



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR ENERGY

Directorate C – Renewables, Research and Innovation, Energy Efficiency

CALL FOR TENDERS

N°ENER/C1/2014-617

**MAXIMIZING THE IMPACT OF PUBLIC SECTOR PROCUREMENT OF
RENEWABLE ELECTRICITY VIA GREEN PUBLIC PROCUREMENT
GUIDELINES**

TENDER SPECIFICATIONS

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1. INFORMATION ON TENDERING

1.1. Participation

Participation in this tender procedure 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 Union in the field of public procurement on the conditions laid down in that agreement. Where the Multilateral Agreement on Government Procurement¹ concluded within the WTO applies, the participation to the call for tenders is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down.

1.2. Contractual conditions

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

1.3. Joint tenders

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 case of 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.

¹ See http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm

1.4. Subcontracting

Subcontracting is permitted in the tender but the contractor will retain full liability towards the Contracting Authority for performance of the contract as a whole.

Tenderers must give an indication of the part of the services and proportion of the contract that they intend to subcontract.

Tenderers are required to identify subcontractors whose share of the contract is above 20%.

During contract execution, the change of any subcontractor identified in the tender will be subject to prior written approval of the Contracting Authority.

1.5. Content of the tender

The tenders must be presented as follows:

Part A: Identification of the tenderer (see section 1.6)

Part B: Evidence for exclusion criteria (see section 2.2)

Part C: Evidence for selection criteria (see section 2.3)

Part D: Technical offer (see section 2.5)

Part E: Financial offer (see section 2.6)

Part F: Power of attorney (for consortia only)

1.6. Identification of the tenderer: legal capacity and status

- The tenderer's identification form in **Annex 1** shall be filled in and signed by:
 - The tenderer (including any member of a consortium or grouping)
 - subcontractor(s) whose share of the work represent more than 20% of the contract.
- In order to prove their legal capacity and their status, all tenderers (including any member of a consortium or grouping) must provide a signed **Legal Entity Form with its supporting evidence**. The form is available on:
http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

Tenderers that are already registered in the Contracting Authority's accounting system (i.e. they have already been direct contractors) must provide the form but are not obliged to provide the supporting evidence.

- If it has not been included with the Legal Entity Form, tenderers must provide the following information:

- For legal persons, a legible copy of the notice of appointment of the **persons authorised to represent the tenderer** in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation which applies to the legal entity concerned requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.
- For natural persons, where applicable, a proof of registration on a professional or trade register or any other official document showing the registration number.
- The tenderer (only the leader in case of joint tender) must provide a **Financial Identification Form and supporting documents**. The form is available on:
http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm

2. EVALUATION AND AWARD

2.1. Evaluation steps

The evaluation is based on the information provided in the submitted tender. It takes place in three steps:

- (1) Verification of non-exclusion of tenderers on the basis of the exclusion criteria
- (2) Selection of tenderers on the basis of selection criteria
- (3) Evaluation of tenders on the basis of the award criteria (technical and financial evaluation)

Only tenders meeting the requirements of one step will pass on to the next step.

2.2. Exclusion criteria

All tenderers shall provide a declaration on their honour (see Annex 2), duly signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in the Annex 2.

The declaration on honour is also required for identified subcontractors whose intended share of the contract is above 20%.

The successful tenderer shall provide the documents mentioned as supporting evidence in Annex 2 before signature of the contract and within a deadline given by the contracting authority. This requirement applies to all members of the consortium in case of joint tender. In case of doubt on this declaration on the honour, the contracting authority may also request the evidence for subcontractors whose intended share of the contract is above 20%.

2.3. Selection criteria

Tenderers must prove their economic, financial, technical and professional capacity to carry out the work subject to this call for tenders.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

2.3.1. Economic and financial capacity criteria and evidence

In order to prove their economic and financial capacity, the tenderer (i.e. in case of joint tender, the combined capacity of all members of the consortium) must comply with the following criteria:

- The annual turnover of the last two financial years must have been above €200.000

The following evidence should be provided:

- Copy of the profit & loss account for the last two 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.

2.3.2. Technical and professional capacity criteria and evidence

a. Criteria relating to tenderers

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

- The tenderer must prove experience in the field of the renewable energy electricity market, with at least three projects delivered in this field in the last five years with a minimum value for each project of €40,000.
- The tenderer must prove an in depth understanding of the legal provisions surrounding public procurement at the EU and national levels, with at least three projects delivered in this field in the last five years with a minimum value for each project of €10,000.

- The tenderer must prove experience in survey techniques, data collection statistical analyses and drafting reports and recommendations. The tenderer should provide evidence of at least two reports in the last five years based on surveys involving more than 300 responses.
- The tenderer must prove experience of working in English with at least five projects delivered in the last three years showing the necessary language coverage.

b. Criteria relating to the team delivering the service:

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

Project Manager:

At least five years' experience in project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in project of a similar size (at least €100,000) and coverage (at least three Member States), with experience in management of team of at least five people.

Expert in renewable electricity market:

Relevant higher education degree in economics, public policy, environmental science, or an equivalent field and at least five years' professional experience in the field of renewable electricity systems and finance.

Expert in EU public procurement:

University degree in law and at least five years' professional experience with a focus on public procurement in the EU and at the national level.

Team for data collection:

Collectively the team of at least two people should have very good knowledge of English, French, German, and at least one other EU language and at least two years' proven experience of in data collection techniques.

Language quality check:

At least two members of the team should have bilingual level language skills in English or equivalent, as guaranteed by a certificate or past relevant experience.

c. Evidence:

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

- List of relevant services provided in the past five years, with sums, dates and recipients, public or private. The most important services shall be accompanied by certificates of satisfactory execution, specifying that they have been carried out in a professional manner and have been fully completed;
- 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.

2.4. Award criteria

The tender will be awarded according to the best-value-for-money procedure. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

- **Quality of the proposed methodology** (60 points – minimum threshold 60%)

Sub-criterion 1.1 (25 points): Methodology for survey on use of Green Public Procurement criteria for electricity by public authorities.

Sub-criterion 1.2: (35 points): Methodology for the development of the update of the Green Public Procurement criteria, including: technical background report, interface for stakeholder consultation, and implementation package.

- **Organisation of the work** (20 points – minimum threshold 60%)

This criterion will assess how the roles and responsibilities of the proposed team and of the economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task. It also assesses the global allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the work. The tender should provide details on the allocation of time and resources and the rationale behind the choice of this allocation.

- **Quality control measures** (20 points – minimum threshold 60%)

This criterion will assess the quality control system applied to the service foreseen in these tender specifications concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.

Tenders must score minimum 60% for each criterion and minimum 70 points in total. Tenders that do not reach the minimum quality thresholds will be rejected and will not be ranked.

After evaluation of the quality of the tender, the tenders are ranked as follows:

- All bids that do not reach the stated technical sufficiency levels for each individual award criteria will not be considered for contract award.
- All bids that have passed the individual levels and score 70 or higher are deemed to be technically sufficient. Then the price is divided by the total number of points awarded to obtain the price-quality ratio. The award of the contract will be made in accordance with the lowest ratio.

The Commission reserves the right not to select any tender if the amounts tendered exceed the budget envisaged for this project.

2.5. Technical offer

The technical offer must cover all aspects and tasks required in the technical specifications and provide all the information needed to apply the award criteria. Offers deviating from the

requirements or not covering all requirements may be excluded on the basis of non-conformity with the tender specifications and not evaluated.

2.6. Financial offer

The price for the tender must be quoted in euro. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to assume the risks or the benefits deriving from any variation.

Prices must be quoted free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union. The amount of VAT may be shown separately.

The quoted price must be a fixed amount which includes all charges (including travel and subsistence). Travel and subsistence expenses are not refundable separately. The maximum amount allocated for this study is €120,000.

3. TECHNICAL SPECIFICATIONS

3.1. Background

EU public authorities are important energy consumers, accounting for around 6-7% of total electricity consumption in Europe². Due to their market share, public authorities have a potential to drive the development of additional renewable energy generation capacity, especially if their efforts are coordinated. To satisfy the recommendation of the current EU Green Public Procurement (GPP) electricity core criteria, public authorities must demonstrate that at least 50% of their total electricity consumption is supplied from renewable energy sources (RES-E) as defined by the Renewable Energy Directive (2009/28/EC) and/or high-efficiency cogeneration as defined by Directive 2012/27/EC. To satisfy the comprehensive criteria, 100% of energy should come from RES-E. The EU GPP criteria are developed by the European Commission and recommended for use by public authorities in the Member States. Some Member States and individual public authorities recommend and/or use other GPP criteria.

While 43% of public authorities participating in a [2012 survey](#) reported using GPP criteria for electricity,³ these RES-E purchases have not necessarily led to the creation of additional RES-E production capacity. The EU GPP criteria, as well as many other schemes, rely on Guarantees of Origin (GO) to verify RES-E consumption. The legal framework for GOs is set by Article 15 of the RES Directive which has improved the previous framework set by Directive 2001/77/EC – currently repealed. Although the EU GPP criteria also allow for verification by "any other equivalent proof," public authorities primarily rely on GOs to demonstrate compliance. GOs prove that renewable electricity in equal quantities to the electricity supplied to the contracting authority has been produced somewhere within the EU. In principle, increased demand for GOs to satisfy RES-E targets should have spurred investment in production of more renewable energy. In practice, however, the market price of

² *Green Public Procurement Electricity Technical Background Report*, BRE, Brussels, 2011, p. 13.

³ *The Uptake of Green Public Procurement in the EU27*, CEPS, Brussels, 2012, p. 36.

GOs has stagnated, primarily due to the fragmentation of the GO market across individual member states. With prices ranging from 0.02 - 0.20 euros/MWh, the purchase of GOs by public authorities provides RES-E producers little or no incentive to invest in additional RES-E production capacity.

Today the conditions are ripe for a greater investment by public authorities in RES-E. Since the introduction of the GPP criteria in 2012, the internal energy market has matured and now provides an array of contractual arrangements to finance RES-E directly. While continued government support will be required to offset the high cost of capital for renewable energy investments⁴, RES-E costs have dropped considerably (e.g. in Italy the cost of a PV system fell by 30-43% between 2008-13 depending on the size of the system⁵). Europe's public authorities can play an important role in driving the transition to a low carbon economy if they are given the right tools through the GPP process. The purpose of this study is to prepare the update of the GPP criteria for renewable electricity in order to capitalize on the important evolutions in the electricity market since the original GPP was introduced and ensure RES-E purchases by public authorities drive the development of new RES-E capacity.

3.2. Objectives

The objective of this study is to develop updated draft GPP criteria for renewable electricity and give European public authorities the tools they need to effectively drive the increased production of RES-E through their purchasing power. Inter alia, the study should evaluate the implementation of Article 15 of the RES Directive at national and local level as well as the legal framework regulating the use of GOs, particularly at a local level. Among other options, the study should consider the use of power purchase agreements (PPA) by public authorities as one potential tool to foster the expansion of RES-E production capacity. As the scope for the revised criteria for renewable electricity will remain the same, the revision of the existing GPP criteria will follow the shortened criteria development procedure.

3.3. Tasks

1. Summarize the state of play in the EU

Survey public authorities in the EU at the national, sub-national, and local level regarding the implementation of the EU and other renewable GPP criteria for electricity, documenting:

- Ambition level of the criteria (percentage of electricity from RES-E);
- Legal measures undertaken at the local level related to RES-E procurement including the transposition of Article 15;
- Means of verification required in tendering procedure;
- Use of GOs including quantitative or qualitative indicators such as percentage of authorities using GOs for compliance, amount of electricity consumed covered by GOs, overall satisfaction with existing procurement model, and other indicators as appropriate;
- Type of contract and duration;
- Motivation for purchasing RES-E;

⁴ *Financing Renewable Energy in the European Energy Market*, Ecofys, Utrecht, 2011, pp. 143-44.

⁵ *Technology Roadmap: Solar Photovoltaic Energy*, IEA, Paris, 2014, p. 14.

- Opportunities and obstacles related to RES-E consumption by public authorities, including examples of policies that have both helped and hindered increased RES-E consumption;
- Impact of implementation of GPP scheme on electricity price.

The survey should include input from at least 100 public authorities in at least 10 different Member States regarding their last electricity procurement tender, and/or the current contract in use. The Commission will support the data gathering exercise by requesting GPP Advisory Group contacts in the Member States to participate in the survey. The survey should include a representative group of public authorities and Member States covering a representative variety of public authority types (central government, regional, local) population sizes, GDP levels, and geographic zones. The survey should encompass public authorities meeting the core as well as the comprehensive criteria of the existing EU GPP guidelines. To facilitate responses, the survey should be made available in EU languages, as required, using closed questions to the greatest extent possible. While the responses do not need to be translated into English, a summary document of the survey results should include all relevant points in English.

In addition, the contractor will consider any already available data or studies in the field and summarize any key findings as part of survey results.

2. Explore other options for RES-E procurement and their applicability in the EU context

Looking within the EU and beyond, analyse at least four different RES-E procurement models (identified as part of Task 1 or otherwise) that do not rely on GOs in use by public authorities with a focus on:

- contractual arrangements
- procurement procedures
- means of verification
- impact on RES-E production levels and electricity prices

This review should include at least one example of joint public procurement efforts by public authorities where power purchases are pooled at a regional or national level.

On the basis of the review, identify "best practices for additionality," documenting cases where the purchase of RES-E has led to increased RES-E production capacity. In addition to the concept of additionality, the legal, financial, social, and environmental impacts of RES-E purchases without the use of GOs should also be explored, highlighting the advantages and disadvantages of other RES-E procurement models compared to the purchase of GOs and traditional energy contracts. For example, one potential benefit that is often cited in the case of power purchase agreements is long term electricity price stability.

3. Draft technical background report

Based on the results on Tasks 1 and 2, draft an updated Technical Background Report which will serve as the basis for the update to the GPP criteria for electricity. The technical background report should:

- Define the scope and background for the review of the GPP Electricity criteria;

- Assess the implementation of Article 15 of RES Directive and other key EU legislation related to RES-E procurement;
- Review existing standards, label schemes, GPP national criteria relevant for the product group and explore procurement specific practices for this product group;
- Quantify the potential environmental benefits related to the product group;
- Summarize public procurement expenditure in this field, RES-E market availability, and evaluate costs to public authorities including a demonstration of cost calculation on a life-cycle basis;
- Estimate the overall relevance of the environmental impact associated with the product group, based on new or existing life cycle assessment studies;
- Reference all data and information collected and used for the report;
- Outline the current state of play in the EU on the basis of the results of the survey described above and other available information, focusing on the use and impact of GOs on RES-E supply, within the framework of Article 15 of the RES Directive;
- Describe and analyse the evolution of GO purchases and RES-E production within the EU (whenever possible, information on future trends should also be estimated) including a review of the impact (or lack thereof) of purchases of GOs by public authorities on RES-E production capacity since 2009 when Article 15 of the RES Directive entered into force;
- Estimate the expected economic, environmental, and social impacts of RES-E purchases by public authorities using new proposed criteria (see Task 4, below); and
- Explain the rationale behind each proposed GPP criterion and verification method including technical arguments as well as relevant support data.

4. Propose updated GPP "core and comprehensive" criteria for RES-E and GPP implementation package

The contractor will develop a proposal for the updated GPP criteria that can be used by public authorities to procure electricity from renewable sources. The updated criteria should include details on RES-E tender requirements, verification methods, as well as a reference to public authorities already using the new criteria when proposals are based on existing models. The draft criteria must be reviewed by public procurement law experts to ensure conformity with public procurement legislation following the rules of the 2014 public procurement reform.

As set out in the EU GPP criteria development process, the GPP criteria will:

- Take into consideration the net environmental balance between the environmental benefits and burdens, including health and safety aspects;
- Be based on the most significant environmental impacts of the product, be expressed as far as reasonably possible via technical key environmental performance indicators of the product, and be easily verifiable;
- Be based on life cycle data and quantitative environmental impacts, where applicable in compliance with the European Reference Life Cycle Data Systems (ELCD);
- Take into consideration the views of all interested parties involved in the consultation process;

- Guarantee harmonisation with existing legislation applicable to the product group when considering definitions, test methods and technical and administrative documentation;
- Take into account relevant EU policies and work done on other related product groups;
- Be easy to use, with simple and complete requirements;
- Take into account the different stages of the tendering procedure;
- Be broken down into "core" and "comprehensive" GPP criteria; and
- Clearly identify the verification method.

The implementation package should contain key instruments and indicators that public authorities can use to ensure the additionality of their RES-E purchases. Potential elements include:

- Draft terms for RES-E supply tenders;
- Detailed case studies of successful RES-E models that could be adapted for use in other settings;
- Suggestions for developing joint RES-E procurement models with neighbouring public authorities;
- Verification methods for measuring impact of RES-E purchases;
- List of Frequently Asked Questions and Answers concerning GPP criteria and public procurement regulations; and
- List of Frequently Asked Questions and Answers concerning the costs and benefits of increasing RES-E consumption.

All documents will be developed in close cooperation with the Commission.

5. Stakeholder consultation

The contractor will provide support for follow-up activities necessary to implement the revision of the electricity GPP including stakeholder consultation.

The shortened GPP criteria development procedure foresees a two-month public stakeholder consultation for the technical background report and the draft GPP criteria proposal. Additionally, one stakeholder event must be conducted within six weeks of the launch of the public consultation in Brussels. The stakeholder event should include at least 40 participants, including key figures from European public administrations as well as the private sector for a discussion of the proposed GPP criteria. The invite list for the stakeholder event must be submitted to the Commission for possible comments. Any document shared with stakeholders should first be submitted to the Commission for approval before release. The contractor will organise the event, set the agenda, chair the meeting together with the European Commission, and draft detailed minutes of the meeting highlighting the positions put forward by the stakeholders. The European Commission will provide a venue for the event in Brussels, but all other costs will be at the contractor's expense.

At the conclusion of the stakeholder consultation, the contractor will evaluate the stakeholder feedback and, if necessary, propose changes to the Technical Background Report, GPP

criteria, and implementation package. Well-reasoned responses shall be given to all comments received during the external consultation period, indicating whether a comment is accepted or rejected and why after Inter-service consultation (see Task 6, below). The processing of replies is not expected to exceed three man-days.

6. Assist during Inter-service consultation and during translation of the criteria

Following the update of the draft criteria and the Technical Background report, the Commission (DG ENER) will conduct an Inter-service consultation (ISC). The contractor will assist the DG ENER in responding to comments.

Once the criteria are adopted by the Commission, the criteria will be translated into the other official EU languages. In case translators have technical questions on meaning of text, the contractor will provide explanations as required (max. 1 man-day in total).

3.4. Key Documents

In order to facilitate the survey process, the Commission will provide the contractor with a contact database of public authorities from 19 countries contacted in the framework of the 2011 study of GPP implementation. This list should be taken as a starting point rather than a definitive source for all contact with public authorities since it is, a general list of contact in administrations, not of procurement experts. It will be up to the contractor to reach out to additional public authorities as necessary to ensure adequate responses from a representative group of public authorities as described above.

3.5. Duration

The duration of the tasks shall not exceed 12 months. This period is calculated in calendar days.

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.

3.6. Meetings

A kick-off meeting will be held in Brussels no later than 15 working days after the entry into force of the contract to discuss the project in detail.

A follow-up coordination meeting with the Commission in Brussels will be organized after submission of the interim report to discuss the initial findings and next steps in the update of the technical background report. This exact date will be agreed upon with the contractor, but will take place no later than five months after the entry into force of the contract.

The contractor will also present (max. 2 hrs) findings to the informal GPP Advisory Group during the course of the project (date/venue TBD).

The contractor will also organize one stakeholder event in Brussels as described above. The exact date will be agreed upon with the contractor, but will take place no later than eight months after the entry into force of the contract.

3.7. Reporting and deliverables

The contractor should prepare:

1) Inception Report

No later than 15 working days after the kick-off meeting, the contractor should submit an inception report setting out the approach to be used in the study. The report should present the framework, methodology and detailed work plan for the study. This report should be based on the draft presented in the technical proposal as well as discussions during the kick-off meeting.

2) Draft survey on GPP electricity implementation

A draft survey should be submitted to the Commission the latest one month after the entry into force of the contract. The draft should include both the proposed question list along with detailed contact database breaking down public authorities by Member State and type (national, regional, or local). The list of contacts can be updated as the survey progresses, but should already satisfy the diversity requirements outlined above. The survey shall not be launched until approved by the Commission.

3) Interim report on findings

No later than four months after the entry into force of the contract, the contractor should submit an interim report. The interim report should contain:

- a. Initial results of the survey on the use of GOs and other compliance methods by European public authorities.
- b. Analysis of potential alternative procurement methods in use by public authorities which could lead to additional RES-E development.

4) Draft technical background report, GPP criteria, and implementation package

No later than two months after the approval of the interim report by the Commission, the contractor should submit a complete technical background report for the potential update of the electricity GPP criteria. This report should include the elements described above including recommendations for updated "core" and "comprehensive" GPP criteria as well as relevant tools to assist public authorities in implementation of new criteria as described under Task 4.

5) Stakeholder consultation

Lead stakeholder consultation and organize stakeholder event as described above. Draft minutes and summary of responses to stakeholder feedback as required. The exact date for meeting will be agreed upon with the contractor, but will take place no later than eight months after the entry into force of the contract.

6) Final technical background report, GPP criteria, and implementation package

No later than three months after the launch of stakeholder consultation, the contractor should deliver the technical background report, GPP criteria, and implementation package incorporating any updates that emerged from the stakeholder consultation process.

After making any updates requested by the Commission, the contractor will submit the final report to the Commission at the latest 12 months after the entry into force of the contract. The GPP criteria and implementation package materials will be translated into all EU languages by the Commission services after the end of the contract.

3.8. Summary of meetings and deliverables

Deliverable/Meeting (Venue)	Latest Delivery Date
Kick Off Meeting (Brussels)	15 working days after entry into force of contract
Inception Report	15 working days after kick-off meeting
Draft RES-E GPP Survey	One month after entry into force of contract
Interim Report on Findings	Four months after entry into force of contract
Coordination meeting in Brussels	Five months after entry into force of contract
Draft Technical Background Report, Implementation Package, and GPP Criteria	Six months after entry into force of contract
Stakeholder Consultation Event (Brussels)	Eight months after entry into force of contract
Meeting with GPP Advisory Group (TBD)	TBD
Background Report, GPP Criteria, and Implementation Package	10 months after entry into force of contract
Final Background Report, GPP Criteria, and Implementation Package	12 months after entry into force of contract

4. CONTENT AND GRAPHIC REQUIREMENTS OF THE FINAL DELIVERABLES

All studies produced for the European Commission and Executive Agencies shall conform to the corporate visual identity of the European Commission by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo⁶.

The Commission is committed to making online information as accessible as possible to the largest possible number of users including those with visual, auditory, cognitive or physical

⁶ The Visual Identity Manual of the European Commission is available upon request. Requests should be made to the following e-mail address: comm-visual-identity@ec.europa.eu

disabilities, and those not having the latest technologies. The Commission supports the [Web Content Accessibility Guidelines 2.0](#) of the W3C.

For full details on Commission policy on accessibility for information providers, see: http://ec.europa.eu/ipg/standards/accessibility/index_en.htm

Pdf versions of studies destined for online publication should respect W3C guidelines for accessible pdf documents. See: <http://www.w3.org/WAI/GL/WCAG20-TECHS/pdf.html>

4.1. Content

4.1.1. Final study report

The final study report shall include:

- an abstract of no more than 200 words and an executive summary of maximum 6 pages in English;
- the following standard disclaimer:
“The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”
- specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

4.1.2. Publishable executive summary

The publishable executive summary shall be provided in both in English and French and shall include:

- the following standard disclaimer:
“The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”
- specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

4.2. Graphic requirements

For graphic requirements please refer to the template available at Annex 3. The cover page shall be filled in by the contractor in accordance with the instructions provided in the template. For further details you may also contact comm-visual-identity@ec.europa.eu.

5. ANNEXES

- 1) Tenderer 's Identification Form
- 2) Declaration related to the exclusion criteria and absence of conflict of interest
- 3) Power of Attorney (mandate in case of joint tender)
- 4) Standard Word template for studies
- 5) Draft Service Contract

ANNEX 1

IDENTIFICATION OF THE TENDERER

(Each service provider, including any member of a consortium or grouping and subcontractor(s) whose share of the work is more than 20% of the contract must complete and sign this identification form)

Call for tenders ENER/C1/2014-617

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) ⁷	
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:	

⁷ For natural persons

Title (e.g. Dr, Mr, Ms) : Position (e.g. manager): Telephone number: Fax number: E-mail address:	
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 organisation⁸ I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.	
Surname: First name:	Signature:

⁸ This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.

ANNEX 2

Declaration of honour on exclusion criteria and absence of conflict of interest

(Complete or delete the parts in grey italics in parentheses)

[Choose options for parts in grey between square brackets]

The undersigned (*insert name of the signatory of this form*):

in [his][her] own name (*for a natural person*)

or

representing the following legal person: (*only if the economic operator is a legal person*)

full official name:

official legal form:

full official address:

VAT registration number:

➤ declares that [the above-mentioned legal person][he][she] is not in one of the following situations:

- a) is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) has been convicted of an offence concerning professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
- c) has been guilty of grave professional misconduct proven by any means which the contracting authorities can justify including by decisions of the European Investment Bank and international organisations;
- d) is not in compliance with all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the contract is to be performed;
- e) has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such activity is detrimental to the Union's financial interests;
- f) is a subject of an administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a procurement procedure or failing to supply this information, or having been declared to be in serious breach of its obligations under contracts covered by the Union's budget.

- *(Only for legal persons other than Member States and local authorities, otherwise delete)* declares that the natural persons with power of representation, decision-making or control⁹ over the above-mentioned legal entity are not in the situations referred to in b) and e) above;
 - declares that [the above-mentioned legal person][he][she]:
- g) has no 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 affinity, family, emotional life or any other shared interest;
- h) will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
- i) has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, where such advantage constitutes an illegal practice or involves corruption, either directly or indirectly, inasmuch as it is an incentive or reward relating to award of the contract;
- j) provided accurate, sincere and complete information to the contracting authority within the context of this procurement procedure ;
- acknowledges that [the above-mentioned legal person][he][she] may be subject to administrative and financial penalties¹⁰ if any of the declarations or information provided prove to be false.

In case of award of contract, the following evidence shall be provided upon request and within the time limit set by the contracting authority:

For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the tenderer is a legal person and the national legislation of the country in which the tenderer is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the tenderer.

For the situation described in point (d) above, recent certificates or letters issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not 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.

⁹ This covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares.

¹⁰ As provided for in Article 109 of the Financial Regulation (EU, Euratom) 966/2012 and Article 145 of the Rules of Application of the Financial Regulation

If the tenderer is a legal person, information on the natural persons with power of representation, decision making or control over the legal person shall be provided only upon request by the contracting authority.

Full name

Date

Signature

ANNEX 3

POWER OF ATTORNEY

mandating one of the partners in a joint tender as lead partner and lead contractor¹¹

The undersigned:

– Signatory (Name, Function, Company, Registered address, VAT Number)

having the legal capacity required to act on behalf of his/her company,

HEREBY AGREES TO THE FOLLOWING:

- 1) To submit a tender as a partner in the group of partners constituted by Company 1, Company 2, Company N, and led by Company X, in accordance with the conditions specified in the tender specifications and the terms specified in the tender to which this power of attorney is attached.
- 2) If the European Commission awards the Contract to the group of partners constituted by Company 1, Company 2, Company N, and led by Company X on the basis of the joint tender to which this power of attorney is attached, all the partners shall be co-signatories of the Contract in accordance with the following conditions:
 - (a) All partners shall be jointly and severally liable towards the European Commission for the performance of the Contract.
 - (b) All partners shall comply with the terms and conditions of the Contract and ensure the proper delivery of their respective share of the services and/or supplies subject to the Contract.
- 1) Payments by the European Commission related to the services and/or supplies subject to the Contract shall be made through the lead partner's bank account: [Provide details on bank, address, account number].
- 2) The partners grant to the lead partner all the necessary powers to act on their behalf in the submission of the tender and conclusion of the Contract, including:
 - (a) The lead partner shall submit the tender on behalf of the group of partners.
 - (b) The lead partner shall sign any contractual documents — including the Contract, and Amendments thereto — and issue any invoices related to the Services on behalf of the group of partners.
 - (c) The lead partner shall act as a single contact point with the European Commission in the delivery of the services and/or supplies subject to the Contract. It shall co-ordinate the delivery of the services and/or supplies by the group of partners to the European Commission, and shall see to a proper administration of the Contract.

Any modification to the present power of attorney shall be subject to the European Commission's express approval. This power of attorney shall expire when all the contractual obligations of the group of partners towards the European Commission for the delivery of the services and/or supplies subject to the Contract have ceased to exist. The parties cannot terminate it before that date without the Commission's consent.

Signed in on [dd/mm/yyyy]

Place and date:

Name (in capital letters), function, company and signature:

¹¹ To be filled in and signed by each partner in a joint tender except the lead partner.

ANNEX 4

European
Commission

Add document title 1

Add title 2

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How To Use This Document Template

Cover page

Add the title of the document which should be center aligned. Add any other relevant information if necessary which should be left aligned on the left vertical axe of the EC logo.

The font colour of the title should be **White**.

Page set up

- Top margin: 3.5
- Bottom margin: 2.5
- Left margin: 3
- Right margin: 2.5

Headings and subheadings

The following styles should be used for headings and subheadings.

- Heading 1
Font type: Verdana
Font Size: 14
Colour: R:38, G:54, B:115
- Heading 2
Font type: Verdana
Font Size: 11
Colour: R:38, G:54, B:115
- Heading 3
Font type: Verdana
Font Size: 10
Colour: R:38, G:54, B:115

Do not use capital letters for the headings/subheadings, the format should always be "sentence case", except for abbreviations.

Body text

Font style: Verdana

Font size: 10

Font colour: Gray 80%

Header

The header should include the EU flag and the reference text:

- European Commission
- The title of the document
- Font type: Verdana Italic
- Font size: 8

Footer

Add the relevant name of the month and year in the footer which should appear to the left below the line.

- Font type: Verdana Italic
- Font size: 8.
- The page numbers will appear automatically.

Bulleted list

The bullet should be square and the colour should be Black. For reference please see list under ["Headings and subheadings"](#). To apply the style of the list, select "List Bullet 2" from the "Style" drop down menu.

Hyperlinks

By default the hyperlinks will appear in blue (colour coder: R:26, G:63, B:124), no underline.

Table of Contents

This template is complete with Styles for a Table of Contents. From the **Insert menu**, choose **Reference**, then **Index and Tables**. Click on the tab **"Table of Contents"**. In the "Format" box, select "From template".

ANNEX 5

DRAFT CONTRACT

Please see separate document