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**B-Brussels: Assessment of cost-optimal calculations undertaken by the Member States in the context of Article 5 of Directive 2010/31/EU on the energy performance of buildings (recast) 2013/S 051-082671**

**Contract notice**

**Services**

Directive 2004/18/EC

**Section I: Contracting authority**

**I.1) Name, addresses and contact point(s)**

European Commission, Directorate-General for Energy  
rue Demot 24  
For the attention of: ENER/C3/2013-414  
1049 Brussels  
BELGIUM  
E-mail: [ener-tender-2013-414@ec.europa.eu](mailto:ener-tender-2013-414@ec.europa.eu)

**Internet address(es):**

General address of the contracting authority: [http://ec.europa.eu/dgs/energy/tenders/index\\_en.htm](http://ec.europa.eu/dgs/energy/tenders/index_en.htm)

**Further information can be obtained from:** The above mentioned contact point(s)

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:** The above mentioned contact point(s)

**Tenders or requests to participate must be sent to:** The above mentioned contact point(s)

**I.2) Type of the contracting authority**

European institution/agency or international organisation

**I.3) Main activity**

**I.4) Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities: no

**Section II: Object of the contract**

**II.1) Description**

**II.1.1) Title attributed to the contract by the contracting authority:**

Assessment of cost-optimal calculations undertaken by the Member States in the context of Article 5 of Directive 2010/31/EU on the energy performance of buildings (recast).

**II.1.2) Type of contract and location of works, place of delivery or of performance**

Services

Service category No 11: Management consulting services [6] and related services

Main site or location of works, place of delivery or of performance: The tasks will be performed on the contractor's premises. However, meetings between the contractor and the Commission may be held on Commission premises in Brussels.

NUTS code BE10

**II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)**

The notice involves a public contract

II.1.4) **Information on framework agreement**

II.1.5) **Short description of the contract or purchase(s)**

By 21.3.2013, the Commission should receive cost-optimal calculation reports from all Member States. The purpose of this contract is to support the Commission to:

1. develop a template for the assessment of all national/regional reports. This template will be used to deliver all the country-specific assessment reports, taking into account that some Member States will address the cost-optimal calculations at a regional level. The assessment reports will have to state the level of compliance of the national/regional report(s);
2. undertake the country-specific assessments. On the basis of the agreed reporting template, the calculations received shall be analysed and reported to the Commission on a regular basis;
3. analyse the overall results. On the basis of the country-specific assessments, the contractor shall analyse and summarise the situation EU-wide.

II.1.6) **Common procurement vocabulary (CPV)**

73200000

II.1.7) **Information about Government Procurement Agreement (GPA)**

The contract is covered by the Government Procurement Agreement (GPA): yes

II.1.8) **Lots**

This contract is divided into lots: no

II.1.9) **Information about variants**

Variants will be accepted: no

II.2) **Quantity or scope of the contract**

II.2.1) **Total quantity or scope:**

The indicative price including all charges for this service contract is: 360 000 EUR.  
Estimated value excluding VAT: 360 000 EUR

II.2.2) **Information about options**

Options: no

II.2.3) **Information about renewals**

This contract is subject to renewal: no

II.3) **Duration of the contract or time limit for completion**

Duration in months: 18 (from the award of the contract)

**Section III: Legal, economic, financial and technical information**

III.1) **Conditions relating to the contract**

III.1.1) **Deposits and guarantees required:**

III.1.2) **Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:**

The tenderer should bear in mind the provisions of the draft contract which specifies the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, and checks and audits.

III.1.3) **Legal form to be taken by the group of economic operators to whom the contract is to be awarded:**

A joint tender is a situation where a tender is submitted by a group of economic operators (consortium). Joint tenders may include subcontractors in addition to the joint tenderers.

In the case of a joint tender, all economic operators in a joint tender assume joint and several liability towards the contracting authority for the performance of the contract as a whole.

These economic operators shall designate one of them to act as leader with full authority to bind the grouping or the consortium and each of its members. It shall be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration and for coordination. The composition and constitution of the grouping or consortium, and the allocation of the scope of tasks amongst the members, shall not be altered without the prior written consent of the Commission.

The tenderers should indicate in their offer whether the partnership takes the form of:

- a) a new or existing legal entity which will sign the contract with the Commission in case of award; or
- b) a group of partners not constituting a new legal entity, who via a power of attorney, signed by an authorised representative of each partner (except the lead partner), designate one of the partners as lead partner, and mandate him as lead contractor to sign the contract with the Commission in case of award.

**III.1.4) Other particular conditions**

The performance of the contract is subject to particular conditions: no

**III.2) Conditions for participation**

**III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers**

Information and formalities necessary for evaluating if the requirements are met: Information must be provided as set out in the standard identification forms attached to the tender specifications:

Annex I — identification of the tenderer

Annex II — financial identification

Annex III — legal identity form.

**III.2.2) Economic and financial ability**

Information and formalities necessary for evaluating if the requirements are met: In order to prove their economic and financial capacity, the tenderer (i.e. in the case of joint tender, the combined capacity of all members of the consortium) must comply with the following criterion:

- the tenderer (or, for a consortium, total turnover of its members) must have an average annual turnover for the last 3 years for which the accounts are closed of at least 400 000 EUR.

The following evidence should be provided:

- copy of the profit & loss account for the last 3 years for which accounts have been closed,
- failing that, appropriate statements from banks.

If, for some exceptional reason which the contracting authority considers justified, a tenderer is unable to provide one or other of the above documents, he or she may prove his or her economic and financial capacity by any other document which the contracting authority considers appropriate. In any case, the contracting authority must at least be notified of the exceptional reason and its justification in the tender. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

**III.2.3) Technical capacity**

Information and formalities necessary for evaluating if the requirements are met:

a. Criteria relating to tenderers:

Tenderers (in the case of a joint tender the combined capacity of all tenderers) must comply with the following criteria:

1. the tenderer shall have successfully completed, as contractor, at least 2 projects in the fields of energy performance and/or energy certification of buildings. At least 1 of the completed studies should have a minimum value of 100 000 EUR (VAT included);

2. the tenderer must prove experience of working in English with at least 10 projects delivered in the last 3 years showing the necessary language coverage;

3. the tenderer must prove experience in statistical analysis and drafting reports and recommendations.

b. Criteria relating to the team delivering the service:

The team delivering the service should include, as a minimum, the following profiles:

1) the tenderer shall propose a team of a minimum of 3 experts with very good communication and drafting skills in English. The team must be composed of members having at least the following qualifications:

— 1 senior staff member with at least 8 years of professional experience, including experience in the fields of energy performance and energy certification of buildings, market analysis (including knowledge of the structure and functioning of the relevant markets and industrial sectors) and standardisation,

— 2 qualified experts with at least 3 years of experience in:

a) providing expertise in the area of energy efficiency of buildings across the EU, including in particular the cost-optimal calculations of the energy performance of buildings, the establishment of reference buildings, and the use of renewable energy sources and energy-efficient technologies in buildings;

b) collecting, analysing and structuring relevant information;

c) ability to analyse, synthesise and draw conclusions from a complex body of evidence.

Language quality check: all team members should have native-level language skills in English or equivalent, as guaranteed by a certificate or past relevant experience.

If experts have participated in the cost-optimal calculations for a Member State, it should be made clear how the organisation of the team will solve the conflict of interest.

c. Evidence:

The following evidence should be provided to fulfil the above criteria:

a list of principal assignments and services provided in the past 3 years that are relevant for this tender, together with a statement of the price of the service, the period of work and whether the service was rendered to public or private clients (name of client to be indicated);

the educational and professional qualifications of the persons who will provide the service for this tender (CVs) including the management staff. Each CV provided should indicate the intended function in the delivery of the service. CVs shall include educational background, degrees and diplomas, professional experience, research work, publications and linguistic skills of each team member. The CVs shall be presented, preferably, in accordance with the Commission recommendation on a common European format for curricula vitae, published in OJ L 79 of 22.3.2002, p. 66.

Changes or additions to the team initially proposed must be notified to the Commission in writing. The Commission will have the right to object to any changes of members of the team from those initially proposed.

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.

III.2.4) **Information about reserved contracts**

III.3) **Conditions specific to services contracts**

III.3.1) **Information about a particular profession**

Execution of the service is reserved to a particular profession: no

III.3.2) **Staff responsible for the execution of the service**

Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service: yes

**Section IV: Procedure**

- IV.1) **Type of procedure**
- IV.1.1) **Type of procedure**  
Open
- IV.1.2) **Limitations on the number of operators who will be invited to tender or to participate**
- IV.1.3) **Reduction of the number of operators during the negotiation or dialogue**
- IV.2) **Award criteria**
- IV.2.1) **Award criteria**  
The most economically advantageous tender in terms of the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document
- IV.2.2) **Information about electronic auction**  
An electronic auction will be used: no
- IV.3) **Administrative information**
- IV.3.1) **File reference number attributed by the contracting authority:**  
ENER/C3/2013/414.
- IV.3.2) **Previous publication(s) concerning the same contract**  
no
- IV.3.3) **Conditions for obtaining specifications and additional documents or descriptive document**  
Time limit for receipt of requests for documents or for accessing documents: 19.4.2013 - 16:00  
Payable documents: no
- IV.3.4) **Time limit for receipt of tenders or requests to participate**  
29.4.2013 - 16:00
- IV.3.5) **Date of dispatch of invitations to tender or to participate to selected candidates**
- IV.3.6) **Language(s) in which tenders or requests to participate may be drawn up**  
Any EU official language
- IV.3.7) **Minimum time frame during which the tenderer must maintain the tender**  
Duration in months: 6 (from the date stated for receipt of tender)
- IV.3.8) **Conditions for opening of tenders**  
Date: 7.5.2013 - 11:00  
Place:  
Directorate-General for Energy, Unit C.3, Office 04/101, rue Demot 24, 1040 Brussels, BELGIUM.  
Persons authorised to be present at the opening of tenders: yes  
Additional information about authorised persons and opening procedure: 1 representative of each tenderer may attend the official opening.

**Section VI: Complementary information**

- VI.1) **Information about recurrence**  
This is a recurrent procurement: no
- VI.2) **Information about European Union funds**  
The contract is related to a project and/or programme financed by European Union funds: yes  
Reference to project(s) and/or programme(s): Intelligent energy Europe II — annual work programme 2013.
- VI.3) **Additional information**

Tender documents will be available for download at the address indicated under heading I.1. The website will be updated regularly and it is the tenderers' responsibility to check for updates and modifications during the tendering period.

VI.4) **Procedures for appeal**

VI.4.1) **Body responsible for appeal procedures**

General Court of the European Union  
rue du Fort Niedergrünwald  
2925 Luxembourg  
LUXEMBOURG  
E-mail: [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)  
Telephone: +352 4303-1  
Internet address: <http://curia.europa.eu>  
Fax: +352 4303-2100

VI.4.2) **Lodging of appeals**

VI.4.3) **Service from which information about the lodging of appeals may be obtained**

General Court of the European Union  
rue du Fort Niedergrünwald  
2925 Luxembourg  
LUXEMBOURG  
E-mail: [generalcourt.registry@curia.europa.eu](mailto:generalcourt.registry@curia.europa.eu)  
Telephone: +352 4303-1  
Internet address: <http://curia.europa.eu>  
Fax: +352 4303-2100

VI.5) **Date of dispatch of this notice:**

1.3.2013