
**Specifications – Invitation to tender No VT/2012/0039
Service Contract "Providing targeted advice on ESF support to
apprenticeship and traineeship schemes"**

1. TITLE OF THE CONTRACT

Service Contract "Providing targeted advice on ESF support to apprenticeship and traineeship schemes"

2. BACKGROUND

2.1. The European Social Fund

The European Social Fund (ESF) 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 the 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 of the 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 are carried out in shared management and 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 designates 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. Promoting youth employment through apprenticeships and traineeships

The rise of unemployment among young people has been dramatic: since 2008, the total number of young unemployed in the EU has increased by one million. There are now over five million young people in the EU-27 under the age of 25 who cannot find a job. In this context apprenticeships and traineeships can have a key role in increasing the access of young people to the labour market. Both can bridge the gap between the theoretical knowledge gained in education and the skills and competences needed at a workplace and in this way increase the chances of young people to find a job.

Vocational education and training (VET) is an education pathway that prepares young people for occupational fields through the achievement of a vocational qualification. Apprenticeships are those forms of initial vocational education and training (IVET), that formally combine and alternate company based training (periods of practical work experience at a workplace) with school based education (periods of theoretical/practical education followed in a school or training centre), and whose successful completion leads to nationally recognised IVET certification degrees. Most often there is a contractual relationship between the employer and the apprentice.

Experience shows that in countries where dual learning VET systems exist young people leaving IVET have better chances for a smooth school-to-work transition. Dual education systems exist in some EU Member States (most common in AT, DE, DK, but also in NL, FR and SI). For example in the German *Duales Ausbildungssystem* young people can learn hundreds of apprenticeship occupations (*Ausbildungsberufe*), such as e.g. doctor's assistant or optician. The precise skills and theory taught are strictly regulated and defined by national standards.

A major advantage of dual learning systems is that if an employer is willing to make an employment contract with the student after the apprenticeship, the company will get an employee who knows the company's workflow. The student can also benefit from the knowledge and skills of more experienced co-workers. The student develops under real conditions. Furthermore the student earns money from the beginning, since apprenticeships are usually paid.

Although a traineeship has similar objectives as an apprenticeship described above, it is not a systematic, long-term training of a (mostly) technical occupation, but a work practice (either as part of a study curriculum or not) including an educational component which is limited in time. The purpose of these traineeships is to help the trainee's education-to-work transition by providing the practical experience, knowledge and skills that complete the theoretical education. Traineeships can be part of (mostly) higher education programmes; in some professions (e.g. doctors, lawyers, teachers) traineeships are a mandatory element, and in many other university curricula they are also obligatory. In parallel there is an increasing trend that young people do postgraduate traineeships in the open market that involve only the trainee and the employer, but are not linked to a curriculum or a graduation procedure. Another specific case of "traineeships" are active labour market policies aiming at connecting or reintegrating (young) people with the labour market.

The Commission has recently conducted studies on apprenticeship supply and on traineeship arrangements in Member States. The former found that although Member States are active in setting up initiatives to make their national apprenticeship-type VET schemes more responsive to the needs, more needs to be done in order to adapt apprenticeship type VET contents to enterprises' real needs and to provide additional incentives for companies. The study on traineeships provides a good overview of national legislation and supply of traineeships, confirms the widespread concerns related to the quality of traineeships and recommends that the Commission establishes an EU-wide quality framework.

2.3. Youth Opportunities Initiative

In the light of the further deterioration of youth access to the labour market, the Commission launched the 'Youth Opportunities Initiative'¹ in December 2011. The Youth Opportunities Initiative builds upon the EU 2020 flagship initiatives 'Youth on the Move'² and 'New Skills for New Jobs'³, as well as on the June 2011 Council Conclusions on youth employment⁴ and the Council Recommendations on early school leavers⁵. It is also complementing the 2012 Annual Growth Survey and the related Joint Employment Report. The aim of the Youth Opportunities Initiative is to speed up the implementation of the existing youth policy framework, while focusing even more on young people who are facing the most serious problems on the labour market.

While the bulk of the implementation of the Youth Opportunities Initiative is for Member States through a more efficient use of the European Social Fund, the initiative proposes actions directly implemented by the European Commission to

¹ COM(2011)933final, 20.12.2011.

² COM(2010)477 final, 15.09.2010.

³ COM(2008)868 final, 16.12.2008.

⁴ 11838/11, 17.06.2011.

⁵ 2011/C 191/01, 28.06.2011.

support among others traineeships, apprenticeships as well as to enhance the mobility of trainees and young workers. One of the actions announced is to ‘...use €1.3m of ESF Technical Assistance to support setting up apprenticeship-type schemes through the ESF...’.

It is also mentioned, that *'Member States, in cooperation with social partners, should strive to substantially increase the supply of apprenticeships in the EU and ensure that they represent real opportunities for young people to gain specific, on-the-job training and work experience leading to more stable forms of employment. An increase by at least 10% in the EU by the end of 2013 would add a total of 370 000 of new apprenticeships.'*

3. SUBJECT OF THE CONTRACT

The objective of the present call for tender is to assist the Commission in supporting governmental bodies at national and regional level and social partners in setting up new apprenticeship and traineeship schemes, in particular programmes supported through the European Social Fund; as well as to assist the Commission in supporting governmental bodies at national and regional level and social partners in improving the quality and performance of existing apprenticeship and traineeship programmes.

More specifically the purpose is to provide capacity building and strategic support to Member States through

1. reviewing existing apprenticeship and traineeship programmes (including aspects such as success/failure rate, cost effectiveness, burden on taxpayers/ employer, the role of social partners etc.) and providing a complete overview of data;
2. providing tailor-made assistance (helpdesk) for Member States on strategic, operational and technical questions related to planning, establishing and managing apprenticeship and traineeship programmes;
3. identifying the need for technical assistance and exchanging good practices among national authorities, in particular those in charge of managing ESF, relevant national and regional agencies, social partners, public and private employment agencies and other relevant stakeholders;
4. enhancing knowledge on evaluation methods in order to facilitate the implementation of traineeship and apprenticeship programmes. This task will be executed through the organisation of a learning seminar on monitoring and evaluation methods;
5. reviewing new programmes planned under the next European Social Fund (2014-2020);
6. developing web content to help Member States use the findings and outcomes of the project;
7. establishing a shared space for stakeholders as a platform for information exchange;

8. developing awareness raising and promotional activities in Member States to bring the activities of the project closer to the citizens, businesses and education institutions.

4. PARTICIPATION

Please note that:

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 which has concluded with the European Union 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 the WTO applies, the contracts are also open to nationals of States that have ratified this Agreement, under the conditions provided for therein. It should be noted that research and development services, which come under category 8 of Annex II A of Directive 2004/18/CE, are not covered by this Agreement.

5. TASKS TO BE CARRIED OUT BY THE CONTRACTOR

5.1 Geographical coverage

The contract will cover the 27 EU Member States and accession Croatia.⁶

5.2 Review of existing apprenticeship and traineeship schemes

The contractor will make a research on apprenticeship and traineeship programmes in the EU Member States. The objective is to have an overview of what exists in this field, an assessment of success criteria for the programmes (with a particular focus on the role of social partners), and a complete overview of the data (including not only official data, but also surveys and studies) that are available on this topic for the 27 EU Member States. The contractor should aim at identifying and getting hold of data or survey results on enrolment, duration of studies, and success/failure rate (in terms not only of achieving an academic title but also in terms of labour market outcomes). The contractor should provide the main descriptive statistics in the area. The

⁶ If, during the contract period, any countries start to participate in the project, an extension of the contract will be made by negotiated procedure according to Article 126(1)(f) of Commission Regulation n° 2342/2002 (EC, Euratom) laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities (Official Journal L 357 of 31/12/2002).

contractor should also identify and collect available data or survey/study results on the cost of traineeships and apprenticeships for the public authorities and on the cost borne by employers. Finally, the contractor should provide an overview that includes the main descriptive statistics.

In addition, the contractor should utilise the available data, complemented where appropriate by plausible and justified assumptions, in order to assess the success and cost effectiveness of those apprenticeships and traineeships schemes for which data exist, including through the use of new econometric analysis (where possible and appropriate). This research should expand on the results of the recent Commission study on apprenticeship supply in the EU and the study on a comprehensive overview of traineeship arrangements in the EU. The contractor should provide already in the bid an overview of data and surveys available and sketch out the study approach and estimation strategy. The extent by which this review expands on available information and the robustness of the approach will constitute one element of the quality assessment used for the purpose of awarding the contract.

All this information will be presented in a summary document. It will include a short (1-2 page) summary of all relevant programmes for each EU Member State. The overview should cover all the main traineeship and apprenticeship programmes at national, regional and eventually international level, funded by ESF, national or regional funds, as well as significant privately-funded ones, which have been launched since 2007.

The overview has to give some key information about the programmes, like the objectives and scope, the number of apprenticeship or traineeship placements funded, the amount of funding etc. It should also indicate to what extent the objectives of the different schemes have been achieved (i.e. to what extent the policy or programme was successful). This paper has to be compiled as a guidebook to the Commission and to national authorities wishing to establish new apprenticeship and traineeship schemes. The summary document should be ready within 3 months of the starting date of the contract in EN, FR, DE, ES, IT and PL languages. It should build on the recent Commission studies on apprenticeship supply and on traineeship arrangements. This overview will serve as a basic document for the opening conference (see 5.4).

5.3 Taylor-made assistance for Member States (helpdesk and training)

The contractor will establish and manage a consultancy / helpdesk service to respond to ad-hoc questions and demands by national managing authorities and other relevant national and regional agencies, social partners and the Commission services. The objective is to provide thematic assistance for the planning, establishment and management of apprenticeship and traineeship type schemes.

Based on ad-hoc requests, the contractor will provide strategic, operational and technical advice and guidance to develop/ review strategies, exploit synergies between support actions, better meet the needs of disadvantaged target groups, monitor and evaluate programmes. To this end the contractor will assign a team of minimum two experts highly competent on apprenticeship and traineeship schemes. The team has to be available from the start until the end of the contract during at least one day (8 working hours) a week (except during the month of August, as well as the

period from 15 December until 15 January). However since the highest need is expected in the second semester of 2013, the team should be available at least two days (16 working hours) a week between September and mid-December 2013. The team should be able to react to queries by email/telephone within three working days (and within two working days between September and mid-December 2013) indicating

- (1) whether there is capacity to respond to the request, and if there is,
- (2) the deadline for the final reply or the execution of the request.

The team should be able to respond to queries in EN, FR, DE, ES, PL and IT languages.

In addition to the consultancy service, the helpdesk team should be available to organize training courses on setting up and managing apprenticeship or traineeship schemes upon request from managing authorities at the headquarters of the requesting institution. These training courses should not be longer than one week (five working days) and the number of such courses should not be higher than ten during the 24 months of the contract. In one single Member State no more than 3 training courses should be organised. The contractor is responsible for the content and organization of the training courses. Any decision on organizing such a training course for a managing authority has to get prior approval from the Commission.

Ad-hoc requests will be responded on a first-come-first-served basis. The contractor will establish a rolling agenda indicating the incoming questions/requests, as well as the time need for responding to them. The contractor will also provide a database of the most recurrent questions and responses (see FAQ under section 5.7 'Web content').

5.4 Identification of need for technical assistance and exchange of best practices

Three to four months after the start of the project and when the review of existing apprenticeship and traineeship schemes is available, the contractor will organize an opening conference in Brussels. At this conference national authority, in particular those in charge of managing ESF, relevant national and regional agencies as well as social partners and public and private employment services will present their current activities (good practices as well as new schemes in a starting phase or in the pipeline) in the field of apprenticeship and traineeship schemes. This event has the aim to provide a clear picture about

- (1) national/regional/ESF funded apprenticeship and traineeship programmes, the lessons learnt and eventual results/outcomes of those programmes;
- (2) the need for technical assistance from Member States where such programmes have just been launched or are planned;
- (3) which Member States are ready for a deeper cooperation within this project;
- (4) the project and the related measures and tools (e.g. Helpdesk, shared workspace, etc.).

The conference will have plenary sessions and separate working groups for apprenticeships and traineeships. It will last 2-3 days, the number of participants will not exceed 150 persons. The contractor will be in charge of ensuring the venue, proposing an agenda (to be agreed by the Commission), ensuring the discussion papers, as well as providing moderators and all necessary logistics including translation and interpretation from and to EN, FR, DE, ES, IT and PL languages. Furthermore, the contractor will be in charge of organising participants' travel and accommodation, as well as covering all travel and accommodation costs and per diems for participants travelling from outside Brussels.

The list of invited participants will be proposed by the contractor, but has to be approved by the Commission. It is the contractor's responsibility to provide a report of the conference.

5.5 Seminar on evaluation and monitoring

The contractor will organise a seminar to enhance knowledge on evaluation methods in order to facilitate the implementation of traineeship and apprenticeship programmes. This learning seminar will take place between December 2013 and February 2014 at a place to be defined later by the Commission.

The seminar will last 1.5-2 days, the number of participants will not exceed 60 persons. The contractor will be in charge of ensuring the venue (there should be 4 smaller rooms for working groups), proposing an agenda (to be agreed by the Commission), ensuring relevant experts on evaluation and monitoring, as well as providing all necessary logistics including translation and interpretation in each of the four working group from and to a maximum of three languages (to be identified depending on participation). Furthermore, the contractor will be in charge of organising participants' travel and accommodation, as well as covering all travel and accommodation costs and per diems for participants travelling from outside the place of the seminar (to be defined later).

The list of invited participants will be proposed by the contractor, but has to be approved by the Commission. It is the contractor's responsibility to provide a report of the seminar in the languages used during the seminar.

5.6 Review on apprenticeship and traineeship programmes under the ESF 2014-2020

During the first semester of 2014 the contractor will prepare a review on apprenticeship and traineeship programmes under the new ESF (2014-2020) in order to provide an inventory of all relevant programmes. This review will be very similar to the overview done in the beginning of the project, however this will only concentrate on programmes funded under the next European Social Fund. The review will provide key information about the programmes, including the objectives and scope, the number of apprenticeship or traineeship placements funded, the amount of funding etc.

5.7 Web content

In order to enhance the visibility and transparency of the project the contractor will prepare web content in a web-friendly language. This web content – after approval by the Commission – will be published by the Commission on the site <http://ec.europa.eu/social/yoi>. The web content should be translated to EN, FR, DE, ES, IT and PL and should contain the following:

- The short description of the project (1 page; within one month of project launch)
- A description of the Helpdesk service
- A constantly updated Frequently Asked Questions (FAQ) database on the basis of the incoming questions for the Helpdesk
- The rolling agenda of the Helpdesk service
- A list of national contact points (to be published only with their agreement)
- A link to the shared space as a platform for the exchange of information
- The review of existing apprenticeship and traineeship schemes
- A short summary (1 page) and a more detailed report of the conference (4-6 pages)
- The survey of apprenticeship and traineeship schemes under the new ESF (2014)
- A short (max 4 page) online quarterly newsletter

The contractor will

- Ensure quality, accuracy, accessibility and usability of content, following the EC's rules on the [Information Provider's Guide](#)^[1] and the conventions established in the [Interinstitutional Style Guide](#)^[2] for all the EU institutions and bodies
- Optimise the content for search engines
- Provide the content in six languages (see above)
- Provide pictures to illustrate news and events – copyright must be free or EU's – and corresponding alternative text

^[1] http://ec.europa.eu/ipg/index_en.htm

^[2] <http://publications.europa.eu/code/en/en-000100.htm>

- Regularly check the existing content and provide updates when applicable

5.8 Platform for exchange - shared space for stakeholders

With a view to ensure a proper information flow among stakeholders, the contractor will establish and manage an online shared space as a platform for exchange (the contractor doesn't need to develop specific tools since the Commission already offers central services for this purpose). This shared space will be open to all interested stakeholders (primarily but not exclusively national authorities, in particular those in charge of managing ESF, relevant national and regional agencies as well as social partners and public and private employment services). The shared space should be accessible right after the opening conference and until the end of the project. The contractor will present all details regarding the objectives and terms of use of the shared space at the opening conference, after agreement from the Commission.

The contractor will invite Member States to nominate national contact points to facilitate the exchange of information.

5.9 Awareness raising and promotional activities/events

The contractor will organise awareness raising and promotional activities and events in Member States to bring the various activities of the project closer to relevant stakeholders and to end users. Short activities involving businesses, schools/education and training institutions, young people and their parents, as well as other interested stakeholders will be organized in at least six Member States in the national language. The nature of the awareness raising and promotional activities as well as the Member States to host these activities will be proposed by the contractor on the basis of the first outcomes of the project (see sections 5.2 and 5.4 opening conference). Apart from raising awareness among (young) people about the respective roles and types of existing apprenticeships and traineeships, a further objective will be to bring education and training institutions together with businesses. Therefore it is important that beyond national, regional and local authorities, representatives of business organisations and education/training institutions are also involved in those activities.

6. PROFESSIONAL QUALIFICATIONS REQUIRED

See Annex IV of the draft contract, CVs and classification of experts.

7. TIME SCHEDULE

See Article I.2. of the draft contract.

The full duration of the contract should not exceed **24 months** from the date of the signature of the contract.

8. TIME SCHEDULE AND REPORTING

See Article I.2 and Annex I of the draft contract.

Additional requirements (specific deadlines for the performance of tasks):

The contractor is asked to provide the following:

- An **inception report** in English describing the approach, the organisation and the methodology of the work. It should include a calendar of the planned activities and a detailed description of how the team will organize and manage the different tasks and events. The inception report should be sent to the Commission within one month from the signature of the contract.
- Two **interim** reports after eight and sixteen months from the signature of the contract with:
 - State of play of the different activities covered by the contract (complete description of the work done, presentation of results obtained)
 - the work programme planned for the following period;
 - any comments, suggestions or recommendations judged useful or necessary by the Contractor;Each interim report will generate an interim payment of maximum 20% of the amount of the contract (see Article I.3 of the draft contract).
- A **final report** after the period of 24 months.

All reports described above will be submitted in English language, in 3 hard copies as well as in electronic format (CD-ROM). A max. 5 page executive summary of the final report has to be presented in EN/FR/DE.

The contractor should anticipate 4 to 6 working meetings with the Commission Services, to take place in Brussels approximately every four to six months.

9. PAYMENTS AND STANDARD CONTRACT

See Article I.4 of the draft contract.

10. PRICES

Under the terms of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union, 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 total **price of the offer** will not exceed **EURO 1.300.000 (one million three hundred thousand EURO)**.

Bidders should note that any bid exceeding this limit will not be considered.

The price must be stated in EUR(€), net of VAT (using, where appropriate, the conversion rates published in the C series of the Official Journal of the European Union on the day when the invitation to tender was issued), and broken down according to the model in Annex III included in the attached standard contract.

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 (including the days of participation in meetings/seminars).
- Direct costs include
 - Travel expenses, accommodation and subsistence costs of the contractor's staff and experts attending the different activities;
 - All logistical requirements;
 - Reporting expenses;
 - Translation, interpretation and printing;
 - Shipping of documents;
 - Documentation;
 - Development and updating of the Website;
 - Costs related to quality control and assessment;
 - Any unavoidable expenses necessary to the achievement of the Contract.

11. GROUPINGS OF ECONOMIC OPERATORS OR CONSORTIA

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 contract⁷. 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 12 and 13 must be supplied by every member of the grouping.

⁷ 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.

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

12. 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;
- 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 Union' financial interests;
- f) they are currently subject to an administrative penalty referred to in Article 96(1)⁸.

(...)

Article 94:

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

⁸ "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.

(...)"

- 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.

See Annex I (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.

13. SELECTION CRITERIA

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

a) Economic and financial capacity:

Tenderers must provide sufficient information to satisfy the Commission of their financial standing and more particularly that they have the necessary resources and financial means to carry out the work that is the subject of the tender and that the tenderer is viable for the duration of the contract.

The following three documents should be provided:

- A bank declaration providing evidence of sound financial standing;
- A statement that the tenderer's average overall turnover is at least 100% of the value of this contract in the last two financial years. In the case of tenders from consortia the overall turnover of the consortium has to be taken into account;
- Accounts - balance sheets and profit and loss accounts - for the last two financial years, for which accounts have been closed, certified by an external audit, if required by national law.

In the case of tenders from consortia, these three documents must be provided by each member of the consortium.

If, for some exceptional reason which the contracting authority considers justified, the tenderer or candidate is unable to provide the references requested by the contracting authority, he may prove his economic and financial capacity by any other means which the contracting authority considers appropriate.

b) Professional and Technical capacity:

The project director/coordinator as well as at least one member of the team providing the consultancy/helpdesk service should be a Category I expert. Members of the proposed project team have to have a solid experience of analysis in the field of apprenticeship-type and traineeship schemes in the EU including the theoretical and empirical aspects: in-depth knowledge of EU employment and social policies and current EU priorities, capacity to analyse the impact from recent developments, in particular the economic crisis on such schemes, acquaintance with EU stakeholders involved in employment and economic and social policies and good analytical, drafting and organizational capacity.

Moreover, members of the team should have the ability to work in the three working languages of the Commission (German, English and French should be covered by the team collectively), to manage a team of experts and to deal with high-level experienced contacts. These professional qualifications and skills have to be attested by the following:

- Detailed Curriculum Vitae of all members of the proposed project team and an explanation of the nature and extent of their participation in the project (see Annex IV "*CVs and classification of experts*" of the draft contract);
- A declaration by the project manager / co-ordinator certifying the competence of the team to carry out the required tasks, including professional and linguistic capabilities.
- A list of experts to be used, together with their CVs, qualifications and professional capacities;
- A list of principal services or studies provided in the relevant policy domain over the past 3 years. In the case of work done for the Commission, tenderers must also indicate the reference number of the contract and the department for which the contract was performed;
- In the case of tenders from consortia: clear identification of the co-ordinator of the work, and written confirmation from each member of the consortium that they would be ready and willing to participate in the project, and describing their role.

14. AWARD CRITERIA

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

- | | |
|--|------------|
| (i) Quality of the offer | 40% |
| – Understanding of the nature of the project, the context and the results to be achieved | 20% |
| – Clarity and coherence of the work plan, organization of work, distribution of staff competencies | 20% |
| (ii) Methodological approach | 60% |
| – Completeness and effectiveness of the methodology – reviews of apprenticeship and traineeship schemes | 15% |
| – Completeness and effectiveness of the methodology – identification of need for technical assistance, exchange of best practices and seminar on monitoring and evaluation | 15% |
| – Completeness and effectiveness of the methodology – helpdesk and shared space | 15% |
| – Completeness and effectiveness of the methodology – website and awareness raising activities | 15% |

Please note that the contract will not be awarded to any bid that receives less than 70 % in the award criteria.

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

15. CONTENT AND PRESENTATION OF BIDS

Content of bids

Tenders must include:

- all information and documents necessary to enable the Commission to appraise the bid on the basis of the selection and award criteria (see points 13 and 14 above);
- a bank ID form duly completed and signed by the bank;
- a "legal entity" form duly completed;
- the price (the financial offer must be signed by the legal representative);
- the detailed CVs of the proposed Core Team and experts preferably in a standardised Europass format;
- 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);
- 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.

Presentation of bids

- Bids must be submitted in triplicate (i.e. one original and two copies) and an electronic copy of the technical part of the bid (on a CD Rom).
- They must include all the information required by the Commission (see points 10, 11, 12, 13, 14 and 15 above).
- They must be clear and concise.
- They must be signed by the legal representative.
- They must be submitted in accordance with the specific requirements of the invitation to tender, within the deadlines laid down.

Tenders must be presented in three parts:

- Part I: containing all administrative information
- Part II: containing the technical content of the bid
- Part III: containing the financial part of the bid.

Regarding the presentation of the bid, it is recommended to:

- Print the documents double-sided, where possible;
- Use only 2-hole folders (please do not bind or glue).

16. VALIDITY OF TENDERS

Period of validity of the tender: 8 months after submission.

Annex I: Articles 93 & 94 of the Financial Regulation (see point 12 – Exclusion Criteria)

Annex I of the Tender Specifications

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, 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 regulations¹;</i>	<ul style="list-style-type: none"> – 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 judicata²;</i>	Cf. supporting documents for Article 93(1)(a) FR above		

¹ See also Article 134(4) IR : Depending on the national legislation of the country in which the tenderer or candidate 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.

² Cf. footnote n° 1.

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)	
1.3. (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 performed³;</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 Union' financial interests⁴;</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)⁵. »</i>	Declaration by the candidate or tenderer that he is not in the situation described	

³ Cf. footnote n°1.

⁴ Cf. footnote n° 1.

⁵ Article 96(1) FR: The contracting authority may impose administrative or financial penalties on the following:

Exclusion criteria (Article 94 FR)	Supporting documents to be provided by applicants, tenderers or tenderers to who the contract will be awarded		
	Procurement	Grants	
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»⁶.</i>	<ul style="list-style-type: none"> — 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 complete⁷ and to identify any misrepresentation 		—

(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.

⁶ Cf. Article 146(3) of the FR Implementing Rules: « ...the evaluation committee 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 a specified time-limit. » and Article 178(2) of the FR Implementing Rules: « The evaluation committee may ask an applicant to provide additional information or to clarify the supporting documents submitted in connection with the application. »

⁷ Cf. footnote n°1