

Specifications-Invitation to tender No VT2009/090

Evaluation of the capacity of the ESF delivery systems to attract and support OP target groups

1. Title of the contract

Evaluation of the capacity of the ESF delivery systems to attract and support OP target groups.

2. Background

2.1. The European Social Fund

The European Social Fund (ESF) was established by the Treaty of Rome and is the longest existing Structural Fund. It is the main financial tool through which the EU translates its strategic labour market, human resources development and social inclusion policy aims into action.

In the programming period 2007-2013 ESF is governed by the following regulations:

- Council Regulation 1083/2006 laying down general provisions on the ERDF, ESF and the Cohesion Fund
- Regulation 1081/2006 on the European Social Fund
- Commission Regulation 1828/2006 setting out rules for the implementation of Council Regulation 1083/2006

The scope of assistance for the programming period 2007-2013 is set out in Art. 3 ESF Regulation No 1081/2006:

- a. Increasing adaptability of workers, enterprises and entrepreneurs with a view to improving the anticipation and positive management of economic change.
- b. Enhancing access to employment and the sustainable inclusion in the labour market of job seekers and inactive people, preventing unemployment, in particular long-term and youth unemployment, encouraging active ageing and longer working lives, and increasing participation in the labour market.
- c. Reinforcing the social inclusion of disadvantaged people with a view to their sustainable integration in employment and combating all forms of discrimination in the labour market.
- d. Promoting partnerships, pacts and initiatives through networking of relevant stakeholders, such as the social partners and non-governmental organisations, at the transnational,

national, regional and local levels in order to mobilise for reforms in the field of employment and labour market inclusiveness.

- e. Expanding and improving human capital.
- f. Strengthening institutional capacity and the efficiency of public administrations and public services at national, regional and local level and, where relevant, of the social partners and non-governmental organisations, with a view to reforms, better regulation and good governance especially in the economic, employment, education, social, environmental and judicial fields.

The activities shall take the form of Operational Programmes (OPs) within the National Strategic Reference Framework (NSRF). They shall include information on the priority axes and their specific targets (Art. 37, Regulation 1083/2006). For each OP, the Member State shall designate a number of authorities, including a Managing Authority. The responsibilities of the Managing Authority include *ensuring that operations are selected for funding in accordance with the criteria applicable to the operational programme* (Art. 60, Regulation 1083/2006). *"The ESF shall take into account the relevant priorities and objectives of the Community in the fields of education and training, increasing the participation of economically inactive people in the labour market, combating social exclusion – especially that of disadvantaged groups such as people with disabilities – and promoting equality between women and men and non-discrimination."* (Art. 2(2) ESF Regulation No 1081/2006).

2.2. Delivery systems

ESF institutional structures and procedures are an important element in shaping programme implementation. Although they are not considered to be the only cause for effective or less effective implementation, academic literature supports what has been observed in practice: namely that depending on the institutional and procedural design programme implementation may differ.

In this respect, two steps in programme implementation can be distinguished. They are not necessarily sequential. The first step encompasses the setting up of the institutions and procedures, i.e. codifying programme provisions in national rules and structures. This formal setting up of institutions and procedures is complemented by a process during which these procedures are applied and institutions become operational. This second step may lead to de facto changes in the intended functioning of the institutional and procedural design.

The term delivery system used in the context of this evaluation covers the formal setting up of the institutional and procedural design as well as the de facto application, since both together or individually may have differing impacts on programme implementation and the extent to which OP target groups enter the programme and receive support. It covers all management levels of the programme, including Managing Authority, intermediate bodies and beneficiaries.

2.3. Description of the context and framework of the evaluation

The evaluation should be consistent with the European Commission's policy on evaluation¹.

- It should, in particular, make it possible to take stock of the different aspects and activities of the initiative and capitalise on the findings obtained.
- The evaluation should comply with the quality criteria and with the state of the art in the field, and assessments should be well argued on the basis of rigorous qualitative and quantitative analysis.
- The evaluation should be conducted in such a way that the findings can be used to improve policy decision-making and thus improve actions taken in future.

3. Purpose of the evaluation

The purpose of the evaluation is to analyse the capacity of the delivery systems put in place in the Member States to attract and support OP target groups as foreseen by the ESF Regulation Articles 2, 3 and 10 (including the target groups that are difficult to reach). Consequently it will also identify factors facilitating compliance with Art. 16 General Structural Funds Regulation.

4. Scope of the evaluation

The evaluation will cover the 2007-2013 programming period. It will include in depth case studies of at least twenty ESF OPs. The group of selected OPs should represent a mixture of convergence and competitiveness OPs and regional and national OPs and should together cover all target groups identified Art. 2(2) ESF Regulation and Annex XXIII of the Commission Implementing Regulation No 1828/2006. It should include at least 5 EU-15 Member States and 5 EU-12.

5. Evaluation questions

The evaluator shall answer and provide recommendations related to the following questions:

- 1. *What formal institutional and procedural aspects of delivery systems influence the extent to which OP target groups enter (or do not enter) the programme and receive support?*** These aspects will essentially include but are not necessarily limited to:
 - National legislative and guidance framework for implementing ESF operations (e.g. national laws on implementation of the Structural Funds' operations);
 - The different management levels set-up for the OP and their formal relationship;
 - The monitoring arrangements and management information system;
 - Contractual arrangements (e.g. nature, content, obligations, targets, etc.) with beneficiaries/project providers and balance between provider autonomy and flexibility and direction by the Managing Authority;
 - Institutional and procedural arrangements to reach and support specific target groups;
 - Publicity campaigns aimed at the potential target groups;

¹ Communication to the Commission of 26/07/2000 "Focus on results: strengthening evaluation of Commission activities" (SEC (2000) 1051).

- Alignment with national funds and availability of co-financing in view of institutions and procedure;
- Complexity of the application process and project management and monitoring requirements.
- Project selection processes (criteria, time frame, and transparency.).

2. *What other aspects of delivery systems influence the extent to which OP target groups enter the programme and receive support?* Issues to look at may include the following:

- Differences between competences de facto exercised by the different management levels and those formally attributed to them, including the specific arrangements in relation to the different target groups;
- Cooperation and/or coordination between the various management levels;
- Cooperation and/or coordination between different types of beneficiaries/project providers with view to attracting the various target groups;
- The de facto use made of support mechanisms in place to help beneficiaries/project providers to access and manage ESF funding;
- Financial, administrative, human resources or other factors supporting or limiting accessibility to ESF funding by project providers ;
- Financial, administrative, human resources or other factors supporting or limiting the delivery of the tasks by the different management levels;
- Previous beneficiaries experience with the target groups;
- Ability of the Managing Authority, Intermediate Bodies to motivate the target groups, including the ones that are difficult to reach to enter the programme and receive support;
- Presence of a learning culture.

6. Evaluation method

The method proposed in these specifications constitutes a minimum requirement. They should be further developed in the technical offer and in the inception report. The contractor may propose methods and tools which he/she considers appropriate to answer the evaluation questions.

Data shall be gathered from primary and secondary sources. The collection of primary data, including monitoring data, is of major importance. The contractor should use interviews and focus groups but is not limited to these tools. Wide representation of key stakeholders, including target group representatives, should be ensured during the phase of field work.

The assessment will include a qualitative analysis of data and shall be conducted in a structured and transparent way respecting the principle of triangulation.

The contractor shall present first results of the evaluation at the ESF evaluation partnership meeting. The date is still to be decided.

The evaluation method and the stakeholders to be consulted will be formally agreed upon with the Commission during the inception phase.

7. Tasks to be performed by the contractor

Task 1 – Inception Phase

The contractor shall:

- Further elaborate the evaluation questions;
- Review relevant literature, programming documents, compliance assessments, evaluation documents from the 2000-2006 programming period and check the availability of data;
- Based on the above – in particular on a first screening of the monitoring data - identify those OPs which are particular in terms of reaching the target groups and/or identify target groups which are systematically over-/underrepresented;
- Identify the key factors likely to explain the extent to which target groups can enter the programme and receive support;
- Develop selection criteria to identify the OP case studies based on a typology of OPs and propose a list of at least twenty OPs as in depth case studies;
- Identify information gaps to be completed by the field work;
- Define the methodology for the data collection and analysis.

All these elements will be included in the inception report.

Task 2

The contractor shall:

- Collect the data necessary to cover the information gaps identified during the inception phase;
- Describe those aspects of the delivery systems of the selected ESF OPs which are relevant in view of the evaluation questions;
- Analyse the needs of the target groups and how the delivery system responds to them.

Task 3

The contractor shall:

- Analyse for each of the selected OP the available participant data against intentions or actual targets and identify those OPs that are likely to be capable of reaching the intended target groups and those that are less likely of doing so;
- For each of the selected OPs, identify the key factors facilitating or hindering the attraction of the target groups into the programme;
- Present at and discuss with the ESF evaluation partnership first evaluation results.

Task 4

The contractor shall:

- Present a thorough analysis of the information collected and respond to the evaluation questions;
- Provide conclusions and recommendations with regard to factors determining the capacity of the delivery systems put in place by the Member to reach and support those groups of society which have been identified as target groups in the OPs;
- Provide best practice examples and point to most common inefficiencies in delivery mechanisms in view of attracting different target groups into the programme.

8. Duration and time schedule

The maximum duration of work is fixed at **8 (eight) months**.

The indicative time schedule for the project is set out below.

Week 1: Beginning of the contract	A kick-off meeting will be held as soon as possible after the signature of the contract.
Week 6: Inception report and steering group meeting	The inception report will be submitted by the Contractor within 6 (six) weeks after the signature of the contract. The first steering group meeting will be held in Brussels within the two following weeks.
Week 16: Interim report and steering group meeting	The interim report will be submitted by the Contractor within 16 (sixteen) weeks after the signature of the contract. The second steering group meeting will be held in Brussels within the two following weeks.
Date to be decided Presentation of draft results at the ESF evaluation partnership meeting	The ESF evaluation partnership meeting will take place in Brussels.
Week 26: Draft Final report and steering group meeting	The draft final report will be submitted by the Contractor within 26 (twenty six) weeks of the signature of the contract. The third steering group meeting will be held in Brussels within the two following weeks.
Week 32: Final report	The final report will be submitted by the Contractor within 32 (thirty two) weeks of the signature of the contract.

9. Reporting

The Contractor should deliver the following reports. The drafting should be clear, simple, concise and unambiguous. Unnecessary abbreviations, ‘Community jargon’ and excessively long sentences should be avoided. However, ESF terminology needs to be respected. The reports will be written in English. The executive summary and the conclusions/recommendations of the final report will be in English, French and German. All reports should be proof-read by a native speaker of the respective language.

Inception report

The inception report aims at describing the organisation of the work and eventually adapting the methodology and the work plan outlined in the proposal. This inception report will at minimum include:

- information on staff members responsible for each task foreseen in the work plan, indicating their contact details;

- the results of task 1;
- the draft table of contents of the case studies.

The inception report will be submitted to the European Commission within 6 (six) weeks after the signature of the contract. The known sources of information, contact persons in the Member States as well as the way the contractor will interact with Member States representatives will be fully documented out in the report.

Interim report

The Interim Report will provide an update on the progress of the evaluation. It will cover work done under the task 2 and 3 and fine-tune the research methodology and present first findings with view to the research questions identified above.

The interim report will be submitted within 16 (sixteen) weeks after the signature of the contract.

Draft final report

The draft final report should cover all work done under the four tasks. The conclusions and recommendations should be drawn up taking account of the different expectations of the EC, the European Parliament, the Member States and other relevant stakeholders.

The draft final report should be presented to the Commission within 26 (twenty six) weeks after the signature of the contract.

Final report

The final report should contain the revised version of the previous deliverable, taking into account the observations and comments of the Commission on the draft final report, insofar as they do not impinge the independent judgement of the Contractor.

The final report should be prefaced by an executive summary (covering main findings and recommendations) of no more than 6 (six) pages.

The final reports will be provided both in electronic format (Word and PDF) and in 20 (twenty) hard copies.

The final report will be submitted to the European Commission within 32 (thirty two) weeks after the signature of the contract.

The quality of the evaluation report will be assessed by the Commission on the basis of the "Assessment grid regarding the quality of the evaluation work" (Attached as Annex I).

The rights relating to the evaluation and those pertaining to its duplication and publication will remain the property of the European Commission. Any document based, in full or in part, on the work completed under this contract, may only be transmitted or published with European Commission permission.

10. Organisation

The contract will be managed by DG EMPL's Evaluation and Impact Assessment Unit. It will be launched by a kick-off meeting of the contractor with the Evaluation and Impact Assessment Unit. The meeting will take place in Brussels.

DG EMPL will establish a steering group within the DG. The contractor will provide documentation and attend at least three meetings of the steering group. These meetings will take place in Brussels in order to discuss the inception report, the interim report, and the draft final report. The contractor will present and discuss interim evaluation findings at the ESF evaluation partnership meeting which will meet in Brussels.

The contractor will produce monthly progress reports (two pages maximum).

The Commission will provide access to the documentation of the ESF programmes (operational programmes and annual reports etc.), and – in DG EMPL buildings, using DG EMPL software and hardware - to the structured data presented in SFC2007 as well as to any other relevant documentation where possible. Much of the basic documentation is available only in the language of the Member State concerned.

11. Payments and standard contract

Payments under the Contract shall be made in accordance with Article I. 4 of the draft contract. Payments shall be executed only if the Contractor has fulfilled all his contractual obligations by the date on which the invoice is submitted. Payment requests may not be made if payments for previous periods have not been executed as a result of default of negligence on the part of the Contractor.

The payment will be made in three instalments:

- A first intermediate payment of 30 % of the total amount referred to in Article I.3.1 of the contract shall be made within 30 days of the receipt of a formal request for payment corresponding to the relevant invoices which may be submitted after the European Commission's approval of the inception report
- A second intermediate payment of 40 % of the total amount referred to in Article I.3.1 of the contract shall be made within 30 days of the receipt of a formal request for payment corresponding to the relevant invoices which may be submitted after the European Commission's approval of the interim report.
- The balance payment shall be made within 30 days of the receipt of a formal request for payment corresponding to the relevant invoices which may be submitted after the European Commission's approval of the final report.

In drawing up the bid, the tenderer should take into account the provisions of the standard contract comprising the general term and conditions applicable to service contracts.

12. Price

Under the terms of article 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities, the latter are exempt from all charges, taxes and duties, including

value added tax; such charges may not therefore be included in the calculation of the price quoted. The amount of VAT is to be indicated separately.

The maximum amount available for this call for tender is €480 000. Bidders should note that any bid exceeding this amount will not be considered.

For each task described above, the tenderer must specify:

Part A: Professional fees and direct costs:

- Fees, expressed as the number of person-days multiplied by the unit price per working day for each expert proposed.
Fees should include all costs (project management, quality control, training of contractor's staff, support sources such as printing of reports etc.) and all expenditure (management of the firm, secretariat, social security, salaries etc.) incurred directly or indirectly by the contractor in performance of the tasks which may be entrusted to it. In particular, the fees must also include the travel and subsistence costs for services provided in the contractor's premises, in the Commission's offices in Brussels and Luxembourg.
- Translation costs, if applicable.
- For travels to Member States.
For the purpose of the bid, travels to Member States should be budgeted in consistence with the methodology proposed. The actual number and definition of travels to Member States will be decided during the implementation of the contract.

Part B: Reimbursable expenses

Not applicable.

13. Participation in the tendering procedure

Please note that:

- The competition is open to any physical person or legal entity coming within the scope of the Treaties and other physical person or legal entity from a third country which has concluded with the Communities a specific agreement in the area of public contracts, under the conditions provided for in that agreement.
- Where the Multilateral Agreement on Public Contracts concluded within the framework of WTO applies, the contracts are also open to national of States that have ratified this Agreement, under the conditions provided therein. It should be noted that research and development services, which come under category 8 of Annex IIA of directive 2004/18/CE, are not covered by this Agreement.

14. Groupings of economic operators or consortia and subcontracting

Tenders can be submitted by groupings of service providers/suppliers who will not be required to adopt a particular legal form prior to the contract being awarded, but the consortium selected may be required to assume a given legal form when it has been awarded the contract if this change is necessary for proper performance of the contract². However, a grouping of economic operators must nominate one party to be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration, and for coordination. The documents required and listed in the following points 15 and 16 must be supplied by every member of the grouping.

Each member of the grouping assumes a joint and several liability towards the Commission.

15. Exclusion criteria and supporting documents

1) Bidders must provide a declaration on their honour, duly signed and dated, that they are not in one of the situation referred to in Articles 93 and 94 a) of the Financial Regulation.

Those articles are as follows :

"Article 93 :

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 judgement which has the force of res judicata;
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- d) they have not fulfilled 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 performed;

² These entities can take the form of an entity with or without legal personality but offering sufficient protection of the Commission's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary association).

The contract has to be signed by all members of the group, or by one of the members, which has been duly authorised by the other members of the grouping (a power of attorney or sufficient authorisation is to be attached to the contract), when the tenderers have not formed a legal entity.

- 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 Communities' financial interests;
- f) they are currently subject to an administrative penalty referred to in Article 96(1)³.

(...)

Article 94 :

Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:

- 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;(...)"

2) The tenderer to whom the contract is to be awarded shall provide, within a time limit defined by the contracting

authority and preceding the signature of the contract, the evidence referred to in Article 134 of the

implementing Rules, confirming the declaration referred to in point 1 above.

Article 134 of the Implementing Rules – Evidence

§3. The contracting authority shall accept as satisfactory evidence that the candidate or tenderer to whom the contract is to be awarded is not in one of the situations described in point (a), (b) or (e) of Article 93(1) of the Financial Regulation, a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. The contracting authority shall accept, as satisfactory evidence that the candidate or tenderer is not in the situation described in point (d) of Article 93(1) of the Financial Regulation, a recent certificate issued by the competent authority of the State concerned.

Where the document or certificate is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

§4. Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraph 3 shall relate to legal persons and/or 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 candidate or tenderer.

³ "Article 96(1): The contracting authority may impose administrative or financial penalties on the following:

- (a) candidates or tenderers in the cases referred to in point (b) of Article 94;
- (b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget.

(...)"

See Annex 4 and 5 (which may be used as a checklist) for the supporting documents accepted by the European Commission to be provided by applicants, tenderers or tenderers to who the contract will be awarded.

3) The contracting authority may waive the obligation of a candidate or tenderer to submit the documentary evidence referred to in Article 134 of the Implementing Rules, if such evidence has already been submitted to it for the purposes of another procurement procedure launched by DG EMPL and provided that the issuing date of the documents does not exceed one year and that they are still valid.

In such a case, the candidate or tenderer shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes in his situation have occurred.

16. Selection criteria

The candidates will be selected on the basis of their financial and economic capacity and their professional and technical capacity.

(1) **Economic and financial capacity** to carry out the tasks set out in the tender specifications must be demonstrated as follows:

- (a) the tenderer (or all partners of the consortium together) must provide proof of turnover in the last financial year for which accounts have been closed at least equivalent, to 150 % of the proposed price of the contract;
- (b) balance sheets from the last two financial years that have been closed, where publication of the balance sheets is required under company law in the country in which the service provider is established; in the case of tenders from consortia, this certificate must be provided by each member of the consortium;
- (c) a statement of the undertaking's overall turnover and its turnover in respect of the services to which the contract relates for the previous two financial years; in the case of tenders from consortia, this certificate must be provided by each member of the consortium;
- (d) a bank declaration providing evidence of good financial standing; in the case of tenders from consortia, this declaration must be provided by each member of the consortium;

(2) **Professional and technical capacity**

- (a) The tenderer's professional and technical capacity in the field covered by the contract will be further assessed on the basis of the following:

Category I experts

- At least two experts who should have proven min. 15 years expertise and experience in public policies and governance within Member States or/and transnational/ European Union level, of which at least 7 years in tasks such as ESF related evaluation, research, studies. He/she should have proven management/supervision capacities.

Category II experts

- At least two experts who should have proven min. 10 years experience in the field of ESF/employment/labour market within Member States and at the European Union level, of which at least 4 years in ESF related evaluations.
- At least two experts, category II. The experts should have proven min. 10 years experience in the field of public policies and governance within Member States and at the European Union level, of which at least 4 years in ESF related fields.;

Category III experts

- At least two experts who should have proven 5 years professional experience of which at least 2 years in ESF related fields.
- At least two experts, category III. The experts should have proven 5 years professional experience of which at least 2 years in the field of public policies and governance within Member States and at the European Union level.

Category IV experts

- A sufficient number of junior experts holding a university degree or equivalent training related to the professional sectors mentioned above, or more generally in economic or social affairs, should be foreseen to carry out the task of collecting and analysing data.

Each team member should have excellent written and oral presentation skills in English. The offer needs to provide information on the composition of the team: names, categories of expertise, CVs, number of working days, responsibilities within the team, languages covered by categories of experts. The team should demonstrate that it has the capacity to work in at least 10 EU languages of which 5 from EU-12 and 5 from EU-15.

See Annex IV of the Draft Contract, CVs of experts.

The project leader/project manager/core team will consist of at least 2 experts of Category I and 2 experts of Category II.

Tenderers must designate a project leader. The project leader will be the European Commission's contact point, the sole interlocutor to whom it will address any requests and who must attend meetings with the European Commission. In case of a consortium, the project leader/manager will belong to the consortium leader.

(b) Means of proof required

Technical and professional capacity of the tenderer to undertake the analysis described above shall be evaluated and verified on the basis of the following:

- a brief description of the professional activities of the tenderer (and its members in case of consortia) in respect of services similar to those to which the contract relates over the past three years at most. Where the work was undertaken for the European Commission, the applicant must also indicate the Commission reference number of the contract and the department for which the contract was performed;

- a list of members (staff or expert) of the team to be used for the performance of services requested, together with their CVs and qualifications, and a clear description of the specific tasks each person will carry out during this project;
- a declaration by the applicant certifying his/her technical capacity and the competence of the team to carry out the services;
- firm commitments of involvement in the project signed and dated from external persons to the firm.

In the case of tenders from consortia, see point 14.

Bids considered by the European Commission not to meet the above-mentioned requirements on financial and operational capacity will be eliminated without further assessment.

17. Award criteria

The contract will be awarded to the bid representing the best price/quality ratio, taking into account the following criteria:

Award criteria 1 **Understanding of the services and general approach to the work to be performed** (30 points)

- Understanding of the EU policies relevant for the ESF and its overall strategic framework; understanding the ESF regulatory requirements and delivery mechanisms
- Understanding of the evaluation questions and problem to be addressed, the work to be performed in addressing the questions and the results to be achieved

Award criteria 2 **Proposed methodology and tools** (50 points)

- Clarity, feasibility and scope of the proposed methods and tools and their will contribution to responding to the evaluation questions
- Method and scope of field work and activities proposed to supplement the sources of information available (sampling, surveys, interviews, complementary case studies, etc.)
- Methods for processing information and interpretation of quantitative data and qualitative information

Award criteria 3 **Approach proposed for the management of the work** (20 points)

- General management approach, including organisation of the work, allocation of responsibilities and work plan, milestones, deadlines and critical path analysis
- Sufficiency and adequateness of resource allocation - broken down by category of experts - for the different tasks to be performed
- The approach for quality assurance.

Tenders which do not obtain at least 50% of the maximum score for each award criterion and at least 60% of the overall score for all criteria, will not be admitted to the next stage of the evaluation procedure.

The total points will then be divided by the price, with the highest-scoring bid being chosen.

18. Content and presentation of the bids

18.1. *Content of bids*

Tenders must include:

- a) all information and documents necessary to enable the Commission to appraise the bid on the basis of the selection and award criteria (see points 16 and 17 above);
- b) a bank ID form duly completed and signed by the bank;
- c) a "legal entity" form duly completed;
- d) the price;
- e) the detailed CVs of the proposed experts;
- f) the name and function of the contractor's legal representative (i.e. the person authorised to act on behalf of the contractor in any legal dealings with third parties);
- g) proof of eligibility: tenderers must indicate the State in which they have their registered office or are established, providing the necessary supporting documents in accordance with their national law.

18.2. *Presentation of the bids*

- a) Bids must be submitted in triplicate (i.e. one original and two copies).
- b) They must include all the information required by the Commission (see points 12, 14, 15 and 16 above).
- c) They must be clear and concise.
- d) They must be signed by the legal representative.
- e) They must be submitted in accordance with the specific requirements of the invitation to tender, within the deadlines laid down.

ANNEXES TO THE PRESENT TERMS OF REFERENCE

ANNEX 1 QUALITY ASSESSMENT CHECKLIST

ANNEX 2 MODEL CV FOR THE PRESENTATION OF EXPERTS

ANNEX 3 SUMMARY TABLE FOR THE PRESENTATION OF EXPERTS

ANNEX 4 EXCLUSION CRITERIA - Article 93 of Financial Regulation

ANNEX 5 EXCLUSION CRITERIA – Article 94 of Financial Regulation

ANNEX 1 - QUALITY ASSESSMENT OF THE EVALUATION REPORT

For the evaluation to be successful it is important that the contractor demonstrates ability to fulfil the requirements in the offer. The quality of the evaluation reports will be assessed using the following criteria:

	Poor	Satisfactory	Good	Very good	Excellent
1) Relevance Does the evaluation respond to information needs, in particular as expressed in the terms of reference?					
2) Appropriate design Is the design of the evaluation adequate for obtaining the results needed to answer the evaluation questions?					
3) Reliable data Are data collected adequate for their intended use and have their reliability been ascertained?					
4) Sound analysis Are data systematically analysed to answer evaluation questions and cover other information needs in a valid manner?					
5) Credible findings Do findings follow logically from and are justified by, the data/information analysis and interpretations based on pre-established criteria and rational?					
6) Valid conclusions Are conclusions non-biased and fully based on findings?					
7) Helpful recommendations Are areas needing improvements identified in coherence with the conclusions? Are the suggested options realistic and impartial?					
8) Clarity Is the report well structured, balanced and written in an understandable manner?					

ANNEX 2 - MODEL CV FOR THE PRESENTATION OF EXPERTS

Personal information

Surname(s) / First name(s)

Surname(s) First name(s)

Nationality

(remove if not relevant)

Date of birth

(remove if not relevant)

Gender

(remove if not relevant)

Relevant professional experience

Add separate entries for each relevant professional experience (specify dates, number of months spent in the project of professional activity, description of tasks and employer/commissioner, starting by the most recent)

Education and training

Dates

Add separate entries for each relevant training you have completed, starting from the most recent. (remove if not relevant)

Title of qualification awarded

Principal subjects/occupational skills covered

Name and type of organisation providing education and training

Personal skills and competences

Mother tongue

Specify mother tongue (if relevant add other mother tongue(s))

Other language(s)

Self-assessment

Language

Language

Understanding		Speaking				Writing	
Listening		Reading		Spoken interaction		Spoken production	

Other relevant skills and competences

Replace this text by a description of these competences and indicate where they were acquired. (Remove if not relevant)

Additional information

Include here any other information that may be relevant. (Remove heading if not relevant)

ANNEX 3 – SUMMARY TABLE FOR THE PRESENTATION OF THE TEAM

Name of expert	Category of expert	Organisation	Work Tasks	No. days	Languages
X	II	Y	(indicate exactly which tasks the expert will be involved in and <u>how exactly</u>)	(on each task)	NL, SK,CZ

ANNEX 4 EXCLUSION CRITERIA - Article 93 of Financial Regulation

Exclusion criteria (Article 93(1) FR)	Supporting documents to be provided by applicants, tenderers or tenderers to who the contract will be awarded		
	Procurement (Article 93(2) FR; Article 134 IR)		
1. Exclusion from a procurement procedure, Article 93(1) FR : <i>« Candidates or tenderers shall be excluded from participation in a procurement procedure if:</i>			
1.1. (subparagraph a) <i>they are bankrupt or being wound up,</i> <i>are having their affairs administered by the courts,</i> <i>have entered into an arrangement with creditors have suspended business activities, are the subject of proceedings concerning those matters,</i> <i>or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations⁴;</i>	Recent extract from the judicial record or recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance or Where no such certificate is issued in the country concerned : sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance		
1.2. (subparagraph b) <i>they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata⁵;</i>	Cf. supporting documents for Article 93(1)(a) FR above		

⁴ See also Article 134(4) IR : Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraphs 1 and 3 shall relate to legal persons and/or 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 candidate or tenderer .

⁵ Cf. footnote n° 1.

1.3. (subparagraph c) <i>they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;</i>	Declaration by the candidate or tenderer that he is not in the situation described		
1.4. (subparagraph d) <i>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 performed⁶;</i>	Recent certificate issued by the competent authority of the State concerned confirming that the candidate is not in the situation described or Where no such certificate is issued in the country concerned: sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance		
1.5. (subparagraph e) <i>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 interests⁷;</i>	Cf. supporting documents for Article 93(1)(a) FR above		
1.6. (subparagraph f) <i>they are currently subject to an administrative penalty referred to in Article 96(1)⁸. »</i>	Declaration by the candidate or tenderer that he is not in the situation described		

⁶ Cf. footnote n°1.

⁷ Cf. footnote n° 1.

⁸ Article 96(1) FR: The contracting authority may impose administrative or financial penalties on the following:

(a) candidates or tenderers in the cases referred to in point (b) of Article 94;

(b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget.

ANNEX 5 EXCLUSION CRITERIA – Article 94 of Financial Regulation

Exclusion criteria (Article 94 FR)	Supporting documents to be provided by applicants, tenderers or tenderers to who the contract will be awarded		
2. Exclusion from a procurement or grant award procedure Article 94 FR : « <i>Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:</i>			
2.1. (subparagraph a) <i>are subject to a conflict of interest;</i>	Statement by the applicant, tenderer or bidder confirming the absence of conflict of interests, to be submitted with the application, bid or proposal		
2.2. (subparagraph b) <i>are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information»⁹.</i>	No specific supporting documents to be supplied by the applicant, tenderer or bidder It is the responsibility of the authorising officer, represented by the evaluation committee, to check that the information submitted is complete ¹⁰ and to identify any misrepresentation		

⁹ Cf. Article 146(3) of the FR Implementing Rules: « ...the evaluation committee or the contracting authority may ask candidates or tenderers to supply additional material or to clarify the supporting documents submitted in connection with the exclusion and selection criteria, within the time limit it specifies. » and Article 178(2) of the FR Implementing Rules: « The evaluation committee or, where appropriate, the authorising officer responsible may ask an applicant to provide additional information or to clarify the supporting documents submitted in connection with the application, in particular in the case of obvious clerical errors »

¹⁰ Cf. footnote n°1