



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL  
REGIONAL POLICY  
Policy development  
Urban Development, Territorial Cohesion

Brussels,  
REGIO.C.2./SZ+AF+CS D(2011)560741

Dear Sir/Madam,

**Subject: Call for tenders by open procedure n° 2011.CE.16.0.AT.035 – “Good practice in urban development: projects and approaches supported by the European Regional Development Fund during the 2007-2013 programming period”**

1. I enclose the call for tenders relating to the above mentioned contract.
2. If you are interested in this contract, you should submit a tender in triplicate in one of the official languages of the European Union.
3. Bids must be submitted
  - a) either by post or by courier not later than **06/07/2011**, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip, to the following address:

European Commission  
Directorate-General for Regional Policy,  
Urban development and territorial cohesion Unit,  
For the attention of Mr Piskorz  
CSM 1 – 4/161  
B – 1049 Brussels

- b) or delivered by hand to the following address:

European Commission  
Directorate-General for Regional Policy,  
Urban development and territorial cohesion Unit,  
For the attention of Mr Piskorz  
CSM 1 – 4/161

**Exact address :**  
avenue du Bourget, 1  
B-1140 Brussels (Evere)  
Belgium

not later than the end of working hours on **06/07/2011**. In this case, a receipt must be obtained as proof of submission, signed and dated by the official in the Commission's central mail department who took delivery. The department is open from 08.00 to 17.00 Monday to Thursday, and from 8.00 to 16.00 on Fridays. It is closed on Saturdays, Sundays and Commission holidays.

4. Tenders must be placed inside two sealed envelopes. The inner envelope, addressed to the department indicated in the invitation to tender, should be marked as follows: **"Invitation to tender n° 2011.CE.16.0.AT.035 - not to be opened by the internal mail department"**. If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

The inner envelope must also contain two sealed envelopes, one containing the technical specifications (on paper plus a CD or DVD with a copy of those documents in electronic format -word or pdf- the paper version being the original one) and the other the financial bid. Each of these envelopes must clearly indicate the content ("Technical" and "Financial").

5. The specification, listing all the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity and the draft contract are attached.
6. Tenders must be:
  - signed by the tenderer or his duly authorised representative;
  - perfectly legible so that there can be no doubt as to words and figures.
7. Period of validity of the tender, during which the tenderer may not modify the terms of his tender in any respect: 6 months from the submission deadline.
8. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the specification and in the draft contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. It is binding on the tenderer to whom the contract is awarded for the duration of the contract.
9. Contacts between the contracting department and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the final date for submission of tenders:

At the request of the tenderer, the contracting department may provide additional information solely for the purpose of clarifying the nature of the contract.

Any requests for additional information must be made in writing only to the attention of the Urban development and territorial cohesion Unit, Regio-Directeur-C@ec.europa.eu.

Requests for additional information received less than five working days before the closing date for submission of tenders will not be processed.

The Commission may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tenders.

Any additional information including that referred to above will be sent simultaneously to all tenderers who have requested the specification and will be published at the internet address below.

Tendering documents are available on the website of Directorate General for Regional Policy at the following address:

[http://ec.europa.eu/regional\\_policy/tender/tender\\_en.htm](http://ec.europa.eu/regional_policy/tender/tender_en.htm) (including any additional information referred to above).

**Potential tenderers are requested to regularly verify the internet website.**

After the opening of tenders

If clarification is required or if obvious clerical errors in the tender need to be corrected, the contracting department may contact the tenderer provided the terms of the tender are not modified as a result.

10. This invitation to tender is in no way binding the Commission. The Commission's contractual obligation commences only upon signature of the contract with the successful tenderer.

Up to the point of signature, the contracting authority may either abandon the procurement or cancel the award procedure, without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and the candidates or tenderers notified.

11. You will be informed whether or not your tender has been accepted.
12. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
13. If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by Mr Wladyslaw Piskorz, Head of the Urban Development and Territorial Cohesion unit, Directorate General for Regional Policy, e-mail: [Regio-urban-territorial@ec.europa.eu](mailto:Regio-urban-territorial@ec.europa.eu).

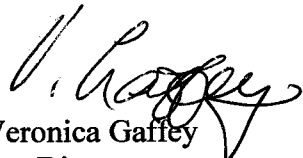
Details concerning processing of your personal data are available on the privacy statement at the page:

[http://ec.europa.eu/dataprotectionofficer/privacystatement\\_publicprocurement\\_en.pdf](http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf).

14. Your personal data may be registered in the Early Warning System (EWS) only or both in the EWS and Central Exclusion Database (CED) by the Accounting Officer of the Commission, should you be in one of the situations mentioned in:

- the Commission Decision 2008/969 of 16.12.2008 on the Early Warning System (for more information see the Privacy Statement on [http://ec.europa.eu/budget/info\\_contract/legal\\_entities\\_en.htm](http://ec.europa.eu/budget/info_contract/legal_entities_en.htm)), or

- the Commission Regulation 2008/1302 of 17.12.2008 on the Central Exclusion Database (for more information see the Privacy Statement on [http://ec.europa.eu/budget/library/sound\\_fin\\_mgt/privacy\\_statement\\_ced\\_en.pdf](http://ec.europa.eu/budget/library/sound_fin_mgt/privacy_statement_ced_en.pdf))



Veronica Gaffey  
Director

## SPECIFICATIONS

### 1. TITLE OF THE CONTRACT

Study on 'Good practice in urban development: projects and approaches supported by the European Regional Development Fund during the 2007-2013 programming period'.

### 2. GENERAL CONTEXT

The European Union's cohesion policy aims to strengthen economic, social and territorial cohesion by reducing disparities in the levels of development of regions and Member States of the European Union. Cities play a vital role in this context.

Cities are the centres of economic activity, innovation and employment in Europe. Yet they face a number of challenges: suburbanisation and urban sprawl, a concentration of deprivation and unemployment in urban neighbourhoods, an ageing population, migration, environmental problems, increasing congestion, etc. Tackling these challenges to ensure a sustainable urban development is a complex task. It requires integrated solutions tailored to local needs that balance the economic, social and environmental aspects.

The objective of fostering integrated urban development in EU and national policies has repeatedly been underlined by ministers responsible for urban development. Relevant ministerial conclusions include the Lille Action Programme<sup>1</sup> of 2000, the Rotterdam accord on the Urban *Acquis*<sup>2</sup> of 2004, the Bristol Accord<sup>3</sup> of 2005, the Leipzig Charter on Sustainable European Cities<sup>4</sup> of 2007, and, most recently, the Toledo declaration<sup>5</sup> of 2010. These documents are intended to reinforce an integrated approach to urban development throughout Europe, and highlight the need to pay special attention to deprived urban neighbourhoods within urban policies.

Sustainable urban development is a key element of European cohesion policy for fully exploiting Europe's economic, social and territorial potential. In the previous programming periods of the European Regional Development Fund (ERDF), the URBAN Community Initiative demonstrated the value of an integrated approach to urban development in around 200 cities across Europe. The principles underpinning

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<sup>1</sup> Lille Action Programme — A multi-annual programme of cooperation in urban affairs in the European Union, adopted at the Informal Meeting of Ministers dealing with urban affairs in Lille on 2 November 2000.

<sup>2</sup> Urban *Acquis*, Conclusions of the Ministerial Meeting on Urban Policy 'Cities empower Europe' in Rotterdam on 30 November 2004.

<sup>3</sup> Bristol Accord, Conclusions of the Ministerial Informal Meeting on Sustainable Communities in Europe in Bristol on 6 December 2005.

<sup>4</sup> Leipzig Charter on Sustainable European Cities, agreed on the occasion of the Informal Ministerial Meeting on Urban Development and Territorial Cohesion in Leipzig on 24/25 May 2007.

<sup>5</sup> The Toledo declaration on urban development was signed at the Informal Meeting of Urban Development Ministers in Toledo on 22 June 2010.

URBAN have been mainstreamed in the current programming period (2007-13),<sup>6</sup> extending this approach to greater number of cities.<sup>7</sup>

Article 8 of the ERDF Regulation<sup>8</sup> provides the legal basis for continuing support for *integrated* urban development — the type promoted by the URBAN Community Initiative. This article sets out the scope of possible strategies for intervention in disadvantaged urban areas, including a wider set of eligible operations compared to previous programming periods<sup>9</sup>. Article 8 allows the proportion of ERDF funding allocated to European Social Fund (ESF) activities (so-called cross-financing) under urban development priority axes in the operational programmes (OPs) to be increased from 10% to 15%<sup>10</sup>. This is intended to promote urban development activities involving integrated economic, social and environmental interventions.

The legal framework for cohesion policy for 2007-2013 enables all cities in the EU to become potential beneficiaries of EU cohesion policy funding. However, the Regulation contains no legal obligation for Member States to include an urban dimension in their OPs. There is therefore great variation in the uptake of the urban dimension in different OPs, both within and between Member States.

### 3. SPECIFIC CONTEXT OF THE CONTRACT

The European Commission's Directorate-General for Regional Policy (DG REGIO) has conducted several studies to analyse the mainstreaming of urban development in the 2007-13 programming period:

- a) 'Fostering the urban dimension'<sup>11</sup> from 2008 reviewed all operational programmes co-financed by the ERDF. It identified 156 OPs with an urban

<sup>6</sup> Recital 9 of the ERDF Regulation (EC) No 1080/2006: '*Sustainable urban development should be reinforced by fully integrating measures in that field into the operational programmes co-financed by the ERDF, paying particular attention to local development and employment initiatives and their potential for innovation*'.

<sup>7</sup> Further information on EU support for sustainable urban development can be found in the brochure 'Promoting sustainable urban development in Europe — Achievements and opportunities', DG REGIO, April 2009 ([http://ec.europa.eu/regional\\_policy/sources/docgener/presenta/urban2009/urban2009\\_en.pdf](http://ec.europa.eu/regional_policy/sources/docgener/presenta/urban2009/urban2009_en.pdf)).

<sup>8</sup> Regulation (EC) No 1080/2006.

<sup>9</sup> Article 8 of the ERDF Regulation (EC) No 1080/2006: '*...the ERDF may, where appropriate, support the development of participative, integrated and sustainable strategies to tackle the high concentration of economic, environmental and social problems affecting urban areas. These strategies shall promote sustainable urban development through activities such as: strengthening economic growth, the rehabilitation of the physical environment, brownfield redevelopment, the preservation and development of natural and cultural heritage, the promotion of entrepreneurship, local employment and community development, and the provision of services to the population taking account of changing demographic structures*'.

<sup>10</sup> When activities are implemented through a specific priority axis within an operational programme, the maximum level of ERDF funding for measures falling within the scope of the ESF Regulation may be raised from 10% to 15%.

<sup>11</sup> [http://ec.europa.eu/regional\\_policy/sources/docoffic/2007/working/urban\\_dimension\\_en.pdf](http://ec.europa.eu/regional_policy/sources/docoffic/2007/working/urban_dimension_en.pdf).

dimension in the 'Convergence' and 'Regional Competitiveness and Employment' objectives. Among these, 79 OPs had a specific priority axis on urban development, and 77 OPs had mixed priority axes that included urban actions. The study concluded that mainstreaming meant new opportunities for cities regarding the availability of funding. However, this contrasted with a strong focus on sectoral operations and less focus on integrated approaches. The involvement of cities in the design and implementation of the OPs was also found to be very limited.

- b) 'Sustainable urban development — implementation praxis of Art. 8'<sup>12</sup> assessed how the mainstreaming of urban integrated development in the 2007-13 programming period was being translated into action. It focused in particular on how Article 8 of the ERDF Regulation and Article 44 of the general regulation<sup>13</sup>, with regard to the financing of Urban Development Funds via JESSICA<sup>14</sup>, were being interpreted by the Member States and their managing and implementing authorities.
- c) 'The urban dimension of the ERDF in the 2007-2013 period: Implementation and practice in five European cities'<sup>15</sup> analysed the way in which ERDF financing has been deployed to support urban development in five cities in the European Union in the context of the mainstreaming of the 'urban dimension' of EU cohesion policy. The study used an explicitly bottom-up approach, starting from the local context of the five selected cities, compared to the more top-down approach on the Article 8 study.
- d) The Policy Learning Database<sup>16</sup> in the framework of the Regions for Economic Change initiative has been developed primarily for project promoters, policy makers and other practitioners to promote policy learning. The database contains cases of urban development among others.

#### 4. OBJECTIVES AND SCOPE

The overall objective of this study is to present good practice in urban development co-financed by the ERDF during the 2007-2013 programming period. The study will provide a basic input for communicating how cities may best address urban development within ERDF programmes and provide guidance for the urban dimension in the future cohesion policy.

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<sup>12</sup> See Annex published with this document.

<sup>13</sup> Council Regulation (EC) No 1083/2006.

<sup>14</sup> JESSICA, Joint European Support for Sustainable Investment in City Areas, is an initiative of the Commission in cooperation with the European Investment Bank (EIB) and the Council of Europe Development Bank (CEB), in order to promote sustainable investment growth and jobs in Europe's urban areas. [http://ec.europa.eu/regional\\_policy/funds/2007/jjj/jessica\\_en.htm](http://ec.europa.eu/regional_policy/funds/2007/jjj/jessica_en.htm).

<sup>15</sup> See Annex published with this document.

<sup>16</sup> [http://ec.europa.eu/regional\\_policy/cooperation/interregional/ecochange/studies\\_en.cfm?nmenu=5](http://ec.europa.eu/regional_policy/cooperation/interregional/ecochange/studies_en.cfm?nmenu=5)

The study should cover the following thematic areas:

1. Sustainable urban projects delivering the Europe 2020 strategy;
2. Implementation of sustainable integrated urban development operations under Article 8 of the 2007-2013 ERDF Regulation;
3. Use of regulatory provisions in the fields of housing in favour of marginalised groups and their implementation in urban areas;
4. Use of financial engineering;
5. Local empowerment and public participation;
6. The role of cooperation, networking and learning.

## 5. TASKS

More specifically, the contractor should carry out the following tasks:

### **Task 1 — Selection of good practice examples and clarification of methodology**

In the tender, the contractor should provide a substantiated list of 50 proposed examples of good practice with very concise descriptions of each proposed example. There must be at least one example of good practice for each of the thematic areas mentioned under point 4. The proposed examples should be structured according to the 6 thematic areas. The proposal should not contain any case studies or project examples already covered by the studies listed under point 3b, 3c and 3d.

In a kick-off meeting with DG REGIO and the Steering Committee, the contractor should clarify the proposed methodology and planning of the work, justify the proposed list of good practice examples and present the suggested organisation of the work. The Commission may modify the list of examples. The final choice of examples will be subject to the approval of the Commission.

The contractor should define the template for presenting the good practice examples. If justified, different templates for the different thematic areas may be proposed.

The meeting should be followed by an inception report (deliverable 1) summarising its outcomes in terms of classification of the methodology, choice of good practice examples and templates to be used for the different thematic areas.

### **Task 2 — 50 examples of good practice**

The contractor should prepare the documentation of the agreed 50 good practice examples (deliverables 2 and 3) for implementing the urban dimension of cohesion policy according to the agreed methodology, following the agreed templates. The examples should be broken down by thematic areas.

The documentation of good practice examples should address the following issues within the six thematic areas:

1. *Sustainable urban projects delivering the Europe 2020 strategy*: For each of the strategy's priority axes (smart, sustainable, and inclusive growth), how do

cities contribute to achieving Europe 2020 targets? Describe the overall strategic framework (integrated approach); linkages between different sectoral policy areas; the impact of the projects underpinned with socio-economic or environmental data and/or project indicators (15 examples, 5 examples per priority axis).

2. *Implementation of sustainable integrated urban development operations under Article 8 of the 2007-2013 ERDF Regulation: describe projects and operations (a set of projects) co-financed partly or fully by ERDF, which reflect the integrated approach as the legacy of the URBAN community initiative. How do cities use the integrated nature of activities and the overall strategic approach to effectively deal with the problems of the disadvantaged urban areas? Present good practice in delivering 'packaged' funding' at local level (e.g. through global grants or other arrangements); simplified delivery models and innovative governance arrangements that facilitate integrated urban development; projects with an enlarged scope of activity, among which at least one third make use of ESF cross-financing. (5 examples).*
3. *Use of regulatory provisions in the fields of housing in favour of marginalised groups and their implementation in urban areas<sup>17</sup>: How do cities use the possibilities provided by the regulations to tackle the problems of marginalised communities in an integrated way with intervention in housing? Describe the effectiveness and impact on urban areas; their integrated nature; the European added value; the difficulties in setting up schemes and projects; (5 examples)*
4. *Use of financial engineering: examples of JESSICA or other non-grant instruments, especially micro-credit schemes, being used for integrated urban development actions. What are the challenges to set up the supporting scheme for financing integrated actions? (5 examples).*
5. *Local empowerment and public participation: describe examples aiming at local empowerment by the use of local community-led development approaches<sup>18</sup>, identify effective ways of involving non-governmental stakeholders in the design and implementation of projects and programmes (e.g. in monitoring committees or project steering groups) (5 examples).*
6. *The role of cooperation, networking and learning: Identify sustainable urban development projects that stem from or are influenced by the participation of the city in cross-border, trans-national and interregional cooperation activities,*

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<sup>17</sup> Regulatory provisions in the fields of housing (Article 7(2) of Regulation (EC) No 1080/2006), marginalised groups (under Regulation (EC) No 1080/2006 — the ERDF Regulation, as amended by Regulation (EU) No 437/2010, and Article 47 of Regulation (EC) No 1828/2006 — the Implementing Regulation, as amended by Regulation (EU) No 832/2010), and financial engineering (Article 44 of Regulation (EC) No 1083/2006).

<sup>18</sup> Local development methods building on a community-led, participative approach with strong local stakeholder engagement, area-based strategy related to the geography of the problem or common interest, and an integrated approach to the challenges and opportunities of the area, involving different policy levels, sectors, territorial units and public and private actors. This is also about an endogenous development process, often resulting in innovative local solutions. (Based on Adetef Study 2010: 'Cohesion policy support for Local Development: Best practice and future policy options').

including URBACT II. How far have networking activities (Interreg IVC and URBACT II) resulted in the implementation of concrete projects financed under mainstream operational programmes ('Regions for Economic Change' approach<sup>19</sup>);? Identify good practice in using Technical Assistance for skills development and learning (5 examples).

The good practice examples should be presented as separate illustrated reports written in an easily accessible journalistic style suitable for a wider audience. Each report should contain a brief description of the project itself, the context, its relevance, the success factors and lessons learnt. It should not exceed 10 pages. In addition, an executive summary of no more than 1 page should also be prepared.

The contractor is expected to illustrate the examples with diagrams, charts, graphics or designs in order to facilitate understanding by a wider audience. Where an example involves a tangible project, a photo illustration is required.

### **Task 3 — Synthesis report**

The contractor should synthesise and summarise the findings from the examples in a synthesis report. The synthesis report should provide an overview of success factors, and a possible typology of cases and practices. It should contain an overview of the experience of the analysed cities, regions and Member States in using ERDF support to tackle urban challenges. The added value of the Structural Funds for urban development should be explained and policy conclusions should be drawn for the future development of EU support for urban development.

The synthesis report (deliverables 4 and 5) should be structured around the six thematic areas listed under point 4. It should be framed by a brief description of the context of urban development, including the main challenges cities face, trends in urban development and the urban dimension of cohesion policy. The executive summaries of the 2-3 most relevant examples should be used as illustrations under each theme. The report should conclude with policy implications and recommendations.

The synthesis report should be between 40 and 60 pages (excluding annexes but including the executive summaries of the most relevant examples). The complete set of executive summaries of the examples should be annexed, following the structure of the main report.

## **6. METHODOLOGY**

A detailed methodology for the study should be provided in the tender.

The proposed methodology should be based on the Case study manual "Analysing ERDF co-financed innovative projects"<sup>20</sup>, published in June 2008.

<sup>19</sup> More information on the Regions for Economic Change initiative can be found at: [http://ec.europa.eu/regional\\_policy/cooperation/interregional/ecochange/index\\_en.cfm](http://ec.europa.eu/regional_policy/cooperation/interregional/ecochange/index_en.cfm).

<sup>20</sup> [http://ec.europa.eu/regional\\_policy/cooperation/interregional/ecochange/doc/evaluation\\_brochure\\_062008\\_en.pdf](http://ec.europa.eu/regional_policy/cooperation/interregional/ecochange/doc/evaluation_brochure_062008_en.pdf)

The tenderer is expected to adapt the methodology to the objectives and needs of the study, with special regard to the following issues:

- *Strategic planning and monitoring in urban development:* identification of strategic planning documents at different (geographical) levels, their relationship with each other, and subsequent implementation of actions (national, regional, functional urban area, city, and neighbourhood); measuring and monitoring tools used by cities, regions and Member States to design operations, follow socio-economic trends and evaluate the progress of (integrated) urban development activities
- *National and regional frameworks for implementing ERDF-funded urban development activities:* national or regional policy frameworks and delivery systems; examples of EU provisions influencing and contributing to the development of national or regional urban policies; geographical focus of selection processes and operations (e.g. neighbourhood, cities and functional areas); the role of the cities in decision-making processes (e.g. during project appraisal or in programme steering groups); indicators used in relevant programming documents; relevant national or regional networking activities involving cities.

Various sources could be used to compile the good practice examples — including studies, evaluations and policy documents (e.g. local development programmes or strategy documents, ERDF calls for proposals for urban development actions, guidance documents, evaluations, OP Monitoring Committee notes, annual reports, etc.) and should be substantiated by direct contacts with managing and/or implementing authorities as well as other relevant authorities (national, regional or local) or stakeholders. The methodology may vary according to the subject of the examples and should be broken down by the six themes listed under section 4.

The tenderer should provide a substantiated list of proposed good practice examples in the six thematic areas listed under section 4. The definition of good practice is based on the Leipzig Charter on Sustainable Cities and the Toledo declaration, which emphasize the need for integrated urban regeneration to achieve a smarter, more sustainable and inclusive urban development.

Therefore, the selection of the cases should be based on the following criteria that the projects need to meet:

1. have an integrated, multi-sectoral nature (overall framework for projects and/or individual holistic projects);
2. have a high relevance for EU policy priorities (especially the Europe 2020 strategy as well as the Lisbon and Gothenburg agendas) and have a European added value;
3. have a clear thematic focus and (measureable) effectiveness in addressing challenges;
4. be of an innovative nature;

5. be sustainable, which means avoiding the risk of taking a short-term view dominated by immediate concerns with the current economic and financial climate at the expense of future sustainability;
6. use a participative approach in the design and implementation of actions and good governance;

The selection of the proposed examples should furthermore

7. provide a balanced and wide coverage of EU Member States (at least one city per Member State among the suggested examples);
8. provide a balanced and wide coverage of different size of cities;
9. provide a balanced coverage of the issues listed under Task 2;
10. be selected from projects that are partially or fully financed by ERDF in the 2007-13 programming period.

Each suggested example should be presented with a concise description.

The list of good practice examples should not contain case studies or projects that have already been covered by the three studies listed under section 3<sup>21</sup>. However, this does not *per se* exclude the cities that were the subject of these previous studies.

The contractor should deliver the first 5 case studies in the first interim report. The contractor and the Steering committee will discuss the lessons learnt from the task execution and the need for possible amendments in the methodology in order to achieve the objectives of the study.

The tender should indicate the number of days to be devoted to each case study and how this is broken down between preparation, fieldwork (including the average number of interviews) and writing up. The tender should also specify the role of the contractor in co-ordinating and quality assuring of all deliverables.

The study requires experience in the field of urban policy and capacity to analyse a range of urban and regional contexts. It also requires appropriate analytical skills and methodological tools to handle the examples. The contractor should be able to call upon researchers with appropriate linguistic abilities relevant to the examples.

Tenderers are expected to follow the terminology developed in the DG REGIO working paper 'Fostering the urban dimension'<sup>22</sup>

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<sup>21</sup> 'Sustainable urban development — implementation praxis of Art. 8', 'The urban dimension of the ERDF in the 2007-2013 period: Implementation and practice in five European cities', Policy Learning Database.

<sup>22</sup> Op cit.

## 7. DURATION OF THE CONTRACT

The duration of the tasks is **13 months** starting from the signature of the contract by the last contracting party.

## 8. MEETINGS, ACTIVITIES, EVENTS, REPORTS AND DELIVERABLES (TIMING AND PAYMENTS)

For meetings, events, reports and deliverables, the timing and related payments are specified as follows.

Timing	Outputs	Meetings
Within 1 month from signature of the contract	<ul style="list-style-type: none"><li>• D1: Inception report with detailed methodology and the final list of 50 examples, covering all tasks.</li></ul>	<ul style="list-style-type: none"><li>• Kick-off meeting with the Steering Committee</li></ul>
Within 3 months from signature of the contract	<ul style="list-style-type: none"><li>• D2: First interim report containing 5 illustrated examples, each with an executive summary, covering task 2</li></ul>	<ul style="list-style-type: none"><li>• Meeting with the Steering Committee to present initial set of examples</li></ul>
Within 8 months from signature of the contract	<ul style="list-style-type: none"><li>• D3: Second interim report containing the remaining 45 examples, each with an executive summary, covering task 2</li></ul>	<ul style="list-style-type: none"><li>• Meeting with the Steering Committee to present further examples</li></ul>
Within 10 months from signature of the contract	<ul style="list-style-type: none"><li>• D4: Draft synthesis report covering task 3 and drawing together all the findings of the study, i.e. tasks 1-2</li></ul>	<ul style="list-style-type: none"><li>• Meeting with the Steering Committee to present draft synthesis report</li></ul>
Within 13 months from signature of the contract	<ul style="list-style-type: none"><li>• D5: Final report and presentation materials including:<ul style="list-style-type: none"><li>- finalised description of 50 illustrated good practice examples (task 2); and</li><li>- final synthesis report.</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Meeting with the Steering Committee to present the final report</li></ul>

### Deliverables

The deliverables of the study will be:

- **Deliverable 1: Inception report** (focusing on methods and organisation) covering all tasks.  
Deadline: within one month after signature of the contract.
- **Deliverable 2: First interim report** covering task 2.  
Deadline: within three months after signature of the contract.
- **Deliverable 3: Second interim report** covering task 2.  
Deadline: within eight months after signature of the contract.

- **Deliverable 4: Draft synthesis report** covering task 3 and drawing together all the findings of the study, i.e. tasks 1-2.  
Deadline: within ten months after signature of the contract.
- **Deliverable 5: Final report**  
Deadline: within thirteen months after signature of the contract.

In addition to the above mentioned deliverables, the contractor shall deliver a monthly progress report (2 pages maximum), except for the months that another deliverable is due.

Each deliverable will be examined by DG Regional Policy and presented by the contractor in the steering group (Steering Committee) set up to follow the activities launched by the Commission in the field of urban development. DG Regional Policy may ask for additional information or propose changes in order to redirect the work if necessary. All deliverables must be accepted by DG Regional Policy.

The reports should be written in English in an easily accessible style. The individual illustrated reports on examples should be between 5 and 7 pages, and contain an executive summary of not more than 1 page. The synthesis report should not be more than 60 pages. The example and synthesis reports should be written in a concise and attractive way. The executive summaries must be written in a journalistic style that will allow the Commission to use them for communication purposes.

All draft and/or interim versions of reports should be delivered in electronic format (MS Word, PowerPoint or equivalent application compatible with MS Office). The final versions of reports should be delivered in three hard copies, as well as in MS Word/PowerPoint and PDF format or an equivalent compatible with MS Office. The Commission will provide details for the layout of the reports. The contractor will present the results of the study to the Commission. The presentation date will be agreed during the course of the contract. The contractor will provide presentation material for the reports in English (MS PowerPoint or equivalent application compatible with MS Office) for use by the Commission.

## **9. ORGANISATION OF THE WORK**

The work will be organised on the basis of a single contract with the Commission's Directorate-General for Regional Policy (DG REGIO). As part of the tender documentation, the tenderer should identify the team to be involved, describing their skills and qualifications and quantifying the input of each member of the team in terms of days and explaining the distribution of tasks between them.

DG REGIO will establish a steering group. The contractor will provide documentation for and attend five meetings of the steering group. It is anticipated that during the meetings it will be discussed the inception report, the interim report and the final report. The tenderer in consultation with DG REGIO will identify 3 external experts in the fields concerned by the study who will provide additional expert input to the study and conduct peer review in the field concerned by the study (written comments on major deliverables and oral comments in meetings). The tenderer should include in its tender the cost of 3 external experts to conduct peer review and attend

the 5 meetings in Brussels which are specified in point 8 during the course of the study.

DG REGIO will approve the deliverables within 20 days. The contractor has to respond to any request and communication from DG REGIO within 20 days.

There will be an additional 3 progress meetings with DG REGIO in Brussels.

#### **10. PARTICIPATION IN THE TENDERING PROCEDURE**

The competition is open to any physical person or legal entity coming within the scope of the Treaties and any other physical person or legal entity from a third country that has concluded a specific agreement with the European Union in the area of public contracts, under the conditions provided for in that agreement.

The Multilateral Agreement on Government Procurement (GPA) concluded within the WTO applies and the contract is open to nationals of States that have ratified this Agreement, under the conditions provided for therein. The GPA does not cover all contracts awarded by the EU Institutions. Appendix I to the GPA sets out which contracts are covered. The full text of the GPA and its appendices can be found on [http://www.wto.org/english/tratop\\_e/gproe\\_e/gp\\_gpa\\_e.htm](http://www.wto.org/english/tratop_e/gproe_e/gp_gpa_e.htm)

As a rule, subcontracting is allowed.

Consortia of economic operators may tender or be candidates.

#### **11. DOCUMENTATION FOR TENDERERS**

The two studies:

- Study on "Sustainable urban development – implementation praxis of Art.8".
- Study on "The urban dimension of the ERDF in the 2007-2013 period: Implementation and practice in five European cities".

are published as annexes on the INFOREGIO website.

#### **12. VISITS TO PREMISES OR BRIEFING**

Not applicable.

#### **13. VARIANTS**

Not authorised.

#### **14. VOLUME OF CONTRACT**

The maximum total amount for the contract is EUR 550,000.00 (lump sum, including fees, travel expenses and other costs).

#### **15. PRICE**

The attention of the tenderer is drawn to the following points in relation to the price:

- The price quoted must be fixed and not subject to revision.
- Under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union, the Union is exempt from all charges, taxes and dues, including value added tax; such charges may not therefore be included in the calculation of the price quoted; the VAT amount must be indicated separately.
- The price tendered must be all-inclusive and expressed in euros, also for countries that are not part of the euro zone. For tenderers in countries not belonging to the euro zone, the price quoted may not be revised in line with exchange rate movements. It is for the tenderer to select an exchange rate and assume the risks or benefits deriving from any variation.
- The price quoted must include a separate estimate for travel and subsistence expenses. This estimate must be based on the standard Commission rules (published on Inforegio). It must include any travel necessary to meet the contracting authority. The estimate represents, at all events, the maximum amount of travel and subsistence expenses payable for all services under the contract. These expenses must be included in the price quoted.
- The same principle applies to any specific expenditure incurred in the performance of the contract.
- All costs incurred in preparing and submitting tenders are borne by the tenderers and cannot be reimbursed.

#### **16. TERMS OF PAYMENT**

The contractor must submit all requests for payment, expressed in euros, to the Commission.

Payments under the contract will be made as follows:

1. **A first interim payment** equal to 25% of the total amount within 30 days of approval by the Commission of deliverable 1 (inception report).

2. **A second interim payment** equal to 50% of the total amount within 30 days of the date on which a valid request for payment is registered following approval by the Commission of deliverable 3 (the second interim report).
3. **Payment of the balance**, equal to 25 % of the total amount, within 30 days of the date on which a valid request for payment is registered following approval by the Commission of the final report (deliverable 5) and its presentation to the Commission services..

## 17. CONTRACTUAL TERMS AND GUARANTEES

See draft contract.

## 18. CRITERIA

### Exclusion criteria

#### A. Exclusion from participation in the procedure:

Tenderers are excluded from participating in a procedure if

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they have been convicted of an offence concerning 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 authorities can justify;
- (d) they have not fulfilled their 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 carried out;
- (e) they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the European Union's financial interests;
- (f) they have, following another procurement procedure or grant award procedure financed by the European Union's budget, been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Evidence:

1. Tenderers shall provide *a declaration\* on their honour*, duly signed and dated, stating that they are not in one of the situations described above.
2. The tenderer to whom the contract is to be awarded shall provide, within 10 days preceding the signature of the contract, the evidence referred to in the following paragraph, confirming the declaration referred to in the previous paragraph.
3. The contracting authority will accept, as satisfactory evidence that the tenderer to whom the contract is to be awarded is not in one of the situations described in points a), b) or e), an extract from the judicial record or, failing that, an equivalent document issued by a judicial or administrative authority in the country of origin or provenance, showing that those requirements are satisfied.

The contracting authority will accept, as satisfactory evidence that the tenderer is not in one of the situations described in point d), a certificate issued by the competent authority of the Member State concerned.

Where no such document or certificate is issued by the country concerned and for other cases of exclusion referred to in cases c) and f) above, 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 or her country of origin or provenance.

These documents or certificates must be valid on the closing date for receipt of tenders, and in any case, they must have been delivered less than 12 months before this closing date.

Depending on the national legislation of the country in which the tenderer is established, the documents referred to in points 1 and 3 above must relate to legal persons and natural persons including, where considered necessary by the contracting authority, company directors or any person with powers of representation, decision-making or control in relation to the tenderer.

**B. Exclusion from award of the contract:**

No contract will be awarded to tenderers who, at the time when contracts are being awarded under this procedure:

- a. have a conflict of interest. The Commission must ensure that the tenderer does not, at the time of submitting a tender, have any conflict of interest in connection with this call for tenders, a conflict of interest possibly arising in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest. The Commission reserves the right to assess whether a conflict of interest exists.

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\* The model declaration on honour published with this call covers all exclusion criteria.

To that end tenderers are asked to state whether their payroll, staff or shareholders include:

- any former European officials, contract staff, temporary staff or auxiliary staff who have worked for the European Union in the last three years preceding this call for tenders;
- any European officials on leave;
- any former agents on secondment within the European institutions having worked to the European Union during three years preceding this call for tender;
- any former trainees who have completed a placement at the EC during the year preceding this call for tenders.

Tenderers are also asked to declare:

- that they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
  - that they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract;
  - that they will inform the contracting authority, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest.
- b. have been guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or have failed to supply that information.

Evidence:

The contracting authority will accept, as satisfactory evidence that the tenderer is not in one of the situations described in points B. a) and b), a **declaration\* on their honour** signed by the tenderer. However, the Commission reserves the right to verify the information.

C. Tenders submitted by consortia or groups of service providers – tenders involving subcontracting

Where the tender is submitted by a consortium or by a contractor intending to subcontract part of the work or have it performed by another economic operator, the

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\* The model declaration on honour published with this call covers all exclusion criteria.

exclusion criteria defined above have to be fulfilled by each economic operator involved in the tender.

Evidence:

In the case of tenders submitted by consortia or groups of service providers, every economic operator in the tender must provide a declaration on honour to prove that none of the exclusion criteria for participation or award of contracts applies to it.

The tenderer to whom the contract is to be awarded shall provide, within 10 days preceding the signature of the contract, the evidence referred to above, confirming the declaration on honour for every economic operator part of the consortia or groups of service providers.

In the case of tenders involving subcontracting, the tenderer to whom the contract is to be awarded shall provide, within 10 days preceding the signature of the contract, the evidence referred to above for the exclusion criteria for participation or award of contracts, confirming the declaration on honour for every subcontractor for which the Commission will request it.

**Selection criteria**

**Legal position – means of proof required**

- a) Where the tenderer needs a specific authorisation or must be a member of a specific organisation in order to provide the services concerned in his country of origin, he must prove that he holds this authorisation or that he belongs to this organisation.
- b) The tenderer is required to furnish proof of his enrolment on the professional or trade register, or a sworn statement or certificate in accordance with the conditions laid down in the Member state in which he is established.

**Economic and financial capacity – means of proof required**

The tenderers must prove that they have the economic and financial capacity to carry out the tasks set out in the Tender Specifications throughout the duration of the contract.

Proof of financial and economic standing must be provided by one or more of the following:

- bank declarations;
- balance sheets or summarised balance sheets;
- a statement of general turnover or turnover relating to the services in question, covering the last three financial years.

**Technical capacity – means of proof required**

Technical capacity will be assessed on the basis of expertise, knowledge, efficiency, experience and reliability in the following areas:

- theory and practice of urban development policy;
- knowledge of fundamental features of cohesion policy;
- drafting and presentation of analytical reports;
- a good command of the English language.

Proof of the above may be furnished by means of:

- a) a description of the educational and professional qualifications of the service provider or contractor and/or those of the firm's managerial staff and, in particular, those of the person or persons responsible for providing the services;
- b) a list of main services provided over the past three years, together with details of values, dates and public or private recipients involved;
- c) a statement of the tenderer's average annual manpower and the number of managerial staff of the service provider or contractor over the past three years;
- d) the proportion of the contract which the tenderer may intend to subcontract.

### **Award criteria**

The contract will be awarded to the tender that is **most economically advantageous**. This will be determined in the light of the price and the quality of the tender. The successful tender will be the tender with the lowest ratio of total cost to the quality mark achieved. Tenders with a mark below 50 % of available quality points will not be considered.

The quality of the tender will be assessed as a function of the following criteria:

- Demonstration of an understanding of the objectives as specified in the Terms of Reference and appropriately expanding it to the tasks (30%);
- Appropriateness and quality of the methodology for the achievement of the objectives and execution of the tasks (40%);
- Quality of planning of human resources and work organisation (30%).

## **19. TENDERS**

### **General comments**

Tenderers must include in their replies

- all the information and documentation needed to enable the contracting authority to appraise tenderers/tenders on the basis of the exclusion, selection and award criteria. All the documents required (exclusion, selection and award criteria) must be indicated, e.g. in a list;
- the price;
- any other information and documentation required in the tendering documents.

Tenders may be written in any of the official EU languages.

Tenders from the consortia of companies or groups of service providers must specify the role, qualifications and experience of each member or group, and submit all the applicable documents required in the tendering documents.

The previous provisions also apply to any subcontractors that may be involved in the tender.

In case of tenders involving subcontractors, a letter of intent must be supplied by each subcontractor stating its unambiguous undertaking to collaborate with the tenderer if he wins the contract and the extent of the resources that it will put at the tenderer disposal for the performance of the contract.

It is strongly recommended that a clear distinction be made between documents required under the exclusion, selection and award criteria respectively so as to avoid the risk of criteria being confused when tenders are evaluated. Similarly it should be stated which of the criteria each document is intended to satisfy.

## **20. OPENING OF TENDERS**

Tenders will be opened on **13/07/2011** at 10.00 o'clock a.m. at CSM1-02/20, Directorate-General for Regional Policy, Rue Père de Deken 23, B-1040 Brussels. Tenderers may be present at the opening of tenders. Each tenderer may take part or send a representative.

### **Annex to the tender specifications:**

Draft service contract

Study on "Sustainable urban development – implementation praxis of Art.8"

Study on "The urban dimension of the ERDF in the 2007-2013 period: Implementation and practice in five European cities"