carried out and the results obtained during each period or phase.

The following lists which reports would normally be required by the contracting authority during the course of the work carried out in performing a specific contract. This list may be adapted according to the specific needs of each request for service:

- An inception report or methodology report delivered maximum 5 weeks after the signature of the specific contract where the problem is structured and it is possible to

refine the method to be used on the basis of an analysis of the available information, knowledge of the market provided by the group of experts, and the particular context of the study;

- 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 to be taken into account in the decision making process.

Each report provided by the contractor will be in English, corrected by a native speaker, and should be understandable for an informed reader without a special effort. For each of the specific studies an executive summary should be prepared. It should cover the main issues, the findings and the conclusions of the study. The volume of the executive summary should not exceed 15 pages.

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. Tenderers should present their agreement to Commission services publishing the results of market studies conducted under this framework contract, both partially or in whole.

The Contractor should agree to make up to three presentations of the report/results of a market study if required by the Commission as part of its publicity plan. Related reimbursement of travel and subsistence expenses will be made on the basis of Annex 5, Section 5.2.

13. PROVISIONS RELATING TO TENDERS – WHAT PARTS A TENDER SHOULD INCLUDE

Bidding for only part of the tasks is explicitly forbidden and will lead to the exclusion of the tender.

Tenders must include:

- An administrative part including all the information and documents required by the contracting authority for the appraisal of tenders on the basis of the exclusion and selection criteria set out under Sections 14 and 15 respectively of these specifications;
- A technical part including all the information and documents required by the contracting authority for the appraisal of tenders on the basis of the award criteria set out under Section 16 of these specifications, in reference to the information requested in Section 5;
- A financial part setting out prices in accordance with Section 17 of these specifications.

The evaluation of tenders will proceed in the following steps:

- (1) the exclusion of tenderers in the cases listed in Section 14;
- (2) the selection of tenderers on the basis of the selection criteria listed in Section 15;
- (3) the technical and financial evaluation of the tenders on the basis of the procedure and award criteria described in Section 16;
- (4) the award of the Framework contract.

NB: Tenders must meet the requirements of each step in order to be admitted to the next step of the evaluation procedure.

Administrative part

14. EXCLUSION CRITERIA

14.1. Candidates or tenderers shall be excluded from participation in a procurement procedure if:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;
- (c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- (d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- (e) they have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- (f) they are currently subject to an administrative penalty referred to in [Article 96\(1\)](#) of the Financial Regulation (The contracting authority may impose administrative or financial penalties on the following: (a) candidates or tenderers in the cases referred to in point (b) of point 14.3, (b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget. In all cases, however, the contracting authority must first give the person concerned an opportunity to present his observations.)

Candidates or tenderers must certify that they are not in one of the situations listed above 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 in points (a), (b), (d) and (e) above within the time limit stipulated by the contracting authority. This evidence must be in one of the forms described in paragraph 14.2 below.

14.2. Evidence

- a) The contracting authority shall accept as satisfactory evidence that the candidate or tenderer to whom the contract is to be awarded is not in one of the situations described in point (a), (b) or (e) of paragraph 14.1, a recent extract¹¹ from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied.
- b) The contracting authority shall accept, as satisfactory evidence that the candidate or tenderer is not in the situation described in point (d) of paragraph 14.1, a recent certificate issued by the competent authority of the State concerned. Where the document or certificate referred to in paragraph 1 is not issued in the country concerned and for the other cases of exclusion referred to in paragraph 14.1, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.
- c) Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraph 14.2 shall relate to legal persons and/or natural persons including, where considered necessary by the contracting authority, company directors or any person with powers of representation, decision-making or control in relation to the candidate or tenderer.

14.3. Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:

- a) are subject to a conflict of interest;
- b) 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;
- (c) find themselves in one of the situations of exclusion, referred to in paragraph 14.1, for this procurement procedure.

Candidates or tenderers must certify that they are not in the situation in point (a) by completing and signing the form in Annex 4, "Certification with respect to the Exclusion Criteria".

15. SELECTION CRITERIA

Tenderers must demonstrate that they have the financial and human resources necessary to provide the services required. Only those tenders fulfilling all the selection criteria will be examined in the light of the award criteria. The selection criteria are set out below.

¹¹ Less than 90 days old before the limit-date for submission of tenders

15.1. Evidence of access to contracts (proof of eligibility)

The tenderer must indicate in which country it has its headquarters or domicile and present the supporting evidence normally acceptable under its own law (see Annex 1).

Moreover, the tenderers are requested to:

- indicate their VAT number (see Annex 1);
- indicate the name and position of the person authorised to sign the contract (see Annex 1);
- indicate their account number and bank address (R.I.B. or standard form in Annex 2);
- for natural persons, the standard form in Annex 3 must also be completed and returned.

The tenderer must give proof of enrolment in the relevant professional or trade register, as prescribed in the tenderer's country of establishment.

15.2. Economic and financial capacity

The candidate should have an average annual turnover for the last three years of at least €1 million.

1. Proof of economic and financial capacity may be furnished by one or more of the following documents:
 - a) appropriate statements from banks or evidence of professional risk indemnity insurance;
 - b) the presentation of balance sheets or extracts from balance sheets for at least the last two years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established;
 - c) a statement of overall turnover and turnover concerning the services covered by the contract during the last three financial years.
2. If, for some exceptional reason which the contracting authority considers justified, the tenderer or candidate is unable to provide the references requested by the contracting authority, he may prove his economic and financial capacity by any other means which the Commission considers appropriate.

15.3. Technical and professional capacity

Technical and professional capacity of economic operators shall be evaluated and verified in accordance with objective and subject of the contract described in sections 4 and 5.

In case of a consortium, technical and professional criteria apply to all its members.

15.3.1. Tenderers must meet the following technical and professional criteria:

- Relevant experience in the last three years, in developing and conducting projects relevant to the subject of the framework contract. Tenderers must demonstrate the

capacities and skills necessary to conduct services relevant to the tasks described. The tenderer must have proven experience in providing overall product or services markets' analyses (in economic and regulatory context), in carrying out analyses of consumers' opinions and perceptions, in collecting prices of relevant products or services (or must be able to propose a joint bid or subcontractors with proven relevant experience), as well as in conducting mystery shopping surveys (both in-store and on-line, in designing of mystery shopping scenarios and in analysing the results of this kind of survey).

- The core team members should have professional experience and expertise of at least four years in market research. Concise but informative curricula vitae of core professional team members, showing relevant experience must be included with the tender. In case of a bid by a consortium, the tender should specify the qualifications of the staff of all service providers included.
- 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 to providing the services as described in the present invitation to tender. The minimum size of a team required by the Commission is five core team members (including the project leader) plus five certified team members. Tenderers should summarise their experience, methodological skills and knowledge of languages and give evidence of their technical and professional competence, describing the role and expected contribution to the work required by each category of the staff employed by the tenderer.

15.3.2. Evidence of the technical and professional capacity of economic operators may be furnished on the basis of the following documents:

- a) the educational and professional qualifications of the service provider or contractor and/or those of the firm's managerial staff and, in particular, those of the person or persons responsible for providing the services or carrying out the works in case of contract award. The model CV (Annex 8) should be used for the presentation of these persons;
- b) the educational and professional qualifications of a project leader. His/her CV must be attached to the bid, specifying the skills and experience related to the tasks described, and knowledge of languages.
- c) a list of the principal services provided in the past three years directly relevant to each of the tasks covered by the Framework Contract, with the sums, dates and recipients, public or private;
- d) a description of the technical equipment, such as IT equipment, to be employed by the firm for performing a service contract;
- e) a description of the measures employed to ensure the quality of services, and a description of the firm's study and research facilities;
- f) a statement of the average annual manpower and the number of managerial staff of the service provider or contractor in the last three years;

- g) proof of compliance with relevant professional and market research standards. Please indicate, where applicable, compliance with ESOMAR or other national or international standards and membership in relevant associations;
- h) an indication of the proportion of the contract which the service provider may intend to subcontract.
- i) a list of potential subcontractors needed to provide task-specific expertise, if this expertise is not covered by the tenderer or possible consortium partners. The expertise of subcontractors should be demonstrated on the basis of curricula vitae and/or references to work they have carried out.

Where the services referred to in point c) are provided to contracting authorities (incl. the Commission), evidence of performance shall be in the form of certificates issued or countersigned by the competent authority.

Tenderers must provide a proof of their capacity to work in several EU official languages and, in any case, in English.

Technical part

Tenders must be clear and concise, with continuous page numbering, and assembled in a coherent fashion (e.g. bound or stapled, etc.). Since tenderers will be judged on the content of their written bids, these must make it clear that they are able to meet the requirements of the specifications described in Section 5.

Tenders **must include** the following information:

- a) all the **information and documents requested by the Commission** in order to assess the tender;
- b) the **price in euros**;
- c) one **specimen signature of an authorised agent** on the tender submission form (Annex 1);
- d) a statement signed by the same agent as in point c) confirming the tenderer's acceptance of the model framework contract (Annex 7) which will be applied for concluding the framework contracts
- e) a statement signed by the same agent as in point c) and d) confirming tenderer's agreement to the Commission publishing of reports or results of the market study concluded under this framework contract.

If this is not included, the tender may be excluded from the procedure for the award of the contract.

In each bid the tenderer should assign a project leader, who, in case the Commission awards the operator's contract, would be the Commission's services contact person. Any requests would be addressed to this person. The project leader must provide the Commission with answers and solutions regarding the subject of the contract. Moreover, he/she must be able to reply to and solve any potential administrative or organisational matters, and to implement the solutions agreed with the Commission.

16. 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:

a) Technical evaluation criteria as weighted by percentage:

N°	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. Refer to Section 5.1.3	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. Refer to Section 5.2.1.1	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. Refer to Section 5.2.2.1	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. Refer to Section 5.2.3.3	20
Total points		100

Tenders which score less than 50% in the points awarded to each criterion, and will be able to cover less than 15 EU Member States with their market analysis (criterion 1), will be excluded. The overall assessment, i.e. the sum of points for all 5 criteria, should not be lower than 70 points out of 100 to allow a tenderer undergo further evaluation – the financial comparison of the tenders.

Tenderers should refer in a detail to all points described in the specifications. The mere repetition of mandatory requirements set out in these specifications, without going into details or without giving any added value, will only result in a very low score. In addition, if certain essential points of these specifications (described in Section 5) are not expressly covered by

the tender, the Commission may decide to give a zero mark for the relevant qualitative award criteria.

1) Number of countries and consumer markets (from the indicative list) covered by all tasks in the studies (max. 20 points)

The assessment will take into account the number of EU countries which can be covered by the market study, for all four main tasks (based on the table in Appendix 2, which is based on population figures). Tenderers should provide a list of the EU countries which they are able to cover. In the case when a tenderer is capable of covering different numbers of countries for different tasks, the minimum number given will be taken into account (e.g. the tenderer could carry out opinion surveys and mystery shopping in 25 Member States and price collection in 22 – points for the evaluation will be calculated on the basis of the list of 22 Member States).

Additionally, the contracting authority will assess tenderer's readiness to include Iceland and Norway in the study. Tenderers should indicate whether they are able to cover these countries. In case a tenderer is unable to, the Commission will deduct 0,2 points from the number of points scored for criterion 1). In case a tenderer does not indicate their ability to cover Iceland and Norway in the study, the Commission will also deduct 0,2 points from the number of points scored for criterion 1).

The assessment under criterion 1) will also embrace the number of goods or services markets a tenderer is able to conduct a study on (maximum 5 points). Identification of such markets should be based on the indicative list of the markets presented in Appendix 1. Tenderers should provide a list of the consumer markets on which they are able to conduct a study. Award points will be allocated in the following way:

Number of consumer markets covered by the tenderer	Points allocated
41-50	5
31-40	4
21-30	3
11-20	2
1-10	1

For each of the specific contracts that will follow the framework contract, the assessment will include the number of countries tenderer will be able to cover for all or some of the tasks – as indicated by the Commission.

**2) Task 1 - Overall study on consumers' conditions on a given market:
Proposed methodologies and tools. Approach proposed for the management of the work.
(max. 20 points)**

Under this criterion the correspondence between the offer and the indicative requirements described under the subject of the contract (Section 5.1.3) will be assessed. Tenderers should describe in their bid their understanding of the services to be provided and the work to be performed to achieve the objectives of the contract (Section 4).

The Commission will assess understanding of the overall assignment, the consumer perspective and consumer markets, as well as the task. Tenderers should elaborate on all points addressed by these specifications (explained in Section 4 and 5.1) in order to score as many points as possible.

For illustration of their methodology it is required that the tenderers use the example of a hypothetical market study described in Box 1.

BOX 1

Hypothetical Market Study 1: Electricity

Screening of the markets carried out for the 2nd edition of the Consumer Markets Scoreboard has included, among other markets, EU market for electricity delivered to individual consumers.

The tenderer is required to provide the Commission with a study of the electricity market, consisting of the 4 main tasks:

1. Overall study on consumers conditions in a given market
2. In-depth consumers' opinions survey
3. Price data collection
4. Mystery Shopping survey

The tenderer should present information on:

- Methodologies and tools suggested for preparation of the market study, for analysis of results of the surveys, as well as for evaluation of these results.
- The suggested methodology of composing/identifying a group of experts and their role
- Definition of the market and the proposed scope of the survey
- Methodology of identification of areas which should be covered by the opinions survey and which would be the key aspects of the electricity market and the potential problems consumers may face in this market
- Methodology of identification of representative and comparable products (basic components of the services offered) in the electricity market for which the prices should be collected
- Methodology of creating of a scenario for a mystery shopping survey and a method of identifying of the traders to be surveyed

For evaluation of criteria 3) 4) and 5):

Proposed methodologies and tools. Approach proposed for the management of the work

presented by the tenderer for Main Tasks 2, 3 and 4

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

- **Task 3 - Collection of prices for defined products/services on a defined market at a given time / for a given period of time**
- **Task 4 - Mystery Shopping study carried out in a defined market**

the Commission will evaluate the correspondence between the offer and the indicative requirements described under the subject of the contract (Sections 5.2.1.1, 5.2.2.1, 5.2.3.3). Tenderers should describe in their bid their understanding of the services to be provided and the work to be performed to achieve the objectives of the contract (Section 4).

The Commission will assess understanding of the particular task as well as the way it would be incorporated into the overall study. Tenderers should elaborate on all points addressed by the specifications (explained in Sections 4 and 5.2.1 – 5.2.3) in order to score as many points as possible.

For illustration of their methodology it is required that the tenderers use the example of a hypothetical market study described in Box 1.

In correspondence to the elements indicated under the subject of the contract (Sections 5.2.1 to 5.2.3) and to fulfil the objective of the contract (Section 4), tenderers must provide a detailed description of management and organization of the work, as well as arrangements for ensuring quality control of the services delivered.

Tenderers can receive a maximum of 20 points for each of the above three criteria. In their technical proposals, tenderers need to refer to the above criteria in separate sections: one for criterion 3), one for criterion 4) and one for criterion 5).

b) Price

The price must be indicated in the financial part of the tender.

The Framework Contracts will be awarded to the minimum of three and maximum of five tenderers who will achieve the highest scores (the highest ratios).

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.

Tenderers should note that the unit prices and the travel costs proposed in their Table of Unit Prices (**Annex 5**) will be considered as future reference for specific contract prices: they will be fixed and not subject to revision for the 24 months of duration of the framework contracts.

The scores will be calculated according to the following formula:

Bid with the lowest price and with sufficient score for the technical part (according to the minimum thresholds set above) receives 100 points. The others are awarded points using the following formula:

Points = (price of the lowest bid / price of the bid in question) X 100.

The contracts will be awarded to the tenderers offering the best value for money bids. 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. This is done by multiplying:

- the scores awarded for the technical quality by 0.60
- the scores awarded for the financial bid by 0.40

The technical and financial scores multiplied by the weighing factors are then added together, and the contracts are awarded to the three tenderers achieving the highest scores.

Financial part

17. FINANCIAL PROPOSAL

Prices must be presented in the standard format in Annex 5.

The value of the tender taken into account in order to determine the most economically advantageous tender will be the subtotal price (Subtotal A) calculated on the basis of the Table of Unit Prices (Annex 5).

Unit prices are fixed and not subject to revision for the period of 24 months laid own in the contract. In case of a contract renewal, the revision procedure may be applied (see Section 9).

The unit prices are applicable for the offers to be submitted for the specific contracts. The evaluation of price for the award of each specific contract will be on the basis of the global price, calculated on the basis of the unit prices already fixed in the Framework Contract.

The Table of Unit Prices (Annex 5) must be filled by the tendering parties and will constitute the future contractual basis for the pricing for the specific contracts in case of contract award. In this regard, it will be integral part of the Annex II (Contractor's Tender) of the Framework Contract. Accordingly, the financial offer must be completed in full and signed by a person able to engage the tenderer financially.

Tenderers must provide unit prices for a person-day for the staff categories specified. All costs (except for the reimbursable expenses described in Annex 5) associated with the market study as a whole must be incorporated into these person-day costs. Costs are defined as costs associated with preparing, conducting, analysing and reporting of a market study and they should also cover all operational and administrative costs.

Tenderers must be aware of the fact that markets differ in terms of frequency of the purchase and therefore share of the population who have actually purchased a given product or service recently. This affects in particular the person-days required to carry out the opinion survey.

Explanatory note for the Table of Unit Prices

A unit is a working day of a staff member or an external expert classified to one of the categories specified below. The classification shall be done using the model CV provided for in Annex 8 to the Specifications:

Category I : Member of the group of experts. Highly qualified, having assumed important responsibilities in his/her profession. He/she must have at least 10 years of professional experience of which at least 5 must be relevant to the consumer market chosen by the Commission under a specific contract.

Category II : Highly qualified member of personnel, having assumed important responsibilities in his/her profession through the performance of management and supervision roles, being creative and experienced. He/she must have at least 7 years of professional experience relevant to market research and the type of tasks to be performed under the contract.

Category III : Highly qualified member of personnel – a part of the core team, having assumed responsibilities in his/her profession, being creative and experienced. He/she must have at least 4 years professional experience relevant to market research and the type of tasks to be performed under the contract.

Category IV : Certified member of personnel having received a high-level training in his/her profession and recruited for his/her appreciated skills as regards professional practise. He/she must have at least 2 years professional experience relevant to market research and the type of tasks to be performed under the contract.

Category V : Member of personnel directly carrying out the fieldwork or coding/processing data obtained in the course of the study, including interviewers, surveyors and mystery shoppers.

- A unit is a working day of a **interviewer** carrying out an interview. It covers different phases of work: telephone interviews aimed at identifying respondents who have experience with the market, as well as conducting the actual face-to-face or telephone interviews.
- A unit is a working day of a **surveyor collecting price data**.
- A unit is a working day of a **mystery shopper** in a store/at a service provider or online.

No separate costs associated with travelling of all categories of personnel and of external experts that would occur during carrying out of a market study (including the fieldwork phase) are foreseen to be invoiced.

18. FINAL PROVISIONS

- a) Variants are not allowed.
- b) Initiation of a tendering procedure as well as fulfilment of the conditions of the call for tender imposes no obligation on the Commission to award the contract. No compensation may be claimed by tenderers whose tender has not been accepted, including when the Commission decides not to award the contract.
- c) The Commission is not liable for any compensation to tenderers whose bids have not been accepted. Nor is it so liable if it decides not to award the contract.

Appendices:

1. List of consumer markets
2. List of EU countries with weighing

Annexes:

1. Tender submission form
2. Financial identification form
3. Form for natural persons only
4. Declaration of honour with respect to the exclusion criteria
5. Financial offer
6. Award criteria for individual specific contract
7. Model Framework Contract and annexes
8. Model CV for the presentation of tenderer's personnel and external experts
9. Checklist for tenderers

APPENDIX 1: LIST OF CONSUMER MARKETS

Indicative list of consumer markets from which the Commission can choose markets to conduct a market study in.

	Market
1	Food - Fruit and vegetables Fresh fruit and Vegetables
2	Food – Meat: Lamb, Veal, Pork, Beef, Poultry, Goat
3	Food - Bread and Cereals: rice, flour, bread, bakery products, pizza's, pasta
4	Food – Other Fish & seafood, Dairy products (milk and cheese), eggs/egg products, Oils and fats (butter, margarine, olive oil, edible oil), Baby/Infants foods, Herbs and spices, Nuts/nut products, Soups/Sauces, Ready meals, Spices, Additives, Sugar, jam, honey, chocolate and confectionery, Cakes, dietary products, food supplements, other
5	Non-alcoholic beverages Coffee, tea, cacao, Mineral waters, Soft drinks, Fruit and vegetable juices;
6	Alcohol beverages Spirits, Wine, Beer
7	Clothing (including tailor-made goods) and footwear Children's clothing, Women's clothing, Men's clothing, Sportswear, Hats, Clothing material, Furs, Protective clothing, Handbags and accessories, Children's footwear, Women's footwear, Men's footwear, Sports footwear, Other
8	Electronic Goods (non-ICT / recreational) DVD players-recorders VCRs TVs CD, HI-FI, media players non-portable CD, HI-FI, media players non-portable, Radios, Cameras, Video cameras, Photographic equipment, CDs (blank), DVDs (blank) Audio and video tapes (blank)
9	Information Communication Technology Goods (ICT) Personal computers, Self-built computers, Computer accessories, Printers and scanners, Games consoles, Portable media players, Computer software upgrades, Laptops, notebooks and tablet PCs, PDA's and smartphones, Mobile phone devices, Fixed phone devices, Computer software, Modems, Decoders, other
10	Personal care - Toiletries & Electrical appliances Cosmetics, Toiletries (including diapers), Wigs, Hair care products, Perfumes, Electric razors and hair trimmers, Hair dyes, curling tongs and styling combs
11	Real Estate Estate agents, Property managers, Letting agents, House valuation, Conveyancing
12	House maintenance and improvement services Roofing, Decorator services, Plumbers and plumbing, Floor covering/fitting, Central heating (installation and service), Electrical services and installations, Bricklayers, Carpenters, Painters, Glaziers, Iron-mongers, Gardeners, tree-surgeons, Tarmacing and paving, Fitted kitchens, Insulation, Burglar alarms, Wall coating, Damp proofing, Solar heating, Guttering, Chimney sweeps, Replacing doors, Fitting bathrooms, Swimming pools, other
13	House maintenance and improvement goods DIY materials ((excluding paint and wall coverings), Paint, Wall coverings, Fence, Shed, Power tools(e.g. drill chainsaw), Non electrical tools, Gardening equipment/tools (non-electrical), Lawn movers, Other
14	Furnishings Furniture (Upholstered furniture, Non-upholstered furniture, Beds and mattresses, Kitchen furniture Fitted furniture, Bathroom fittings, Antiques, Leather furniture, Cots, High chairs, Other nursery furniture Garden furniture, Other) Floor coverings (Carpets, Mats and rugs, Laminates, Ceramics, Wood, Linoleum, Underlay, Other) , Household textiles (Bedding, Cushions, Curtains and blinds, Furniture fabrics, Other), Glassware,tableware and household utensils, (Crockery, Cooking and dining utensils, Glassware, Other)

- 15 Large domestic appliances**
Electronic cookers, Fridges and freezers, Washing machines, Tumble dryers,
Washer-dryers (combined), Dishwashers, Space heaters, Fixed heaters, Vacuum cleaners, Microwave ovens,
Sewing machines, Portable heating appliances, Other
- 16 Small domestic appliances**
Food-processing appliances,
Coffee machines, Irons, Toasters, Grills, Other
- 17 Personal Care Services**
Hairdressers, Sun studios, Diet clubs/centers, Beauty treatments, Hair therapy,
Cosmetic therapy, Nail shop services, Spa, sauna, hamams,
Tattoo, piercing services
- 18 Legal services & Accountancy**
Notary services, Lawyers, Legal advice, Accountants, Tax advisors, Auditors, Other
- 19 Postal Services & couriers**
Correspondance, Packages, Express mail, Periodical publications, Adressed advertising,
Issuance and sale of postage stamps, Telex service, Couriers, Other
- 20 Fixed telephony services**
Telecom provision
- 21 Mobile telephony services**
Telecom provision, Text messages, other
- 22 Internet Services**
Internet provision, Chat rooms, News services, Domain name services,
Pay per view services, E-mail account services, Other
- 23 New cars**
New cars, Other
- 24 Second hand cars**
Second hand cars, Other
- 25 Fuels and lubricants**
Petrol, Diesel, LPG autogas, Oil, Lubricants, other
- 26 Maintenance and reparation of vehicles and other transport**
Franchise garage/dealer, Independent garage, Road assistance, Other
- 27 Tram,bus,metro, and underground**
Tram, Metro, Bus, Underground
- 28 Railways**
Railways
- 29 Airlines**
Airlines
- 30 Rental services**
Car rental, Motorcycle rental, Van rental, Caravan rental, Boat rental,
Other rental
- 31 Water supply**
Water supply, Sewerage collection, Other services
- 32 Electricity**
Electricity
- 33 Gas**
Gas
- 34 Banking - Current Account**
current account and debit cards
- 35 Banking – Credit**
Credit cards, Store cards, Consumer credit, Mortgages, Revolving credit
- 36 Banking-Investments, pensions and securities**
Packaged investments, Portfolio and Fund management, Personal pensions, Stockbroking and derivatives
- 37 Insurance – Dwelling**
Dwelling
- 38 Insurance – Transport**
Car, other road vehicles, boat, air

- 39 Hotels and other holiday accommodation**
Hotels, Other holiday accommodation (e.g. bed & breakfast, youth hostel),
Caravan sites, Camp sites
- 40 Package travel**
Package travel, Tours, other
- 41 Restaurants and bars**
Restaurants, Cafe, brasserie, Caterers, Takeaways, Pubs,
Mobile food vendors, Night clubs, Discotheques, Bars, others
- 42 Leisure goods (sport equipment, musical instruments, etc.)**
Camping equipment, Sports equipment, Musical instruments, Toys, Games (non-digital), CDs, DVDs, Audio and video
tapes, Computer and video games, Hobby goods (e.g. stamps, model cars, etc.), Suitcase, luggage
- 43 Sport and leisure services**
Health clubs and gyms, Sports facilities, Sports instructors,
Music teacher ,Other
- 44 Cultural and entertainment services**
Theatres, Cinema, Museums, Zoos, Amusement parks, Ticket selling services, other
- 45 Gambling, lotteries**
Betting services, Lotteries, Casinos, Internet/mobile gambling
- 46 Books, magazines, newspapers, stationary (Excluding postal delivery)**
Books, Magazines, Newspapers, Periodicals, Stationary
- 47 Over the counter medication**
Over the counter medication
- 48 Dentists**
- 49 Removals and Storage**
Removals, Storage, Freight & shipping, Other
- 50 Funeral services**

APPENDIX 2: LIST OF EU COUNTRIES WITH WEIGHING

List of EU countries with weighing based on population figures

Country	Award points
Germany (DE)	1,275
France (FR)	1,275
United Kingdom (UK)	1,275
Italy (IT)	1,275
Spain (ES)	1,2
Poland (PL)	1,2
Romania (RO)	0,6
Netherlands (NL)	0,6
Greece (EL)	0,525
Portugal (PT)	0,525
Belgium (BE)	0,525
Czech Republic (CZ)	0,525
Hungary (HU)	0,525
Sweden (SE)	0,45
Austria (AT)	0,45
Bulgaria (BG)	0,45
Denmark (DK)	0,3
Slovakia (SK)	0,3
Finland (FI)	0,3
Ireland (IE)	0,3
Lithuania (LT)	0,3
Latvia (LV)	0,15
Slovenia (SI)	0,15
Estonia (EE)	0,15
Cyprus (CY)	0,15
Luxembourg (LU)	0,15
Malta (MT)	0,075
<i>Total</i>	<i>15,00</i>