

TENDER SPECIFICATIONS
ATTACHED TO THE INVITATION TO TENDER

Invitation to tender No. ENER C2/2011-462-1 concerning
SMART CITIES STAKEHOLDER PLATFORM

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I TECHNICAL SPECIFICATIONS

I.1 Introduction

The Strategic Energy Technology (SET) Plan prioritises the European research and development efforts on a set of low carbon technologies according to their potential contribution to energy supply and CO₂ savings: wind, solar power, biomass, smart electricity grids, carbon capture and sequestration (CCS), more efficient and safer nuclear power plants, and the energy efficiency component "Smart Cities and Communities".

For the first six sectors, European Industrial Initiatives were established in 2010. In collaboration with industry, research community and Member States, common technology priorities and programmes have been established, contributing to the overall EU energy and climate objectives. Technology Roadmaps for the period 2010-2020 and more detailed Implementation Plans covering the period 2010-2013 have been developed and agreed between industry (Technology Platforms), Member States and the European Commission. The European Industrial Initiatives rely on strong support from the respective Technology Platforms.

To support the development and implementation of the Smart Cities and Communities Initiative to be launched in 2011,¹ the Commission is publishing this invitation to tender for services to conclude a contract with a service provider (or consortium) to establish and manage a Smart Cities Stakeholder Platform.

For this purpose, the service provider will identify, gather and organise the various stakeholders relevant for the implementation of the Smart Cities and Communities Initiative in the Stakeholder Platform.

The Platform should identify and prioritise the needs and means to develop innovative solutions in the area of energy, transport, ICT, water and waste management in a built environment and make cities more sustainable and efficient.

In addition, horizontal actions such market uptake measures (organisational innovation through innovative planning and business models; public procurement; standards; regulation and exchange of knowledge and best practices) should be included.

Furthermore, the Smart Cities Stakeholder Platform will cooperate with the Covenant of Mayors Office, CONCERTO Premium and the CIVITAS Initiative and forum network for promoting sustainable urban transport.

The objective of this tender is to create a Smart Cities Stakeholder Platform for the stakeholders primarily involved in actions at local level.

¹ An outline of the planned Smart Cities and Communities Initiative is included in a public consultation on this topic launched in March 2011 and available on the DG Energy website: <http://ec.europa.eu/energy>

For this purpose, the selected tenderer should

- enable the platform to perform its tasks efficiently and effectively by organising meetings and gathering and summarising the input of its members into high quality documents, focused on the crucial actions and deliverables,
- support organisationally the implementation of the actions,
- establish a close relationship between the platform, the various stakeholders (including public authorities) and the European Commission by means of regular meetings and reporting,
- promote the activities of the platform and disseminating their outcome.

The beneficiaries and potential users of the platform will be public authorities at EU, national and local level as well as the industry and the research and financing community.

The expected outcomes of this tender are the following:

- ensure a transparent and effective process for setting up the Smart Cities Stakeholder Platform;
- organise the dialogue among the various stakeholders and provide feedback to the European Commission (“EC”) to further develop and implement the Smart Cities and Communities Initiative;
- combine the interests of the various stakeholders to support and implement the Smart Cities and Communities Initiative in an effective way.

The services to be delivered shall cover the European Union, Member States and its local communities as well as FP7 Associated countries.

I.2 Rationale and aims

I.2.1 Background information

The Smart Cities and Communities Initiative was proposed as European Industrial Initiative in the Commission Communication on “*Investing in the development of low carbon technologies*” (related to the Strategic Energy Technology - SET-Plan).² Furthermore in its Communication³ “*Energy 2020 - A strategy for competitive, sustainable and secure energy*” the Commission identified the Smart Cities Initiative as a project of the European dimension to promote energy efficiency and accelerate the deployment of low carbon technologies. It aims at integrating innovative low carbon technologies in urban areas.

On 4 February 2011, the European Council invited the Commission to launch an Industrial Initiative *inter alia* on ‘*energy saving solutions in cities*’. In line with this guidance, the Smart Cities and Communities Initiative will initially rely on the organisational framework of the Strategic Energy Technology (SET)-Plan. At a later stage, it may evolve into a European

² COM(2009)519 final of 7 October 2009

³ http://ec.europa.eu/energy/strategies/2010/2020_en.htm

Innovation Partnership as envisaged by the Commission's Communication on the Innovation Union of 6 October 2010.⁴

1.2.2 Strategy

The Smart Cities Stakeholder Platform should be oriented towards the implementation of the Smart Cities and Communities Initiative. The Initiative will cover different technologies and organisational measures and will involve different actors' interests from both the public and private sector. For that reason, the Smart Cities Stakeholder Platform should be able to deliver crucial outcomes (such as input to further develop and support the implementation of the Smart Cities and Communities Initiative) in a short period of time (i.e. within one year).

Furthermore, the Smart Cities Stakeholder Platform should aim at streamlining the application of innovative measures in European cities and ensuring high replication potential across Europe while taking into account the diversity of European cities and respecting the subsidiarity principle.

The actions to be proposed by stakeholders should be innovative and accelerate the development and market deployment of energy efficiency and low carbon technology applications and solutions in the urban environment. They should contribute to measurable targets agreed by the stakeholders. Moreover, these actions should be presented in a rolling ten years roadmap (i.e. a roadmap constantly presenting the period of the next ten years).

The objectives of the Smart Cities Stakeholder Platform are:

1.2.3 General issues

The main tasks of the selected tenderer will be to put in place the operational procedures of the platform and ensure effective interaction among the relevant stakeholders (including the European Commission).

The selected tenderer should develop transparent selection criteria for identifying and accepting the relevant stakeholders (e.g. based on appropriate evaluation of their expertise) - with the aim of gathering in this platform a representative forum of various stakeholders acting in urban areas and supporting the implementation of the Smart Cities and Communities Initiative. The proposed selection criteria will be subject to EC approval.

The selected tenderer should ensure an open access to the platform and be neutral vis-à-vis the various stakeholders while taking into account a geographical balance. The possible categories of stakeholders which can be invited to become members of this platform may include, but are not limited to, the following categories:

- **City authorities;**
- **Energy agencies and regulators;**
- **Technology providers** (on demonstration and pilot projects as well as on real market projects) and existing related **Technology Platforms** (such as RES Heating and Cooling, PV, Electricity Grids, PPP on energy efficiency in buildings);

⁴ COM(2010)546 final of 6 October 2010.

- **EU Member States' and Associated Countries'** representatives (including Ministries of energy, research, economy and transport);
- **Industry/Companies** (energy producers, energy engineering companies, energy services providers, various suppliers and technology industries relevant for energy management);
- **Research community**;
- **Associations, Networks, Alliances, NGOs, etc.** (energy users, consumers, citizens), such as:
 - EUROCITIES (based on the Green Digital Charter),
 - Covenant of Mayors office (representatives),
 - Local Governments for Sustainability (ICLEI-Europe),
 - European Regions Research and Innovation Network (ERRIN),
 - European Network on Living Labs (EnoLL)
- **Others:** consultants and practitioners in the field.

The Smart Cities Stakeholder Platform will be responsible for proposing measures such as:

- the development and implementation of programmes promoting technological innovations and demonstrations of energy efficiency measures and low carbon technologies covering various sectors such energy, transport, ICT, water and waste.
- promoting the launch of new initiatives to propose to modify public procurement rules, standardisation or regulation, organisational innovation to speed up the deployment of low carbon innovations in cities.
- exchange of knowledge and best practices and the development of an appropriate monitoring system of the progress of the Smart Cities and Communities Initiative and the identified actions towards the objectives of the initiative.

I.3 Work Packages

The tender is structured in five work packages (WPs) which will be implemented in an integrated way during the duration of the contract:

- The objective of **WP 1 (Project and quality management)** is to ensure an effective management of the project and application of a sound quality management system as well as the organisation of various meetings.
- The objective of **WP 2 (Organisation and cooperation)** is to organise the various stakeholders under the umbrella of the Smart Cities Stakeholder Platform and facilitate their cooperation with a view of supporting the development of the Smart Cities and Communities Initiative.
- The objective of **WP 3 (Monitoring and knowledge transfer)** is to monitor and analyse the information gathered through monitoring activity, to identify and propose measures which initiate the circle of innovation in cities and ensure the transfer of knowledge
- The objective of **WP 4 (Representation and Communication)** is to provide the Smart Cities Stakeholder Platform with the maximum visibility towards the stakeholders and

decision makers, to disseminate the knowledge arising from gathering and analysing information, and to promote the smart cities concept.

- The objective of **WP 5 (Transfer at the end of the contract)** is to provide all the necessary procedures and means to guarantee a smooth transfer of the website of the Smart Cities Stakeholder Platform and the knowledge and know-how gathered during the duration of the contract to the EC or another entity designated by the EC.

WP 1: Project and quality management

The selected tenderer must follow an integrated approach to the overall management of the Smart Cities Stakeholder Platform, ensuring efficient management and coordination of the activities. This shall be done by performing appropriate organisational and logistical tasks while also ensuring a transparent management of all its activities.

The main tasks will include:

- Organisation and management of project meetings;
- Organisation of high-level workshops, meetings (such as an annual workshop to update the European Commission on the latest achievements and developments of the Platform) and conferences (such as Platform sessions or side-events at major EU energy conferences including those prepared by the Covenant of Mayors, and organisation of annual Smart Cities Stakeholder Platform conference). An appropriate number of such events and all the costs related to them shall be presented in the tender submission, but the scope and contents of the individual event will remain subject to EC approval. Preparation of such events must ensure a strong cooperation with the Technology Platforms of the SET-Plan's European Industrial Initiatives, and other EU initiatives relevant for the Smart Cities Initiative (such as the Covenant of Mayors, CONCERTO Premium);
- Regular reporting to the European Commission;
- Coordination of project and platform activities (The selected tenderer will host the Secretariat of the Platform, providing it with overall coordination and supervision.);
- Regular assessment of the development of the Platform and taking the necessary steps to overcome any problems;
- Development and setting up the membership base of the Platform (the tenderer shall define the methodology to secure participation of relevant stakeholders, organise the selection process and appointments of different members for different required tasks and groups, identified as the most appropriate ones for the proposed structure of the Platform).
- Developing the corporate identity of the Smart Cities Stakeholder Platform (e.g. by developing a logo).

At the latest 15 days following the signature of the contract, a kick-off meeting between the selected tenderer and the EC will be held in Brussels. This meeting will ensure that the selected tenderer has a clear understanding of the terms of contract and objectives.

The selected tenderer should be able to respond to requests from the EC within 3 working days (or within 3 working days provide justification for a different deadline).

Within 3 months after the signature of the contract, an Inception Report shall be submitted, outlining a detailed work plan and elaborating on the proposed methodology. The inception meeting will review the Inception Report. A set of performance indicators, proposed by the selected tenderer, will be agreed with the EC and used at later stages for assessing the outcomes of the Smart Cities Stakeholder Platform.

The implementation of the contract will be monitored through Progress Reports (submitted 6, 12, 24 and 30 months after the signature of the contract), and Interim Technical Report (submitted 18 months after the signature of the contract), all of them giving a full overview and evaluation of the implementation, use of resources, main achievements, outputs and impacts, as well as any problems encountered and the updated plan of further activities. Progress Reports and Interim Technical Report will be reviewed during the meetings held in Brussels between the EC and the selected tenderer. The tenderers should include quantitative targets for monitoring the implementation of the contract, with schedule of submitting them to the EC.

The tenders shall include all the tenderer's expenses for the abovementioned meetings and also for any other travels and any other work of the tenderer's staff and/or tenderer's subcontractors needed for providing the deliverables requested by this tender. The tasks attributed to the contractor(s) shall be presented separately in the tenders.

WP 2: Organisation and cooperation

The tenders must include a proposed strategy for establishing and maintaining contacts and good working relationships with a wide range of stakeholders from the EU, Member States and FP7 Associated Countries.

The organisational structure of the Smart Cities Stakeholder Platform should include expert groups (Working Groups) and coordination groups to identify and analyse innovation measures in a holistic manner (such as the application of low carbon technologies in urban areas and measures to promote mass market uptake of specific urban solutions). The actions shall cover the following main areas: buildings, energy networks (electricity and heating and cooling), supply technologies, urban transport, management of urban energy flows as well as waste and water management. Moreover, the Platform should facilitate the matching and cooperation of cities with an interest to develop common projects in the above mentioned areas.

Furthermore, the tenderer should ensure consistency with the Covenant of Mayors initiative, especially regarding the development of Sustainable Energy Action Plans (concerning requirements, assessment criteria, methodology, etc).

All the issues relevant for realising the ambition of transforming Europe's cities into Smart Cities shall be tackled. The selected tenderer's approach should allow the identification and development of technical, economic and organisational solutions which can be applied to European cities at large scale. The proposed measures should aim at accelerating the deployment of low carbon technologies by creating frame conditions for reaching a critical mass that would make innovative solutions commercially interesting. To this aim the Platform should enable the key players to come together and also help identifying and tackling the barriers holding back innovative products and services in the city environment and to support behavioural changes which bring about greater individual, collective and corporate responsibility for impacts of energy consumption and mobility, also addressing the paradox whereby demand for more energy-intensive or new products outstrips gains in energy efficiency.

The main tasks will include:

- Identification of a transparent and effective structure for the Platform, enabling the stakeholders' contribution to the development and implementation of the Smart Cities and Communities Initiative.
- The set up and the organisation of the Platform around the proposed structure. This activity will focus on the creation of appropriate bodies (e.g. Working Groups) and involvement of different members/stakeholders which will carry out tasks regarding the development and support for the implementation of the Smart Cities Initiative. The selected tenderer will – in cooperation with these bodies (including the chair and secretaries) – develop and regularly update Work Plans presenting the annual tasks and their timelines.
- Support to the bodies created (e.g. Working Groups) in their implementation of their tasks.

The Platform should work towards developing appropriate objectives and priority actions for the Smart Cities Initiative, aiming at accelerating the deployment of low carbon technologies, creating the markets and giving the industries and cities a competitive edge while ensuring the high quality of life in the cities. The first element which should be considered is the integration aspect, i.e. an integrated approach to improve mainly energy and transport situation. Different cities might require different needs and actions for example due to different geographical, climatic, organisational, economic conditions.

To strike the right balance between the subsidiarity principle and the need for EU guidance, it is necessary to combine a bottom-up approach (which lets cities develop the most suitable measures reflecting local specificities) and a top-down approach (which will propose concrete measures to the cities). The platform is expected to propose and provide organisational support for the implementation of actions along the following main categories:

- Technological innovation to test full scale technology applications;
- Market uptake solutions to speed up the deployment of low carbon innovations in cities;
- Exchange of knowledge and best practices and improving the relevant qualifications.

The sectors to be covered are energy, transport, ICT, water and waste management including their integration aspects. The actions in the energy sector can be grouped in measures for buildings, energy networks (electricity and heating and cooling), supply technologies (new supply energy technologies) and the management of energy models and flows. As regards the transport sector, the main topics include clean and energy efficient transport solutions, improved public transport and improved interconnections and intermodal transport.

At the same time various market uptake oriented solutions can be looked upon (e.g. city plans and sustainable energy and transport planning, business and financial models, public procurement rules and standards, which support sustainable technologies, etc).

WP 3: Monitoring and knowledge transfer

This activity will be carried out under the supervision of the Commission's Joint Research Centre (JRC) responsible for the SET-Plan Information System (SETIS portal) and in close cooperation with the Covenant of Mayors Office.

The selected tenderer shall identify how the Smart Cities Initiative can be increased through a knowledge management process.

To this aim the other existing initiatives (such as the Covenant of Mayors, CONCERTO, the Green Digital Charter Europe and the CIVITAS Initiative) can be used to disseminate the technological, economic and organisational applications and solutions.

The main tasks will include:

- Identification and development of the approaches which will enable knowledge transfer. This could encompass elements such as auditing measures, typology of the cities, specifications for financing instruments, training needs, etc.
- Development of a monitoring system which will enable the monitoring of the impact of the projects carried out by the Smart Cities and Communities Initiative. This work will be carried out in cooperation with the Commission's Joint Research Centre ("JRC" – which is responsible for the SET-Plan Information System SETIS).

WP 4: Representation and Communication

The selected tenderer will carry out communication activities, such as the production of information leaflets, brochures, reports, newsletters and other relevant documents which should be budgeted accordingly in the tender submission. The selected tenderer will ensure the promotion of actions and facilitate the flow and exchange of information among the stakeholders. A close cooperation with the Covenant of Mayors office and other urban EU initiatives should be established.

The selected tenderer will develop a communication and valorisation campaign which can encompass elements such as publication of advertisements in specialised media, publication in specialised magazines of the articles focusing on Platform's activities, publication of a monthly newsletter (which will be sent to Platform's members, selected EC officials, project partners and other relevant stakeholders) etc.

The selected tender will also develop, host (either on its own or on a hired server) and maintain a website that will be supporting the platform's activities (such as communication among the stakeholders, knowledge sharing, etc). The website can become a communication platform offering various stakeholders (acting either in their personal or professional capacity) the possibility of exchanging ideas, presenting plans, raising questions and being able to discuss any Smart Cities related issues with the other users of the website. Various interactive tools (such as blogs and discussion forums) should be part of the website.

Such website shall remain consistent with the visual identity of the EC and the funding from the FP7 shall be acknowledged on it. Tenderers shall present the proposed structure of such website in their tenders (subject to its approval by the EC).

The selected tenderer shall produce an advertising banner in order to facilitate the linking from other websites to the Smart Cities Stakeholder Platform's website.

The information on the website and in any other published materials shall be provided in English (possibly including web-links to any other websites containing relevant information in any language). Tenderers shall propose in their tenders a cost-effective way of translation of the information published on the Smart Cities Stakeholder Platform's website into other official EU languages by making use of state-of-the-art technology, thus helping users across the EU in understanding the published contents.

The contents published by the selected tenderer must be published impartially and independent of any special interests. The website should not be used for the distribution of interest-based information (besides clearly identified events and news items) or for third-party advertising.

The contents published on the website shall be open to public access and must therefore be subject to the selected tenderer's internal quality control.

The selected tenderer must maintain and update all sections of the website throughout the duration of the contract.

The selected tenderer must ensure that no restrictions based on personal data and/or confidentiality and/or intellectual property rights are to be expected from any third party due to the publication of any data and documents on the website or in any other material produced and publically available. The selected tenderer must fully respect the intellectual property rights. Should the tenderer for providing the deliverables or services under this contract intend to use any data which cannot be published, this must be explicitly mentioned in the tender. While fully respecting the corresponding legislation, the selected tenderer shall actively search out new contacts and interested parties to be included in the distribution lists of the Smart Cities Stakeholder Platform's dissemination products. Subscription and removal from the distribution list shall be easy.

The Smart Cities Stakeholder Platform's website shall be a copyrighted product of the EC.

In general an interrelation with the Covenant of Mayors communication tools system should be considered.

WP 5: Transfer at the end of the contract

The selected tenderer must:

- produce complete and user friendly documentation on all the procedures and means used in developing, maintaining and updating the Smart Cities Stakeholder Platform's website and
- provide training and information sessions during the last 6 months of the contract to the EC staff members and/or staff members of other entity designated by the EC, in order to enable them to take over all the Smart Cities Stakeholder Platform's activities after the end of the contract.

At the end of the contract, as part of the transfer, the full contents of the Smart Cities Stakeholder Platform's website (including the latest version of the source codes as written for the Smart Cities Stakeholder Platform's website during the course of the contract) are to be delivered to the EC on DVDs, if requested by the EC staff members and/or staff members of other entity designated by the EC, underlying data structures shall be transferred, too, by the most efficient means in view of ensuring an uninterrupted continuation of the work.

All the costs of all activities related to the abovementioned transfer shall be presented in the tenders.

I.4 Project Deliverables

Execution of the tasks begins after the date on which the contract enters into force.

In principle, the deadlines set out below cannot be extended. The Contractor is deemed solely responsible for delays occasioned by subcontractors or other third parties (except for rare cases of *force majeure*). Adequate resources and appropriate organisation of the work including management of potential delays should be put in place in order to observe the timetable below.

A kick-off meeting will take place in Brussels at the latest 15 days following the signature of the contract, in order to settle the details of the deliverables.

Deliverables other than reports are described in the previous sections of these tender specifications.

Reports	Delivery date (month after the signature of the contract)
Inception Report	3
1 st Progress Report	6
Interim Technical Report	12
2 nd Progress Report	18
Draft Final Technical Report	22
Final Technical Report	24

The Commission shall have 45 days from receipt to approve or reject any of the above mentioned reports. Within 20 days of receiving the Commission's observations, the Contractor will submit additional information or another report. All reports shall be delivered in English.

Inception Report

The Inception Report, expected within 3 months after the signature of the contract, will serve as a reference document for the EC and for the selected tenderer during the lifetime of the project. It will contain the detailed management and work programme (including also the communication and dissemination plan as well as proposed structure and content of interim and final technical reports), based on these tender specifications, but will take into account any changes agreed during the finalisation of the contract as well as issues further discussed after the contract signature, in particular during the kick-off meeting. It will clearly present measurable performance indicators and targets based on them, making it possible to objectively estimate the success of the work done under the contract.

Progress Reports

The Progress Reports will be submitted to the EC 6, 12, 24 and 30 months after the signature of the contract. They will present a full overview of the progress of the work, together with any deviations and corrective actions taken, giving a complete overview and evaluation of the implementation of the contract (including through measurable performance indicators), main achievements, outputs and impacts, users' feedback as well as any problems encountered and also the updated plan of further activities.

Interim Technical Report

The Interim Technical Report will be submitted to the EC 12 months after the signature of the contract. It will be following the structure of Progress reports, thus present a full overview of the progress of the work, together with any deviations and corrective actions taken, giving a complete overview and evaluation of the implementation of the contract (including through measurable performance indicators), main achievements, outputs and impacts, users' feedback as well as any problems encountered and also the updated plan of further activities. In addition, it will include an annex providing detailed description of the financial resources used under this contract.

Draft Final Technical Report

The draft Final Technical Report, mainly following the structure of the Progress Reports, will be submitted to the EC at the latest 22 months after the signature of the contract.

Final Technical Report

The Final Technical Report, mainly following the structure of the Progress Reports and taking into account the EC's comments on the draft Final Technical Report, must be delivered to the EC by the 15th of the last month of the duration of the contract.

Three copies of the abovementioned inception, progress, interim, draft final and final technical reports shall be submitted to the EC in paper form and one copy in electronic form, either in MS Word or in HTML format. The Final Technical Report shall also be submitted to the EC in PDF format. All copies, both in electronic and in paper form, shall be sent to the EC on the same day.

The quality of the Final Technical Report will be assessed. If the report is judged as non-sufficient the selected tenderer will be required to submit additional information or a new report.

The EC may publish the results of the services provided. For this purpose, the selected tenderer must ensure that the information contained in the abovementioned reports and other materials to be published is not subject to any restrictions deriving from personal data, confidentiality or intellectual property rights of third parties. Should the selected tenderer for providing the deliverables or services under this contract intend to use any data which cannot be published, the selected tenderer can only include such data in a separate annex of the abovementioned reports and must clearly mark this annex's cover page as "confidential annex".

I.5 Duration of the tasks

The duration of the tasks shall not exceed 24 months. This period is calculated in calendar days.

I.6 Place of performance

The tasks will be performed on the Contractor's premises. Meetings between the contractor and the Commission shall be held on Commission premises in Brussels.

I.7 Estimate of the amount of work involved

The amount of work involved to carry out this contract is assessed at 2000 man days.

II TERMS OF CONTRACT

In drawing up his offer, the tenderer should bear in mind the provisions of the draft contract attached to this invitation to tender (Annex 5). Any limitation, amendment or denial of the terms of contract will lead to automatic exclusion from the procurement procedure.

The Commission may, before the contract is signed, either abandon the procurement procedure or cancel the award procedure without the tenderers being entitled to claim any compensation.

II.1 Terms of Payment

Payments shall be made in accordance with the provisions specified in Annex 5, the draft service contract.

II.2 Financial Guarantees

Guarantee on pre-financing: For any pre-financing higher than 150,000 EUR, a financial guarantee equivalent to the amount of the pre-financing will be requested. Depending on the financial situation of the tenderer, the Commission may ask for the financial guarantee for amounts lower than 150,000 EUR.

II.3 Subcontracting

If the tenderer intends to subcontract part of the service, he shall indicate in his offer which part will be subcontracted and to what extent (% of the total contract value).

Tenderers must ensure that Article II.17 of the contract (Annex 5) can be applied to subcontractors. Once the contract has been signed, Article II.13 of the above-mentioned contract shall govern the subcontracting.

II.4 Legal Form to Be Taken by the Grouping of Service Providers to Whom the Contract Is Awarded (If Applicable)

Groupings, irrespective of their legal form, may submit bids. Tenderers may, after forming a grouping, submit a joint bid on condition that it complies with the rules of competition. Such groupings (or consortium) must specify the company or person heading the project and must also submit a copy of the document authorising this company or person to submit a bid. If awarded, the contract will be signed by the company or the person heading the project, who will be, vis à vis the Commission, the only contracting party responsible for the performance of this contract. Tenders from a consortium of firms or groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member of the consortium or group. Each member must provide all the necessary documents for assessing the bid as a whole with regard to the exclusion criteria, selection criteria (in their entirety) and award criteria.

III FORM AND CONTENT OF THE TENDER

III.1 General

Tenders must be written in **one of the official languages** of the European Union.

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, they must make it clear that they are able to meet the requirements of the specifications.

III.2 Structure of the Tender

All tenders must include three sections i.e. an administrative, a technical and a financial proposal.

III.2.1 Section One: Administrative Proposal

This section must provide the following information, set out in the standard identification forms attached to these tender specifications (Annexes 1, 2 and 3):

Tenderers' identification (Annex 1)

All tenderers must provide proof of **registration**, as prescribed in their country of establishment, on one of the **professional or trade registers** or provide a declaration or certificate.

If the tenderer is a natural person, he/she must provide a copy of the identity card/passport or driving licence and proof that he/she is covered by a social security scheme as a self-employed person.

Each tenderer (including subcontractor(s) or any member of a consortium or grouping) must complete and sign the identification forms in Annex 1 and also provide above-mentioned documents. However, the subcontractor(s) shall not be required to fill in or provide those documents when the services represent less than 20% of the contract.

Financial identification (Annex 2)

The **bank identification form** must be filled in and signed by an authorised representative of the tenderer and his/her banker. A standard form is attached in Annex 2 and a specific form for each Member State is available at the following Internet address:

http://ec.europa.eu/budget/info_contract/ftiers_en.htm

In the case of a grouping, this form must only be provided by the person heading the project.

Legal entities (Annex 3)

The legal entity form in Annex 3 must be filled in and should be accompanied by a number of supporting documents, available on the Web site:

http://ec.europa.eu/budget/info_contract/legal_entities_en.htm

In the case of a grouping, this form must only be provided by the person heading the project.

The Commission reserves the right, however, to request additional evidence in relation to the bid submitted for evaluation or verification purposes within a time-limit stipulated in its request.

III.2.2 Section Two: Technical Proposal

This section is of great importance in the assessment of the bids, the award of the contract and the future execution of any resulting contract.

Some guidelines are given below, but attention is also drawn to the award criteria, which define those parts of the technical proposal to which the tenderers should pay particular attention. The technical proposal should address all matters laid down in the specifications and should include models, examples and technical solutions to problems raised in the specifications. The level of detail of the tender will be extremely important for the evaluation of the tender. Tenderers must present in their bids a proposal on methodology and the organisation of the work to carry out in the framework of the study.

The technical proposal must provide all the information needed for the purpose of awarding the contract. The technical proposal should address all matters laid down in the specifications.

III.2.3 Section Three: Financial Proposal

All tenders must contain a financial proposal. The tenderer's attention is drawn to the following points:

- The price must be quoted in **euros**, including the countries which are not in the euro-area. As far as the tenderers of those countries are concerned, they cannot change the amount of the bid because of the evolution of the exchange rate. The tenderers choose the exchange rate and assume all risks or opportunities relating to the rate fluctuation.
- The price must be a fixed amount and include all expenses, such as travel expenses and daily allowances.
- **The price should be quoted free of all duties, taxes and other charges, i.e. also free of VAT**, as the European Union is exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union of 8 April 1965 (OJ L 152 of 13 July 1967). Exemption is granted to the Commission by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption. For those countries where national legislation provides an exemption by means of a reimbursement, the amount of VAT is to be shown separately. In case of doubt about the applicable VAT system, it is the

tenderer's responsibility to contact his or her national authorities to clarify the way in which the European Union is exempt from VAT.

- **The Price shall be** fixed and not subject to revision during the performance of the contract;
- For each category of staff involved in the project, the tenderer must specify:
 - the total labour costs;
 - **the daily rates** and **total number of days** (man/days) each member of staff will contribute to the project;
 - other categories of costs, indicating the nature of the cost, the total amount, the unit price and the quantity.

Bids involving more than one service provider (consortium) must specify the amounts indicated above for each provider.

IV ASSESSMENT AND AWARD OF THE CONTRACT

The assessment will be based on each tenderer's bid.

All the information will be assessed in the light of the criteria set out in these specifications. The procedure for the award of the contract, which will concern only admissible bids, will be carried out in three successive stages.

The aim of each of these stages is:

- to check on the basis of the exclusion criteria, whether tenderers can take part in the tendering procedure;
- to check on the basis of the selection criteria, the technical and professional capacity and economic and financial capacity of each tenderer;
- to assess on the basis of the award criteria each bid which has passed the exclusion and selection stages.

IV.1 Exclusion Criteria (Exclusion of Tenderers)

IV.1.1 Exclusion Criteria (Article 93 Financial Regulation⁵)

- 1) To be eligible for participating in this contract award procedure, tenderers must not be in any of the following situations:
 - 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 judgement 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;

⁵ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248 of 16.9.2002)

- e) they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Union's financial interests;
- f) they are currently subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation⁶ for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a contract procurement procedure or by the authorising officer as a condition of participation in a grant award procedure, for failing to supply this information or for having been declared to be in serious breach of their obligations under contracts or grants covered by the Union budget.

2) The cases referred to in point IV.1.1. e) above shall be the following:

- a) Cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests established by the Council Act of 26 July 1995 (OJ/C 316 of 27.11.1995, p. 48);
- b) cases of corruption as referred to 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, established by the Council Act of 26 May 1997 (OJ/C 195 of 25.6.1997, p. 1);
- c) cases of involvement in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council (OJ/L 315 of 29.12.1998, p. 1);
- d) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC (OJ/L 166 of 28.6.1991, p.77).

IV.1.2 Other Cases of Exclusion (Article 94 Financial Regulation)

Contracts will not be awarded to tenderers who, during the procurement procedure:

1) Are subject to a conflict of interest:

Tenderers must declare:

- a) that they do not have any conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest;
- b) that they will inform the contracting authority, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest;

⁶ Council Regulation (EC, Euratom) n° 1605/2002 of 25 June 2002 on the Financial regulation applicable to the general budget of the European Communities, OJ L 248 of 16 September 2002, p. 1, amended by Council Regulation (EC, Euratom) n° 1995/2006 of 13 December 2006, OJ L 390 of 30 December 2006, p.1.

- c) that they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- d) that they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract.

The Commission reserves the right to check the above information.

- 2) **Are guilty of misrepresentation** in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information.
- 3) Find themselves in one of the **situations of exclusion**, referred to in paragraph IV.1.1. above for this procurement procedure.

IV.1.3 Evidence to be provided by the tenderers

When submitting their bids, each tenderer (including subcontractor(s) or any member of a consortium or grouping) shall provide a declaration on their honour, duly signed and dated, stating that they are not in one of the situations mentioned above (cf. IV.1.1 and VI.1.2). For that purpose, they must complete and sign the form attached in Annex 4. Where the tenderer is a legal entity, they shall, whenever requested by the Commission, provide information on the ownership or on the management, control and power of representation of the legal entity.

The tenderer to whom the contract is to be awarded shall provide, within 15 calendar days after notification of the results of the procurement procedure and in any case before the signature of the contract, the following evidence, confirming the declaration referred to above:

- The Commission shall accept, as satisfactory evidence that the tenderer is not in one of the situations described in point IV.1.1 (a), (b) or (e) above, a recent extract 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.
- The Commission accepts, as satisfactory evidence that the tenderer is not in the situation described in point IV.1.1 (d) above, a recent certificate issued by the competent authority of the State concerned.
- Where no such document or certificate is issued in the country concerned, 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.

Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraph 1 and 2 above shall relate to legal and/or natural persons including, if applicable with regard to points b) and e), company directors or any person with powers of representation, decision-making or control in relation to the tenderer.

When the subcontracted part is above 20% of the contract value, the subcontractor(s) must also provide the above-mentioned declaration on honour. In case of doubt on this declaration on the honour, the contracting authority may also request the evidence referred to in paragraphs 2 and 3 above.

The Commission reserves the right to request any other document relating to the proposed tender for evaluation and verification purpose, within a delay determined in its request.

Remark: The tenderers will be waived of the obligation to submit the documentary evidence above mentioned if such evidence has already been submitted for the purposes of another procurement procedure launched by the Directorates General in charge of Energy or Transport and provided that the documents are not more than one year old starting from their issuing date and that they are still valid. In such a case, the tenderer shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure, specifying the reference of the call for tender for which the documents have been provided, and confirm that no changes in his situation have occurred.

IV.1.4 Administrative and Financial Penalties

Without prejudice to the application of penalties laid down in the contract, candidates or tenderers and contractors who have been found guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or have failed to supply this information or have been declared to be in serious breach of their obligations under contracts covered by the Union budget may be subject to administrative or financial penalties, in accordance with Article 96 of the Financial Regulation and Articles 134b and 133a of the Implementing Rules.⁷

IV.2 Selection Criteria (Selection of Tenderers)

To be eligible, the tenderers must have the economic and financial capacity as well as the technical and professional capacity to perform the tasks required in this call for tender.

IV.2.1 Economic and Financial Capacity – Criteria and References Required

Tenderers must provide evidence of their economic and financial capacity by submitting an annual turnover of minimum 1.500.000 EUR, for the past three years. In case of joint offers this criterion must only be fulfilled by the leader of the tender consortium.

Tenderers must provide proof of their financial and economic capacity by means of the following documents: the balance sheets or extracts from balance sheets for the last three financial years, and a statement of overall turnover and turnover relating to the relevant services for the last three financial years.

⁷ Commission Regulation (EC, Euratom) n° 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities, OJ L 357 of 31 December 2002, p. 1, as amended.

IV.2.2 Technical and Professional Capacity – Criteria and References Required

Tenderers must demonstrate that all the following requirements are covered by the proposal and by the team proposed:

- Experience of at least three years in developing and managing activities (such as setting up an organisation, data management, communication and dissemination) similar to the ones requested by the tender specifications.
- Experience of at least one year in working with stakeholders at municipal /community level.
- Experience of at least three years in writing English texts for website(s).
- Knowledge of energy, transport, ICT, water and waste management, and socio-economic topics and experience of at least one year in managing stakeholder contacts in these fields.

Evidence of the capacity to fulfil the above requirements shall be provided on the basis of the following documents:

- A list detailing the position and tasks for each member of the international team.
- A detailed curriculum vitae (CV) for each member of the international team (including his or her educational background, degrees and diplomas, professional experience including the places of employment, research work, publications and linguistic skills).
- A list briefly summarising the activities similar to the ones requested by the tender specifications, delivered by the tenderer during the last 5 years, with indications of corresponding budgets, recipients and timing (i.e. year or years in which these activities were performed as well as duration of performing of each of these activities). Samples (such as produced communication materials and websites) resulting from such activities may be enclosed.

If several service providers/subcontractors are involved in the bid, each of them must have and show that they have the professional and technical capacity to perform the tasks assigned to them.

The CVs shall be presented, preferably, in accordance to the Commission Recommendation on a common European format for curricula vitae, published in OJ L79 of 22 March 2002, p. 66.

IV.3 Evaluation of Tenders – Award Criteria

The contract will be awarded according to the criteria given below, on the basis of the economically most advantageous tender.

Only bids that have reached a total score of a minimum of 70% and a minimum score of 60% for each criterion will be taken into consideration for awarding the contract.

a) Quality evaluation criteria as weighted by percentage:

Criteria	Maximum score/ weighting
<p>1. Understanding</p> <p>This criterion serves to assess whether the tenderers have fully understood all the aspects of what is required by the tender specifications.</p>	20%
<p>2. Technical quality of the tender</p> <ul style="list-style-type: none"> • Clarity, completeness and full coverage of the tasks; • Quality of proposed methodology to set-up and make operational the stakeholder platform; • Quality and clarity of the work plan towards the objectives of the call for tender • Quality and appropriateness of proposed communication and dissemination activities • Potential impact through the development, dissemination and use of project results; • Quality of support activities to achieve the expected outcomes ,ensuring knowledge transfer and monitoring, engagement with the stakeholders and public; 	50%
<p>3. Project management and resources</p> <p>This criterion relates to the appropriate overall project planning and management and the human and financial resources allocated to cope with and fulfil the obligations of the contract.</p>	30%
Total score	100%

b) Total price

The contract will be awarded to the tender who offers the best ratio quality/price.

IV.4 Information for Tenderers

The Commission will inform tenderers of decisions reached concerning the award of the contract, including the grounds for any decision not to award a contract or to recommence the procedure.

Upon written request, the Commission will inform the rejected tenderers of the reasons for their rejection and the tenderers having submitted an admissible tender of the characteristics and relative advantages of the selected tender and the name of the successful tenderer.

However, certain information may be withheld where its release would impede law enforcement or otherwise be contrary to the public interest, or would prejudice the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

V ANNEXES

- 1 Identification of the Tenderer
- 2 Financial Identification
- 3 Legal Entity Form
- 4 Declaration by the Tenderer (relating to the exclusion criteria)
- 5 Draft Service Contract

ANNEX 1

IDENTIFICATION OF THE TENDERER

(Each service provider, including subcontractor(s) or any member of a consortium or grouping, must complete and sign this identification form)

Call for tender No. ENER C2/2011-462-1

Identity	
Name of the tenderer:	
Legal status of the tenderer:	
Date of registration:	
Country of registration:	
Registration number:	
VAT number:	
Description of statutory social security cover (at the level of the Member State of origin) and non-statutory cover (supplementary professional indemnity insurance) ⁸ :	
Address	
Address of registered office of tenderer:	
Where appropriate, administrative address of tenderer for the purposes of this invitation to tender:	
Contact Person	
Surname: First name: Title (e.g. Dr, Mr, Ms): Position (e.g. manager): Telephone number: Fax number: E-mail address:	

⁸ For natural persons.

Legal Representatives	
Names and function of legal representatives and of other representatives of the tenderer who are authorised to sign contracts with third parties:	
Declaration by an authorised representative of the organisation⁹	
I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.	
Surname: First name:	Signature:

⁹ This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.

ANNEX 2

FINANCIAL IDENTIFICATION FORM

(to be completed by the tenderer and his or her financial institution)

A specific form for each Member State is available at the following Internet address:
http://ec.europa.eu/budget/info_contract/ftiers_en.htm

ANNEX 3

LEGAL ENTITY FORM

Complete the legal entity form, which should be accompanied by a number of supporting documents, available on the Web site:

http://ec.europa.eu/budget/info_contract/legal_entities_en.htm

Please note that we can only accept either original documents or certified copies, which must be less than 6 months old.

In the case of a grouping, this form must only be provided by the person heading the project.

ANNEX 4

DECLARATION BY THE TENDERER

Each service provider, including subcontractor(s) or any member of a consortium or grouping, must sign this declaration

- 1) In accordance with Article 93 of the Financial Regulation¹⁰, I declare on my honour that I am not in any of the following situations which would exclude me from participating in this procurement procedure:
 - a) I am not bankrupt, being wound up or having my affairs administered by the courts, I have not entered into an arrangement with creditors, I have not suspended business activities, I am not the subject of proceedings concerning any such matters, and I am not in any similar situation arising from a similar procedure provided for in legislation or regulations;
 - b) I have not been convicted of an offence concerning my professional conduct by a judgment which has the force of res judicata;
 - c) I have not been found guilty of grave professional misconduct proven by any means which the contracting authority can justify;
 - d) I have not failed to fulfil 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 I am established or with those of the country or the contracting authority or those of the country where the contract is to be performed;
 - e) I have not 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 Union's financial interests;
 - f) I am currently not subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a contract procurement procedure or by the authorising officer as a condition of participation in a grant award procedure, for failing to supply this information or for having been declared to be in serious breach of their obligations under contracts or grants covered by the Union budget.

¹⁰ Council Regulation (EC, Euratom) n° 1605/2002 of 25 June 2002 on the Financial regulation applicable to the general budget of the European Communities, OJ L 248 of 16 September 2002, p. 1, amended by Council Regulation (EC, Euratom) n° 1995/2006 of 13 December 2006, OJ L 390 of 30 December 2006, p.1.

- 2) In addition, the undersigned declares on his or her honour:
 - a) that on the date of submission of the tender, the company or organisation I do represent and the staff proposed for this tender are not subject to a conflict of interests in the context of this invitation to tender; I undertake to inform the Commission without delay of any change to this situation after the date of submission of the tender.
 - b) that the information provided to the Commission within the context of this invitation to tender is accurate, sincere and complete.

Done at on

Name:

Title:

Signature: