

SPECIFICATIONS

Invitation to Tender ENV.G.2/SER/2009/0011

Organisation of awareness raising events in Member States and provision of "Training of trainers" on Green public procurement

These specifications follow the publication of:

- the prior information notice in OJEU 2009/S 35 - 050290 of 20/02/2009**
- the contract notice in OJEU 2009/S 58 - 82514 of 25/03/2009**

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PART 1: TECHNICAL DESCRIPTION

1. Background

On 16 July 2008, the Commission adopted its **Communication on public procurement for a better environment** (http://ec.europa.eu/environment/gpp/index_en.htm). The Commission proposes a political target of 50 % Green public procurement (GPP) to be reached by the Member States by the year 2010. The target is linked to a process for setting common – voluntary - green public procurement criteria, recommended for inclusion in tender documents for a series of priority product and service groups.

The Commission has started the process of cooperation with the Member States for developing common GPP criteria. Criteria have been developed for 10 priority product and service groups. The criteria have been adopted by the Commission services and have been made subject to wide stakeholder consultation. The final set of criteria is included in a web-based training toolkit on green public procurement (http://ec.europa.eu/environment/gpp/training_toolkit_en.htm). After their translation into all EU languages (by mid-April 2009), the criteria will be proposed for endorsement by the Member States. This means that Member States will be recommended to include these criteria in their national action plans and/or guidance on GPP. Additional GPP criteria for another 10 product groups are in the process of being developed.

This will not only facilitate GPP, in particular in those Member States where GPP criteria have not been developed, but will also avoid market distortions through guaranteeing that public authorities use common criteria (as a minimum) when practising GPP.

The potential benefits of GPP have not been fully exploited. There are still significant differences between Member States in the level of political support for GPP and in the actual application of green purchasing practices. As of today, only 15 Member States have adopted national action plans recommended in the Communication on Integrated Product Policy in 2003, more Member States are working towards the adoption of a plan or strategy for GPP (All details at http://ec.europa.eu/environment/gpp/index_en.htm]

The general lack of awareness-raising and training on GPP has been identified as an important barrier to the further uptake of GPP.

To improve more technical knowledge on GPP, the Commission has developed a specific web-based training toolkit: the GPP Training Toolkit is designed for use by green public procurement trainers or for integration in general public procurement training courses, workshops, programmes (http://ec.europa.eu/environment/gpp/training_toolkit_en.htm).

It consists of 3 independent modules, each designed to overcome a specific problem identified as a barrier to the uptake of GPP within a public organisation:

- A strategic module which seeks to raise the political support for green public procurement within an organisation, targeting in particular decision makers

- A legal module which seeks to clarify legal issues and is designed for both strategic and operational levels
- An operational module aimed at purchasing officers; responsible for the preparation of tender documents; includes concrete examples of environmental criteria for a set of identified priority product and service groups (10 product/service groups are covered for the time being but this number will expand to more product/service groups in the future) for use in public tendering procedures.

2. Objectives

The objective of this contract is to deliver dissemination and promotional activities supporting the implementation of the Communication on 'Public Procurement for a Better Environment' and to conduct training the trainers activities aimed at guaranteeing an EU wide appropriate use of the common GPP criteria included in the EC Green Public Procurement Training Toolkit for public purchasers.

The objective is therefore twofold:

- 1) Awareness raising activities aimed at both policy makers and public purchasers; and
- 2) Concrete training of professional procurement officers/trainers in order to ensure further training in Member States, based on the Commission's training toolkit on GPP.

All tasks described in these specifications are the responsibility of the Contractor but must be carried out in close co-operation and agreement with DG Environment in the European Commission, in particular with Unit G2 "Environment and Industry". Several meetings of the Contractor with the relevant Commission service may be necessary to inform and discuss about its activity and any specific needs. Therefore the Contractor should foresee possible travel expenses in the offer. The Commission will arrange for meeting rooms upon timely request by the Contractor.

3. Content / Description of the tasks

Task 1: Conduct the "Training the Trainers" seminar on the practical use of GPP criteria for the national public procurement officials from at least 10 Member States

The main purpose of the Training the Trainers (TOT) seminar will be to train a team of selected experts from at least 10 Member States on the EU GPP Training Toolkit and show in more detail how to use GPP criteria in practice.

The Contractor will provide expert assistance to the selected group of experts from at least 10 EU Member States (countries to be decided at a later stage by the EC services) to build their capacity for actual implementation of the GPP criteria into the tender documents. The national experts will gain expert knowledge regarding the EC Communication on "Public Procurement for a Better Environment" and Sustainable Consumption and Production/Sustainable Industrial Policy Action Plan (http://ec.europa.eu/environment/eussd/escp_en.htm). They will become familiar with the

main environmental impacts of products and services, based on a LCA, and will gather basic knowledge of Life Cycle Assessments and Life Cycle Costing, the EU Ecolabel and the requirements and performance benchmarks set under the Ecodesign for Energy using products directive (under revision). The main focus of the training activities will be on the recommended GPP criteria for the identified priority product groups and services (various possibilities of adoption of core and comprehensive criteria).

In addition to actual procurement training of national public procurement trainers or officers, in view of ensuring further concrete education of purchasers within the targeted countries, the TOT should also address policy makers and raise their awareness on GPP, with a view to ensure further spreading of GPP within their respective countries.

The TOT should therefore address both high level policy makers and procurement trainers/officers and seek to achieve the dual objective of raising awareness and convincing policy makers of further disseminating GPP and of training procurement trainers so as to ensure further education on GPP within the respective countries.

For each Member State covered, the contractor should select at least two participants to the three (3) days TOT seminar. The selection of suitable participants will be done on the basis of their experience related to procurement activities, their experience of working at the governmental, regional or local level, their possibility to politically influence the uptake of GPP in their countries or their involvement in the GPP activities in their respective countries. The Contractor will arrange and reimburse their travel to and from the event and their accommodation during the three-day TOT event.

The Contractor must deliver the outline for the TOT seminar, mainly based on the GPP Training Toolkit developed by the EC DG ENV and submit it to the Commission services for approval. The training toolkit will have been translated by the EC services into all EU languages by the time of the signature of the contract. The seminar will be conducted using a highly-participative training delivery methodology through a combination of interactive presentations by subject-matter specialists followed by group-work intended to facilitate the practical application of the key contents of the EC Training Toolkit.

The Contractor will develop different training materials (in addition to the training toolkit material available on the Europa website): the main material will consist of a printed template of the GPP criteria (a template which is visually easy to understand and use). The whole seminar will be video/audio recorded and the training sessions will be included in a video that will be produced by the Contractor in low and high resolution. By the end of the training seminar participants will be asked to establish an actual tender document for one of the product groups/services. By the end of the day participants will also present/deliver an outline of their national action plans/strategies for GPP.

The Contractor will ascertain that participants in the TOT seminar will be actively involved in the preparation and carrying out of the national dissemination workshop in their respective countries.

Task 2: Organisation of dissemination workshops in at least 10 of the EU-27 Member States

Organise in at least 10 Member States, in cooperation with national and regional/local authorities and suppliers to the public sector, at least a one-full-day workshop aimed at 80-100 participants and identify and contact to this end relevant national, regional and local authorities, as well as suppliers to the public sector (including SME organisations).

The Contractor should:

- Draft the programme of the workshop so as to maximize the promotion and dissemination of the content of the European Commission GPP Communication 'Public Procurement for a Better Environment' and the various Modules of the GPP Training Toolkit;
- Invite thereto enthusiastic and convincing speakers of the language of the target group. Speakers could include, for example, representatives of Contracting Authorities who have successfully implemented GPP criteria in their tendering activities to illustrate the material being disseminated with some case studies/examples of GPP in action; final approval by the Commission services of speakers will be necessary before dispatching the invitations;
- Give further and lasting support through communication of other relevant didactic or practical information (i.e. the content and the GPP tools available online on the EC GPP website¹);
- Ensure proper understanding of the legal framework;
- Deliver strong political messages;
- Seek active involvement of participants (i.e. through Q&A sessions, questionnaires, competitions; inter-active sessions).
- Ensure the widest possible publicity (media, press) before and after the workshop so as to ensure extensive participation in the workshop and to spread the information and promotion of the EC GPP Communication and the EC GPP Training Toolkit content and of the GPP website beyond the 1 day event.
- Seek ways to ensure an active follow-up by the participants in the workshop, for example by facilitating the creation of networks by participants and/or by supporting other similar initiatives.

The workshops should:

- Disseminate basic information about the political background, objectives and actions under the Commission's GPP initiative and in particular with regard to the GPP Communication and the GPP Training Toolkit;
- Train the participants in basic knowledge about GPP legal requirements; GPP Communication content; in the practical uses and application of the content of the EC GPP Training Toolkit Modules
- Raise awareness on how to address (typical) problems faced by organisations keen on implementing GPP and how the content of the GPP Training Toolkit can assist
- Show and explain best-practice examples; lessons learned

¹ http://ec.europa.eu/environment/gpp/index_en.htm

- Promote the various features of the GPP website and in particular the GPP Training Toolkit website;
- Provide information about / establish contact with specific local / regional networks, partners and experts who could provide further assistance in disseminating the contents of the EC GPP Communication and the EC GPP Training Toolkit to as wide an audience as possible (including private procurers and suppliers – ensuring SME's are included)

This task includes the preparation and financing of the administrative organisation and content of the workshops, identification and rental (where necessary) of suitable venues/bookings; organisation of catering and pre-selection of speakers and topics, and the supply of accompanying materials.

The dissemination workshop should cover at least 80 - 100 participants, covering all relevant stakeholders in the field of GPP at national, regional and local levels, and including also suppliers and representatives/private sector procurers. The list of participants has to be approved by the Commission. The Contractor is expected to organise and cover the costs of at least one full-day workshop in each Member State. He is also responsible for the rental of properly equipped conference rooms and any additional facilities as well as the expenses for the speakers. Where appropriate, the tenderer could seek to cooperate with local authorities to identify a suitable venue and host the conference. Private sponsoring is not accepted. Participation in the workshop should be for free. Prior to each workshop, the Contractor will provide relevant information to Unit G-2 "Environment and Industry" of DG ENV comprising: the lists of participants and speakers, the programmes, the training material and other relevant information on the proposed venue and workshop documentation (which should seek to reduce the environmental impact of the workshop); press contacts and press releases, in the language of the relevant Member State with translation into English. The workshop is conducted in the national language.

Moreover, each workshop should be recorded (video/audio) so that the visual recording can then be placed on the GPP website or other European Commission web space to ensure further dissemination of the workshops beyond that one day. For example, the Commission has an EU channel (<http://www.youtube.com/eutube>) where these video/audio recordings of the presentations at workshops may also be published/broadcast. Two video formats should be provided (.mov and .mpeg) in low and high resolution.

For each of the workshops a report should be provided with a detailed description of the content, material presented in the workshop, best practices in the country where the workshop was held as well as a summary of the discussion and the conclusions of the workshop. The report should also contain a frequently asked questions (FAQ) list at the end of the report which should be based on the questions raised/answers provided, with regards to the EC GPP Communication and EC GPP Training Toolkit specific content, during all the workshops. Also a list of all invitees and subsequent participants and proposals for follow-up activities must be delivered.

4. Experience required of the Contractor

The Contractor shall appoint a project manager who will be responsible for the tasks described in this document.

Considering the proposed objective of disseminating good practice contained in the EC GPP Communication and the EC GPP Training Toolkit to national, regional and local authorities in particular, it should be noted that invitations and programmes should be established in the language of the target audience, and translated into English for their transmission to the Commission services. The Contractor should make sure that the members of the core team have the necessary linguistic and other relevant skills, such as appropriate knowledge of relevant EU and national public procurement procedures and rules. This should appear in the CVs of the persons who are to be involved in the project.

5. Deliverables

Deliverable	(latest) Delivery date
Kick-off meeting	1 month after signature
Interim report for all tasks	6 months after signature
Draft Final report for all tasks	11 months after signature
Final report for all tasks	12 months after signature

It is underlined that all reports have to be written in clear, quality **English** in Microsoft Word and PDF format and sent in electronic versions to the Commission.

6. Duration of the tasks

The tasks should be completed within 12 months of the signature of the contract (see point 5). The execution of the tasks may not start before the contract has been signed. The contract is one year renewable twice (total of 36 months) on identical terms, provided that the Contractor's work is satisfactory in all respects and depending on budget availability.

7. Place of performance

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

PART 2: ADMINISTRATIVE DETAILS

1. General terms and conditions for the submission of tenders

- *Submission of a tender implies that the Contractor accepts all the terms and conditions set out in these specifications (including the annexes) and waives all other terms of business.*
- *Submission of a tender binds the Contractor to whom the contract is awarded during performance of the contract.*
- *Changes to tenders will be accepted only if they are submitted on or before the final date set for the submission of tenders.*
- *Expenses incurred in respect of the preparation and presentation of tenders cannot be refunded.*
- *No information of any kind will be given on the state of progress with regard to the evaluation of tenders.*
- *Once the Commission has accepted the tender, it shall become the property of the Commission and the Commission shall treat it confidentially.*
- *The protocol on the Privileges and Immunities or, where appropriate, the Vienna Convention of 24 April 1963 on Consular Relations shall apply to this invitation to tender.*

2. No obligation to award the Contract

- *Fulfilment of adjudication or invitation to tender procedure shall not involve the Commission in any obligation to award the contract.*
- *The Commission shall not be liable for any compensation with respect to tenderers whose tenders have not been accepted. Nor shall it be liable in the event of its deciding not to award the contract.*

3. Joint tenders

When a consortium / partnership is envisaged three cases can arise:

- I. The offer originates from a consortium already formally set up as a separate and legal entity able to submit its statutes, mode of operation, technical and financial capacity, such as result from the contributions of its various members. It is such a consortium that will bear the technical and financial responsibility for the contract and will present the requested financial guarantee, if applicable.
- II. The offer originates from companies not yet having created a consortium as a separate legal entity but planning to constitute one as referred to in item I, if their joint offer is accepted. In such a situation, the tenderer will have to provide the legal form, the envisaged draft statutes and mode of operation of the consortium, the various technical and financial contributions, letters of intent, as well as the guarantees envisaged, where applicable.

- III. The offer originates from companies not wishing to constitute formally a consortium as a separate legal entity and thus constituting effectively an association. In such a case, the offer will be submitted in the form of subcontracting (cf. point 4 below), in which case one of the companies shall assume the total responsibility for the offer. This company will sign the contract in its name, the other companies then being regarded as subcontractors of the first.

For joint tenders described in cases I and II above, the information required in

- *Part 2, 6.2 (“administrative proposal”)*
 - *Part 3, 1 (“information for assessment of exclusion criteria”) and*
 - *Part 3, 2 (“information for assessment of selection criteria”)*
- must be provided for **all** members participating in the tender.*

For joint tenders described in case III please refer to point 4 below.

4. Subcontractors

Subcontracting is permitted subject to the following conditions:

The subcontractor is the sole responsibility of the main Contractor;

- *Tenderers must indicate in their offers the amount of the contract (if any) that they will subcontract to third parties, as well as the identity and availability of the chosen subcontractor(s). The Contractor will not subcontract to third parties not identified in the offer as potential subcontractors without prior written authorisation from the Commission;*
- *the Contractor shall not cause the contract to be performed in fact by third parties;*
- *even where the Commission authorises the Contractor to subcontract to third parties, the Contractor shall nonetheless remain bound by his obligations to the Commission under the contract;*
- *the Contractor shall ensure that the subcontract does not affect rights and guarantees to which the Commission is entitled by virtue of the contract.*

Where the total amount envisaged for subcontracting is above 30% of the total contract value, evidence of the subcontractor(s) ability to perform the tasks entrusted to him/them shall be included in the offer. Such evidence is the same as that also required from the Contractor, as described and identified, in Part 3, point 2 below.

Where the total amount envisaged for subcontracting is above 50% of the total contract value, the subcontractor(s) must also, **if and when requested**, present evidence of compliance with the exclusion criteria (as required from the potential Contractor) as described in Part 3, point.1 below.

Tenderers should note that the Commission will consider intended subcontracting below 30% of the contract value as an indication that the potential Contractor has the resources to complete the tasks under the contract, as well as a factor potentially enhancing the proposed team organisation. Therefore this point will be taken into account in the assessment of the award criterion “project management and availability”.

5. Payments

This contract will be paid on a lump sum basis.

A pre-financing payment of 30% will be paid upon signature of the contract.

A final payment of 70% will be paid upon acceptance by the Commission of the final report.

The Commission reserves the right to waive the pre-financing payment if applicable, or to request a financial guarantee should it be deemed necessary.

The Commission is exempt from all taxes and dues, including value added tax, pursuant to the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities with regard to its financial contribution under the contract.

6. Content of the tender

All tenders must be presented in three sections:

6.1. Financial proposal

- *A financial proposal duly dated and signed by the person authorized to sign on behalf of the organization. The price must be quoted in Euro using the template in annex 2, including for the countries which do not form part of the Euro zone. For the tenderers of the countries which do not form part of the Euro zone, the amount of the offer cannot be revised because of exchange rate movements. The choice of exchange rate belongs to the tenderer, who assumes the risks or opportunities associated with these exchange rate movements.*
- *The price must be a fixed amount, inclusive of all expenses.*
- *The price will not be subject to revision.*
- *For guidance purposes, the maximum budget allocation to this contract is fixed at €200,000 (two hundred thousand Euros).*
- *The price quotation must be signed by the tenderer or his duly authorised representative.*
- *The price must be quoted free of all duties, taxes and other charges, including VAT, as the Communities are exempt from such charges under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965 (OJEC 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 doubts about*

the applicable VAT system, it is the tenderer's responsibility to contact his national authorities to clarify the way in which the European Community is exempt from VAT.

- *The offer shall remain valid for a period of 6 months, as from the deadline for submission of the offer.*

6.2. Administrative proposal

- *An administrative information form containing information on the full name of the organization, legal status, address, person to contact, person authorized to sign on behalf of the organization, telephone number, and facsimile number, as well as relevant bank details. The form must be duly dated, signed and stamped by the person authorized to sign on behalf of the company, and by the bank (see annex 1).*
- *A legal entity form (see annex 3), proof of enrolment (certificates) in one of the professional or trade registers, in country of establishment;*
- *If the tenderer is a natural person; she/he will be required to provide proof of her/his status as a self-employed person. To this end she/he must supply details of her/his social security cover and situation with regards to VAT regulation.*
- *A declaration of the candidate's eligibility; certifying that he/she is not in one of the situations listed in articles 93 and 94 of the Financial Regulation of the European Communities (Official Journal L 390 of 30/12/2006) (see annex 4)*
- *Documents relating to the selection criteria (see part 3, point 2.1. Financial and Economic capacity)*
- *The service provider's educational and professional qualifications and those of the firm's managerial staff and, in particular, those of the person or persons responsible for providing the services (curriculum vitae presented on the EU standard form which can be downloaded from the following address –*
- *<http://europass.cedefop.europa.eu/europass/home/vernav/Europass+Documents/Europa+ss+CV/navigate.action> together with a consolidated overview of CVs in an excel table.*
- *A list, in English or French of the principal studies, services contracts, consultancy work, surveys, publications or other work previously carried out during the past three years, indicating the name of the client and stating which, if any, were done for the European Commission.*
- *Tenders from consortia of firms or groups of service providers must specify the role, qualifications and experience of each member (see also part 3, points 1, 2 and 3 – exclusion, selection and award criteria).*

6.3. Technical proposal

- *A contract proposal with the methodology to fulfil the requirements mentioned in Part 1, point 3. The tender should give indications on the theoretical background used, the methodology used in the work that will be undertaken and on its appropriateness for this purpose, in conformity with the guidelines included in the approach. It should also give indications on the data to be used and their reliability.*

Establish the tenderer's identity

The tenderer should detail the competence, experience and the means at his disposal which would allow the tasks foreseen in the contract to be carried out.

A list of previous work carried out over the past 3 years must be included.

If a consortium is formed for the execution of the tasks presented in this call for tender, then please explain the roles of each partner in the consortium. (For the administrative details in relation to joint tenders, please refer to Part 2, point 3).

If sub-contracting is envisaged, please clearly indicate which tasks are concerned, the % that this represents of the total value of the offer, and the name and address of the sub-Contractor(s), if known at this stage.

Implementation of the contract

Describe the methodology to be applied to carry out each of the tasks foreseen in the contract.

Managing the contract

The tenderer's availability during the period of the execution of the tasks must be clearly demonstrated, and explain how the project will be managed.

PART 3: ASSESSMENT AND AWARD OF A 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 will concern only admissible bids and it will be carried out in three successive phases. The first step is to check that the tenderers are not excluded in any way from taking part in the tender procedure. The second step is to check the tenderer's capacity (financial and technical) to perform the contract and the final step is to assess the quality of the offers against the award criteria.

In the case of joint tenders, the exclusion, selection and award criteria will be applicable to all the members of the consortium. The same principle will also be applied in the case where there are subcontractors. The bid must clearly identify the subcontractors and document their willingness to accept the tasks and thus acceptance of the terms and conditions set out in Part 2.1. Tenderers must inform the subcontractors that Article II.17 of the standard contract will be applied to them. Once the contract has been signed, Article II.13 of the above mentioned contract shall govern subcontractors.

1. Exclusion criteria

Tenderers must declare on their honour that they are not in one of the situations referred to in articles 93 and 94 a) of the Financial Regulation. Tenderers or their representatives must therefore fill in and sign the form in Annex 4 to these specifications. Hereby agreeing to submit to the Commission, **if and when requested to do so**, those certificates or documents demonstrating that the tenderer is not in any of the situations described under points (a), (b), (d) and (e) below:

These articles are as follows:

Article 93:

1. Applicants or tenderers shall be excluded if:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) They have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
- (c) They have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- (d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- (e) They have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;

(f) They are currently subject to an administrative penalty referred to in [Article 96\(1\)](#).

Article 94

A contract shall not be awarded to candidates or tenderers who, during the procurement procedure for this contract:

- (a) are subject to a conflict of interest;
- (b) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information;
- (c) find themselves in one of the situations of exclusion, referred to in [Article 93\(1\)](#), for this procurement procedure.

2. Selection criteria

Only those tenderers fulfilling all the selection criteria will be examined in the light of the award criteria. The selection criteria are set out below:

2.1. Financial and economic capacity may be shown by means of the following:

- A simplified balance sheet and profit and loss account, exclusively based on the annex 5 form attached to these specifications;

In the event that the tenderer is unable to complete the form as proposed above, one of the following alternatives would be acceptable:

- a. financial statements for the last two financial years;
OR
- b. declaration concerning the sales turnover related to the field associated with the invitation to tender during the last three financial years;
OR
- c. other substantiating documents if the candidate or tenderer cannot, for valid reasons, provide those indicated above

2.2. Technical and professional competence:

- *Experience as evidenced by the qualifications, both educational and professional, of the service provider or Contractor and those of the firm's managerial staff and, in particular those of the person or persons responsible for carrying out the service/work. Curriculum vitae must be provided.*
- *A reference list of relevant previous projects over the past 3 years must be provided, indicating the sums involved, dates, recipients, public or private.*

2.3. Authorisation to perform the contract

- *A tenderer must prove that (s)he is authorised to perform the contract under national law, as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation or entry in the VAT register.*

2.4. Access to the market

- *A tenderer must indicate in which State they have their headquarters or domicile and present the supporting evidence normally acceptable under their own law.*

3. Award criteria

Further to the price quoted for the contract, the following award criteria will be applied:

Award criteria 1 – Understanding (max points: 30)

This criterion serves to assess whether the tenderer has understood all of the issues involved, as well as the nature of the work to be undertaken and the content of the final products.

Award criteria 2 – Methodology (max points: 40)

This criterion assesses the suitability and strength of the proposal as measured against the requirements of the specification in terms of the technical content, completeness, originality of ideas (*where appropriate*) and proposed effort.

Award criteria 3 – Project management and availability (max points: 30)

This criterion relates to the quality of project planning, the organisation of the team with a view to managing a project of this nature and the availability of the resources for the completion of the contractual tasks.

Since assessment of the tenders will be based on the quality of the proposed services, tenders should elaborate on all points addressed by these specifications in order to score as many points as possible. The mere repetition of mandatory requirements set out in these specifications, without going into details or without giving any added value, will only result in a very low score. In addition, if certain essential points of these specifications are not expressly covered by the tender, the Commission may decide to give a zero mark for the relevant qualitative award criteria.

4. Points

A points system to evaluate the award criteria relating to the technical value of the offers will be applied.

A maximum of 30 points will be attributed to criterion 1, a maximum of 40 points will be attributed to criterion 2, and a maximum of 30 points will be attributed to criterion 3. In addition a minimum threshold will be set up under this system of points:

- Technical sufficiency levels: Selected companies will have to score a minimum of 18, 24 and 18 points under criteria 1, 2 and 3 respectively, with a minimum total of 65 points.

5. Budget

The budget is a maximum of €200,000 excluding VAT (including fees, travel and all other costs).

The Commission is exempt from all taxes and dues, including value added tax, pursuant to the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities with regard to its financial contribution under the contract.

The contract may be renewed twice for a further 12 months (for a maximum of 36 months) on identical terms, provided that the contractors services are satisfactory in all respects, and depending on budget availability.

The price quoted must be a firm, non-revisable price and must be quoted in euro.

Having examined the tenders from a technical point of view, the evaluation committee will proceed considering which is the economically most advantageous offer taking into account **only those tenders that have obtained at least 65 out the 100 points that are available for the technical quality of the bid.** The evaluation committee will then proceed with the financial comparison of the tenders retained for further consideration according to the ranking procedure below.

6. Ranking of the tenders and award of the contract

The bid offering the best value for money will be chosen, provided that the minimum number of points cited above is achieved. Best value for money will be calculated 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 65 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.

7. Opening of tenders

The tenders received will be opened on **20/05/2009 at 10h30** in the Commission building at **Avenue Beaulieu 5, B-1160 Brussels**.

One authorised representative of each tenderer (with proof of identity) may attend the opening of tenders (no expenses paid).

8. Information for tenderers

After the award decision has been taken, the Commission will inform tenderers including the grounds for any decision not to award a contract or to recommence the procedure.

ANNEX 1 - ADMINISTRATIVE INFORMATION FORM

Organisation or individual:

NAME:

ADDRESS:

HEADQUARTERS:

PERSON AUTHORISED TO SIGN CONTRACT:

Name and position:

PERSON FOR ROUTINE CONTACT:

Name and position:

Telephone and fax number:

BANK DETAILS:

NAME OF ACCOUNT HOLDER:

ADDRESS OF ACCOUNT HOLDER:

NAME OF BANK:

ADDRESS OF BANK AGENCY:

ACCOUNT N°:

(BLZ, SORT CODE, ?):

I.B.A.N. CODE:

Signature of Contractor

Official Stamp and Signature
of Contractor's Bank

ANNEX 2 - FINANCIAL OFFER TEMPLATE

(FOR GUIDANCE PURPOSES ONLY)

PRICE AND ESTIMATED BUDGET BREAKDOWN

Calculation of the costs

Name	Staff on payroll		Other statute	Time in %	Total year /	TOTAL
	Gross salary	Social charges				
...						
... etc.						
Staff costs						
Infrastructure						
Overhead costs including office material and consumables						
Office Equipment						
Travel/Missions						
Sub-contracting						
Company x						
Company y						
Company z						
Other						
TOTAL COSTS in EURO					€	

Signature of Contractor

.....

Date

.....

ANNEX 3 - LEGAL ENTITY FORM

This form can be downloaded from

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

ANNEX 4

DECLARATION ON EXCLUSION CRITERIA AND ABSENCE OF CONFLICT OF INTERESTS

Name of the organisation/individual:

Legal address:

Registration number:

VAT number:

Name of the signatory of this form:

Position:

- representative legally authorised to represent the tenderer vis-à-vis third parties and acting on behalf of the aforementioned company or organisation *[please tick box if applicable]*

hereby certifies that *[please tick one of the two boxes]*

- they
- the company or organisation that they represent:
- a) are/is not bankrupt or being wound up, is not having their affairs administered by the court, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, or is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) have/has not been convicted of an offence concerning their professional conduct by a judgement which has the force of *res judicata*;
- c) have/has not been found guilty of grave professional misconduct proven by any means which the Commission can justify;
- d) have/has 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 those of the country of the contracting authority or those of the country where the contract is to be performed;
- e) have/has 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 Communities' financial interests;
- f) are/is currently not subject to an administrative penalty referred to in [Article 96\(1\)](#).

In addition, the undersigned declares on their honour:

- g) that on the date of submission of the tender, they, the company or organisation they represent and the staff proposed for this tender are not subject to a conflict of interests in the context of this invitation to tender; the undersigned undertakes to inform the Commission without delay of any change to this situation after the date of submission of the tender;
- h) that the information provided to the Commission within the context of this invitation to tender is accurate, sincere and complete;
- i) **that, if and when requested, they will provide the evidence required under point 1, part 3 of the Specifications.**

Full name:

Date

Signature:

ANNEX 5

Explanation – please read carefully before completing the financial capacity form

Simplified balance sheet and profit and loss account

Candidates shall indicate if they are a profit or a non profit making company / organisation.

Within the form, financial data based on the company's /organisation's balance sheet are collected in a standardised form. Please find below a correspondence table giving an explanation on the regrouping of different accounts respecting the [4th Accounting Directive](#). You should complete this form carefully. Given its complexity, it is recommended that the form be completed by a professional accountant or an auditor. The data reported will be used to evaluate the financial viability of the company/organisation. Thus it is very important that data reported are accurate. The Commission may wish to cross check the data with those reported in the official certified accounts. For this purpose the Commission reserves the right to ask for further documentation during the evaluation process.

The amounts have to be filled out in euros ([use the exchange rate of the closing date of the accounts](#)).

Abbreviations t-1 and t0

The abbreviation *t0* represents the last certified historical balance sheet and profit and loss account; *t-1* is the balance sheet prior to the last certified one. Consequently, the *closing date t0* is the closing date of the last certified historical balance sheet; the *closing date t-1* is the closing date of the balance sheet prior to the last one. *Duration t0* is the number of months covered by the last historical balance sheet. *Duration t-1* is the number of months covered by the penultimate certified historical balance sheet.

BALANCE SHEET	CORRESPONDANCE 4 th ACCOUNTING DIRECTIVE	
ASSETS	ASSETS / 4th ACCOUNTING DIRECTIVE (Article 9)	
1. Subscribed capital unpaid	A. Subscribed capital unpaid	A. Subscribed capital unpaid (including unpaid capital)
2. Fixed assets	C. Fixed Assets	
2.1. Intangible fixed assets	B. Formation expenses as defined by national law C. I. Intangible fixed assets	B. Formation expenses as defined by national law C.I.1. Cost of research and development C.I.2. Concessions, patents, licences, trade marks and similar rights and assets, if they were: (a) acquired for valuable consideration and need not be shown under C (I) (3); or (b) created by the undertaking itself C.I.3. Goodwill, to the extent that it was acquired for valuable consideration C.I.4. Payments on account
2.2. Tangible fixed assets	C.II. Tangible fixed assets	C.II.1. Land and buildings C.II.2. Plant and machinery C.II.3. Other fixtures and fittings, tools and equipment C.II.4. Payment on account and tangible assets in course of construction
2.3. Financial assets	C.III. Financial assets	C.III.1. Shares in affiliated undertakings C.III.2. Loans to affiliated undertakings C.III.3. Participating interests C.III.4. Loans to undertakings with which the company is linked by virtue of participating interest C.III.5. Investments held as fixed assets C.III.6. Other loans C.III.7. Own shares (with an indication of their nominal value or, in the absence of a nominal value, their accounting par value)
3. Current assets	D. Currents assets	
3.1. Stocks	D.I. Stocks	D.I.1. Raw materials and consumables D.I.2. Work in progress D.I.3. Finished products and goods for resale D.I.4. Payment on account
3.2.1. Debtors due after one Year	D.II. Debtors, due and payable after more than one year	D.II.1. Trade debtors D.II.2. Amounts owed by affiliated undertakings D.II.3. Amounts owed by undertakings with which the company is linked by virtue of participating interest D.II.4. Others debtors D.II.6. Prepayments and accrued income
3.2.2. Debtors due within one year	D.II. Debtors due and payable within a year	D.II.1. Trade debtors D.II.2. Amounts owed by affiliated undertakings D.II.3. Amounts owed by undertakings with which the company is linked by virtue of

		participating interest D.II.4. Others debtors D.II.6. Prepayments and accrued income
3.3. Cash at bank and in hand	D.IV. Cash at bank and in hand	D.IV. Cash at bank and in hand
3.4. Other current assets	D.III Investments	D.III.1. Shares in affiliated undertakings D.III.2. Own shares (with an indication of their nominal value or, in the absence of a nominal value, their accounting par value) D.III.3. Other investments
Total assets	Total assets	

LIABILITIES	LIABILITIES / 4th ACCOUNTING DIRECTIVE (Article 9)	
4. Capital and reserves	A. Capital and reserves	
4.1. Subscribed capital	A.I. Subscribed capital A.II. Share premium account	A.I. Subscribed capital A.II. Share premium account
4.2. Reserves	A.III. Revaluation reserve A.IV. Reserves	A.III. Revaluation reserve A.IV.1. Legal reserve, in so far as national law requires such a reserve A.IV.2. Reserve for own shares A.IV.3. Reserves provided for by the articles of association A.IV.4. Other reserves
4.3. Profit and loss brought forward from the previous years	A.V Profit and loss brought forward from the previous years	A.V Profit and loss brought forward from the previous years
4.4. Profit and loss for the Financial year	A.VI. Profit or loss for the financial year	A.VI. Profit or loss for the financial year
5. Creditors	C. Creditors	
5.1.1 Long term non-bank debt	B. Provisions for liabilities and charges (> one year) C. Creditors (> one year)	B.1. Provisions for pensions and similar obligations B.2. Provisions for taxation B.3. Other provisions C.1. Debenture loans, showing convertible loans separately C.3. Payments received on account of orders in so far as they are not shown separately as deductions from stocks C.4. Trade creditors C.6. Amounts owed to affiliated undertakings C.7. Amounts owed to undertakings with which the company is linked by virtue of participating interests C.8. Other creditors including tax and social security C.9. Accruals and deferred income
5.1.2. Long term bank debt	C. Creditors "credit institutions" (> one year)	C.2. Amounts owed to credit institutions C.5. Bills of exchange payable
5.2.1. Short term non-bank Debt	B. Provisions for liabilities and charges (= one year) C. Creditors (= one year)	B.1. Provisions for pensions and similar obligations B.2. Provisions for taxation B.3. Other provisions C.1. Debenture loans, showing convertible loans separately C.3. Payments received on account of orders in so far as they are not shown separately as deductions from stocks C.4. Trade creditors C.6. Amounts owed to affiliated undertakings C.7. Amounts owed to undertakings with which the company is linked by virtue of participating interests C.8. Other creditors including tax and social security C.9. Accruals and deferred income
5.2.2. Short term bank debt	C. Creditors "credit institutions" (= one year)	C.2. Amounts owed to credit institutions C.5. Bills of exchange payable
Total liabilities	Total liabilities	

PROFIT AND LOSS ACCOUNT	PROFIT AND LOSS ACCOUNT / 4TH ACCOUNTING DIRECTIVE (Article 23)	
6. Turnover	1. Net turnover	
		1. Net turnover
7. Variation in stocks	2. Variation in stock of finished goods and in work in progress	2. Variation in stocks of finished goods and in work in progress
8. Other operating income	3. Work performed by the undertaking for its own purposes and capitalized. 4. Other operating income	3. Work performed by the undertaking for its own purposes and capitalized 4. Other operating income
9. Costs of material and consumables	5. (a) Raw materials and consumables 5. (b) Other external charges	5. (a) Raw materials and consumables 5. (b) Other external charges

10. Other operating charges	8. Other operating charges	8. Other operating charges
11. Staff costs	6. Staff costs	6. (a) Wages and salaries 6. (b) social security costs, with a separate indication of those relating to pensions
12. Gross operating profit	Gross operating profit .	
13. Depreciation and value adjustments on non financial assets	7. Depreciation and value adjustments on non financial assets	7. (a) Value adjustments in respect of formation expenses and of tangible and intangible fixed assets 7. (b) Value adjustments in respect of current assets, to the extent that they exceed the amount of value adjustments which are normal in the undertaking concerned
14. Net operating profit	Gross operating profit - Depreciation and value adjustments on non-financial assets	
15. Financial income and value adjustments on financial assets	Financial income and value adjustments on financial assets	9. Income from participating interests 10. Income from other investments and loans forming part of the fixed assets 11. Other interest receivable and similar income 12. Value adjustments in respect of financial assets and of investments held as current assets
16. Interest paid	Interest paid	13. Interest payable and similar charges
17. Similar charges	Similar Charges	
18. Profit or loss on ordinary activities	Profit or loss on ordinary activities	15. Profit or loss on ordinary activities after taxation
19. Extraordinary income and Charges	Extraordinary income and charges	16. Extraordinary income 17. Extraordinary charge
20. Taxes on profits	Taxes	14. Tax on profit or loss on ordinary activities 19. Tax on extraordinary profit or loss 20. Other taxes not shown under the above items
21. Profit or loss for the financial year	Profit or loss for the financial year	21. Profit or loss for the financial year

Annex 5 FORM to be completed

Simplified balance sheet and profit and loss account for the determination of financial capacity

Applicant name	<input type="text"/>	Type company	of	<input type="text"/>	<input type="text"/>
	<input type="text"/>		<input type="text"/>	Profit making	<input type="text"/>
	<input type="text"/>			Non profit making	<input type="text"/>
Closing date t0	<input type="text"/>	Duration t0	<input type="text"/>	months	
Closing date t-1	<input type="text"/>	Duration t-1	<input type="text"/>	months	

Balance sheet		
Assets	t0 (in Euro)	t-1 (in Euro)
1. Subscribed capital unpaid	<input type="text"/>	<input type="text"/>
2. Fixed assets (2.1+2.2+2.3)	0	0
2.1 Intangible fixed assets	<input type="text"/>	<input type="text"/>
2.2 Tangible fixed assets	<input type="text"/>	<input type="text"/>
2.3 Financial assets	<input type="text"/>	<input type="text"/>
3. Current assets (3.1+3.21+3.22+3.3+3.4)	0	0
3.1 Stocks	<input type="text"/>	<input type="text"/>
3.2.1 Debtors due after one year	<input type="text"/>	<input type="text"/>
3.2.2 Debtors due within one year	<input type="text"/>	<input type="text"/>
3.3 Cash at bank and in hand	<input type="text"/>	<input type="text"/>
3.4 Other current assets	<input type="text"/>	<input type="text"/>
Total assets (1+2+3)	0	0

Liabilities	t0 (in Euro)	t-1 (in Euro)
4. Capital and reserves (4.1+4.2+4.3+4.4)	0	0
4.1 Subscribed capital	<input type="text"/>	<input type="text"/>
4.2 Reserves	<input type="text"/>	<input type="text"/>
4.3 Profit and loss brought forward	<input type="text"/>	<input type="text"/>
4.4 Profit and loss for the financial year	<input type="text"/>	<input type="text"/>
5. Creditors (5.11+5.12+5.21+5.22)	0	0
5.1.1 Long term non-bank debt	<input type="text"/>	<input type="text"/>
5.1.2 Long term bank debt	<input type="text"/>	<input type="text"/>
5.2.1 Short term non-bank debt	<input type="text"/>	<input type="text"/>
5.2.2 Short term bank debt	<input type="text"/>	<input type="text"/>
Total liabilities (4+5)	0	0

Profit and loss

	t0 (in Euro)	t-1 (in Euro)
6. Turnover		
7. Variation in stocks		
8. Other operating income		
9. Costs of material and consumables		
10. Other operating charges		
11. Staff costs		
12. Gross operating profit (6.+7.+8.-9.-10.-11.)	0	0
13. Depreciation and value adjustments on non-financial assets		
14. Net operating profit (12.-13.)	0	0
15. Financial income and value adjustments on financial assets		
16. Interest paid		
17. Similar charges		
18. Profit/loss on ordinary activities (14+15.-16.-17.)	0	0
19. Extraordinary income and charges		
20. Taxes on profit		
21. Profit/loss for the financial year (18.+19.-20.)	0	0

ANNEX 6



EUROPEAN COMMISSION
DIRECTORATE-GENERAL ENVIRONMENT

DIR F- RESOURCES
ENV.F.2 – Finance

(Please fill in your address)

ACKNOWLEDGEMENT OF YOUR TENDER

Our reference: ENV.G.2/SER/2009/0011

Your reference:

We wish to confirm the receipt and opening of your offer¹. Your offer will now be evaluated by the Commission and its experts. You will be informed of the result in due course.

We thank you for your interest.

MarketsTeam
DG ENV.F.2

¹ Your personal contact data has been recorded in a database used by the Markets Team of unit ENV.F2 for the administrative management of offers. The Commission is bound by Regulation 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies. For more information, and to exercise your rights to access and eventually correct data concerning you, please don't hesitate to contact us.

ANNEX 7

CHECK LIST

1. Administrative information form filled in
2. Financial offer duly signed
3. Legal entity form completed and signed
4. Declaration of the candidate's eligibility regarding exclusion criteria, completed, signed and dated
5. Supporting documents for selection criteria
6. Acknowledgement form with candidate's address
7. Technical bid
8. Possible annexes