



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR ENERGY

Directorate C – Renewables, Research and Innovation, Energy Efficiency  
The Director

Brussels, 11 September 2012

**INVITATION TO TENDER No. ENER/C1/428-2012**

(open procedure)

Dear Sir/Madam,

1. The European Commission invites tenders for a service contract regarding the following project:  
*Technical assistance in preparation of the 2014 report on progress in renewable energy, sustainability of biofuels and renewable energy modelling [3 lots]*

This invitation to tender follows the publication of:

- the contract notice in OJEU S 174-286718 of 11/09/2012
2. If you are interested in this contract, you must submit **four** copies of your tender, in one of the official languages of the European Union, one of which must contain a signed original of the cover letter and annexes attached to the tender specification (scans or photocopies are not accepted as original documents). A copy of the offer on a CD/DVD has also to be submitted.

Tenderers may choose to submit tenders:

**a) either by post or by courier** not later than 29/10/2012, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip, to the following address:

European Commission  
Directorate-General for Energy, Unit C1, Office DM24 4/132  
For the attention of ENER C1 Tenders  
B – 1049 Brussels

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

European Commission  
Directorate-General for Energy, Unit C1, Office DM24 4/132  
For the attention of ENER C1 Tenders  
Avenue du Bourget 1  
B-1140 Brussels (Evere)  
Belgium

not later than 16.00 on 29/10/2012. In this case, a receipt must be obtained as proof of submission, signed and dated by the official in the Commission's central mail department who took delivery. The department is open from 08.00 to 17.00 Monday to Thursday, and from 8.00 to 16.00 on Fridays. It is closed on Saturdays, Sundays and Commission holidays.

3. Tenders must be placed inside two sealed envelopes, one inside the other. **The inner envelope should be marked:**

**Call for tenders No. ENER/C1/428-2012 – LOT X**  
**not to be opened by the internal mail department**

DM 24 4/132

If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

**The non-compliance with these formal conditions may entail the rejection of the bids at the opening session.**

**To be admissible, the confidentiality of the bids must have been ensured and the deadline for the submission of the bids met.**

4. Tenders will be opened at 10.a.m. on 08/11/2012, at Rue De Mot 24 (Directorate-General for Energy, DM 24, 1040-Brussels).  
This opening session will be public. Each tenderer may be represented by not more than one person. At the end of the opening session, the Chairman of the opening committee will indicate the name of the tenderers and the decision concerning the admissibility of each offer received. The prices mentioned in the bids will not be communicated.
5. The specification, listing all the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity and the draft contract are attached.
6. All tender documents shall be perfectly legible so that there can be no doubt as to words and figures.
7. Validity period of the tender: six months as from the final date for submission of tenders mentioned under point 2 above.
8. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the specification, in the draft contract and, where applicable, waiver of the tenderer's own general or specific terms and conditions. The terms and conditions are binding on the tenderer to whom the contract is awarded during the performance of the contract.
9. Contacts between the awarding authority and tenderers are prohibited throughout the procedure except in exceptional circumstances and under the following conditions only:

### Before the closing date for submission of tenders

- At the request of the tenderer, the awarding authority may provide additional information solely for the purpose of clarifying the nature of the contract.

Any requests for additional information must be sent in writing to the following address:

ENER C1 Tenders  
European Commission  
DM 24 4/132  
B-1049 Brussels  
Belgium

e-mail: ENER-C1-tenders@ec.europa.eu

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

- The Commission may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other material shortcoming in the text of the tender documents.

All additional information will be made available via Directorate-General for Energy website ([http://ec.europa.eu/dgs/energy/tenders/index\\_en.htm](http://ec.europa.eu/dgs/energy/tenders/index_en.htm)). Tenderers are invited to consult this site regularly until the deadline for submission.

### After the opening of tenders

If a tender requires clarification, or if there is a need to correct material errors which have occurred in the drafting of the tender, the Commission may take the initiative and contact the tenderer(s). Such contact shall not lead to the conditions of the tender being altered in any way.

10. This invitation to tender is in no way binding on the Commission. A commitment will come about only when a contract with the successful tenderer has been signed.

Until a contract is signed, the awarding authority may decide not to award a contract or to cancel the tendering procedure, without the candidates or tenderers being entitled to claim any compensation. Where appropriate, the decision will be substantiated and brought to the attention of the tenderers.

11. Tenderers will be informed of whether their tenders have been accepted or rejected.
12. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
13. If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by the Director of the Shared Resource Directorate MOVE/ENER, acting as data controller. Details concerning the processing of

your personal data are available on the privacy statement at: [http://ec.europa.eu/dataprotectionofficer/privacystatement\\_publicprocurement\\_en.pdf](http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf).

14. Your personal data (name, given name if natural person, address, legal form, registration number and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the Early Warning System (EWS) only or both in the EWS and Central Exclusion Database (CED) by the Accounting Officer of the Commission, should you be in one of the situations mentioned in:

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

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

Yours faithfully,



p.o. Marie C. Donnelly  
Director

**TENDER SPECIFICATIONS**  
**ATTACHED TO THE INVITATION TO TENDER**

**Invitation to tender No. ENER/C1/428-2012 concerning  
Technical assistance in preparation of the 2014 report on progress in renewable  
energy, sustainability of biofuels and renewable energy modelling [3 lots]**

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## **I. SPECIFICATIONS**

### **I.1. Introduction**

Directive 2009/28/EC on the promotion of the use of energy from renewable sources (RES Directive) requires the European Union (EU) to reach an overall 20% renewable energy target in final energy consumption and a 10% target of renewable energy in transport for 2020. The Directive also lies down legally binding renewable energy targets for Member States.<sup>1</sup> Member States are required to implement policies and measures effectively designed to reach these targets, so that the EU could reach its overall 20% target.

Article 22 of the RES Directive requires Member States to report to the European Commission on progress in the promotion and use of renewable energy. These reports, detailing in particular the sectoral and overall shares of renewable energy in the two preceding calendar years and the measures taken at national level to promote the renewable energy, as well as other elements listed in Article 22, shall be submitted to the European Commission every two years starting from 31 December 2011. The next round of Member State renewable energy progress reports is due by end of 2013. On the basis of these reports, the Commission shall report by the end of 2014 on the progress in renewable energy development in the EU.

The RES Directive (Article 17 and Article 23) also includes a sustainability scheme for biofuels applying to all biofuels and their raw materials irrespective of whether they were cultivated and/or produced inside or outside the territory of the EU, and rules for reporting on and monitoring the compliance with these criteria. Articles 17 (7) and 23 (1), 23 (3), 23 (4), 23 (5) and 23 (6) of the RES Directive require the European Commission to report every two years to the European Parliament and the Council on national measures taken to respect these sustainability criteria and on the impact of biofuel production in the EU and the main third countries of supply, as well as other elements listed in these two articles. The first report will be published in 2012, and the next regular report from the European Commission on these issues is due by the end of 2014.

Furthermore, Article 23 (8) requires the Commission to present by 31 December 2014 a review of the cost-efficiency of the measures implemented to achieve the 10% target for renewable energy share in transport; the feasibility of reaching the 10% transport target whilst ensuring the sustainability of biofuels production in the EU and in third countries and considering economic, environmental and social impacts, including indirect effects and impacts on biodiversity as well as commercial availability of second-generation biofuel; the impact of the implementation of the 10% target on the availability of foodstuffs at affordable prices; the commercial availability of electric, hybrid and hydrogen powered cars and the evaluation of specific market conditions, considering in particular markets on which the transport fuels represent more than half of the final energy consumption, and markets that are fully dependent on imported biofuels.

Finally, the Commission is beginning the process of undertaking analysis to assist in the preparation of EU energy policy beyond 2020. This requires inter alia, economic modelling of the energy sector, specifically the flows, growth and impacts of renewable energy, including environmental, GHG emissions and security of supply impacts as well as assessment of macroeconomic impacts, such as impact on industrial growth, exports, and job creation.

This invitation to tender is launched for gaining technical support in completing the above cited reporting, monitoring and evaluation tasks.

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<sup>1</sup> Directive 2009/28/EC of the European Parliament and the Council on the Promotion of the use of energy from renewable sources.

Reference is made to the following key documents:

- Directive 2009/28/EC of the European Parliament and the Council on the Promotion of the use of energy from renewable sources,
- Member State's National Renewable Energy Action Plans<sup>2</sup> (NREAPs),
- Member State's reports on progress in the promotion and use of energy from renewable sources reports based on Article 22 of the RES Directive submitted to the European Commission in 2013<sup>3</sup>,
- Commission's 2012 Renewable Energy Progress report<sup>4</sup>,
- Biofuels 2008 Baseline study<sup>5</sup>,
- Commission Decision on certain types of information about biofuels and bioliquids to be submitted by economic operators to Member States<sup>6</sup>,
- Communication from the Commission on the practical implementation of the EU biofuels and bioliquids sustainability scheme and on counting rules for biofuels<sup>7</sup>;
- Communication from the Commission on voluntary schemes and default values in the EU biofuels and bioliquids sustainability scheme<sup>8</sup>;
- European Commission recognised voluntary sustainability schemes<sup>9</sup>;
- European Commission report on indirect land-use change emissions<sup>10</sup>
- The report on indirect land-use change emissions from IFPRI<sup>11</sup>
- European Commission policy discussions for post 2020<sup>12</sup>;

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<sup>2</sup> Available on the European Commission's website at:

[http://ec.europa.eu/energy/renewables/transparency\\_platform/action\\_plan\\_en.htm](http://ec.europa.eu/energy/renewables/transparency_platform/action_plan_en.htm)

<sup>3</sup> Once submitted, these reports will be available on European Commission's transparency platform at:

[http://ec.europa.eu/energy/renewables/transparency\\_platform/action\\_plan\\_en.htm](http://ec.europa.eu/energy/renewables/transparency_platform/action_plan_en.htm)

<sup>4</sup> Once published, this report will available on the on the European Commission's website at:

<http://ec.europa.eu/energy/renewables>

<sup>5</sup> Available on the European Commission's website:

[http://ec.europa.eu/energy/renewables/studies/doc/biofuels/2011\\_biofuels\\_baseline\\_2008.pdf](http://ec.europa.eu/energy/renewables/studies/doc/biofuels/2011_biofuels_baseline_2008.pdf)

<sup>6</sup> Available on the European Commission's website:

[http://ec.europa.eu/energy/renewables/biofuels/sustainability\\_criteria\\_en.htm](http://ec.europa.eu/energy/renewables/biofuels/sustainability_criteria_en.htm)

<sup>7</sup> Available on the European Commission's website:

[http://ec.europa.eu/energy/renewables/biofuels/sustainability\\_criteria\\_en.htm](http://ec.europa.eu/energy/renewables/biofuels/sustainability_criteria_en.htm)

<sup>8</sup> Available on the European Commission's website:

[http://ec.europa.eu/energy/renewables/biofuels/sustainability\\_criteria\\_en.htm](http://ec.europa.eu/energy/renewables/biofuels/sustainability_criteria_en.htm)

<sup>9</sup> Available on the European Commission's website:

[http://ec.europa.eu/energy/renewables/biofuels/sustainability\\_criteria\\_en.htm](http://ec.europa.eu/energy/renewables/biofuels/sustainability_criteria_en.htm)

<sup>10</sup> Available on the European Commission's website:

[http://ec.europa.eu/energy/renewables/biofuels/land\\_use\\_change\\_en.htm](http://ec.europa.eu/energy/renewables/biofuels/land_use_change_en.htm)

<sup>11</sup> Available on the European Commission's website:

[http://trade.ec.europa.eu/doclib/docs/2011/october/tradoc\\_148289.pdf](http://trade.ec.europa.eu/doclib/docs/2011/october/tradoc_148289.pdf)

<sup>12</sup> see COM(2012)271, SWD(2012)149

[http://ec.europa.eu/energy/renewables/communication\\_2012\\_en.htm](http://ec.europa.eu/energy/renewables/communication_2012_en.htm)



## **I.2. Division into lots.**

Each lot is the subject of separate contract. Tenderers may bid for any number of lots, but not for parts of lots.

## **I.3. Purpose of the contract**

### **Lot 1: Support activities for assessment of progress in renewable energy and sustainability of biofuels.**

These support activities should include:

- data collection, analysis and assessment of the progress in the promotion and use of renewable energy in the 27 EU Member States (and Croatia) on the basis of Member State renewable energy progress reports submitted in 2013;

- data collection, analysis and assessment of the compliance of EU Member States and main third countries of supply with the EU sustainability criteria for biofuels in accordance with Article 17 (7) of the RES Directive;

- data collection, analysis and assessment of impacts from increased use of biofuels in the EU in accordance with Articles 17 (7), 23 (1), 23 (4), 23 (5a-e) of the RES Directive;

#### *Description of tasks*

Support activities should cover the following tasks:

#### Task 1:

An analysis of the Member States and aggregated EU **progress in renewable energy in 2011 and 2012**. This assessment should be based on thorough and detailed analysis of the progress reports submitted by each of the 27 EU Member States (and Croatia) to the European Commission in 2013 in accordance with Article 22 of the RES Directive.

The analysis should include at least the following:

- an assessment of progress in renewable energy use, and developments in the EU and in each of the 27 Member States with respect to measures described in National Renewable Energy Action plans (2010) and previous National renewable energy progress reports (2011);
- an assessment of Member State progress towards 2011/2012 interim targets in line with the trajectory laid down in Annex I, part B of the RES Directive based on actual EUROSTAT 2011 and 2012 data;
- an assessment of policies, including national support schemes, in each EU Member State to ensure that progress in renewable energy development remains on track and allows the Member State to comply with its interim trajectory and targets established in Table 3 of its NREAP;
- an analysis of the functioning of the system of guarantees of origin for electricity and heating and cooling in each of the Member States;

- an analysis of measures taken by Member States to ensure the transmission and distribution of electricity produced from renewable sources, and to improve the framework or rules for bearing and sharing of costs related to the grid connections;
- an analysis of progress made by each Member State in improving the administrative procedures to remove regulatory and non-regulatory barriers to the development of renewable energy, and progress and the effectiveness of measures taken by Member States on establishing a single administrative body responsible for processing authorisations, certification and licensing applications for renewable energy installations and providing assistance to applicants.

#### *Methodology notes:*

The analysis for Task 1 will be based on the Member State renewable energy reports (due by the end of 2013) that are publicly available on the Commission's transparency platform<sup>13</sup>, EUROSTAT renewable energy data for 2011 and 2012 and other relevant studies and data on the renewable energy. Progress assessment will take place against the interim trajectory and measures described in the National Renewable Energy Action Plan and, where appropriate - previous national renewable energy progress reports submitted in 2011. In case of missing information or delays in submission of 2013 reports, it is the sole responsibility of the consultant to take the effort to obtain the necessary information from Member State authorities and other competent bodies by other means than Member State progress reports. The consultant must have the capacity to work with Member State report in their original language or must ensure own translation of the report without relying on the Commission translation services.

#### Task 2:

**An analysis of the biofuels and bioliquids** consumed in the EU, the impacts related to this consumption in the EU and the main third countries of supply, as well as national measures taken in the EU Member States and main third countries of supply to respect the EU sustainability criteria for biofuels. The timeframe for this analysis is **2011 and 2012**.

This assessment will include at least the following:

- data on the quantities, types and origin of biofuels and bioliquids consumed in the EU, detailed data on the types and origin of their feedstocks, and quantitative data on the total land use associated with the EU biofuel and bioliquid consumption within the EU and in third countries as required in Art. 23 (1) of the RES Directive;
- progress in availability of biofuels made from waste, residues, non-food cellulosic material and lingo-cellulosic material;
- detailed assessment of national measures taken in the EU Member States and main third countries of supply to respect the EU sustainability criteria for biofuels set out in Articles 17 (2), 17 (3), 17 (4), 17(5), 17 (6) and 17 (7), and measures taken for soil, water and air protection;
- detailed assessment of impacts on social sustainability in the EU and in third countries, the impact of the EU biofuel policy on the availability of foodstuffs at affordable prices, in particular for people living in developing countries, and wider development impacts issues;

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<sup>13</sup> Once submitted, these reports will be available on European Commission's transparency platform at:

[http://ec.europa.eu/energy/renewables/transparency\\_platform/action\\_plan\\_en.htm](http://ec.europa.eu/energy/renewables/transparency_platform/action_plan_en.htm)

- detailed assessment of the implementation of the conventions specified in Article 17 (7) of the RES Directive in the EU and in main third countries supplying the EU biofuel market and the institutional capacity to ensure effective implementation of the rights stipulated in these conventions;
- analysis and assessment of impacts from increased EU consumption of biofuels as described in Articles 23 (1), 23 (4), 23 (5a-e) of the RES Directive in the EU and in main third countries supplying the EU. At least the following should be covered:
  - total land use associated with the EU biofuels consumption and changes in land use associated with that consumption;
  - commodity price changes and associated positive and negative effects on food security;
  - greenhouse gas emission saving from the use of biofuels,
  - relative environmental benefits and costs of different biofuels and the effects of the EU's import policies thereon, the security of supply implications and the ways of achieving a balanced approach between domestic production and imports;
  - the impact of increased demand for biofuel on sustainability in the EU and in third countries, considering economic and environmental impacts. For environmental impacts these should include at least the impacts on biodiversity, soil, water and air. For economic impacts these should include at least the impacts on employment and local economy, and on security of supply
  - the impact of increased demand for biomass on biomass using sectors.

*Methodology notes:*

- The data on quantities, types and origin of biofuels and bioliquids consumed in the EU in 2011 and 2012, as well as detailed data on the types and origin of their feedstocks will be sourced from Member State reports submitted to the Commission (due by the end of 2013)<sup>14</sup>, EUROSTAT statistics, other public statistics and databases such as EU trade statistics, FAOSTAT. Other data sources and own data collection may be used to compare, verify and complement the data from these sources.
- The assessment of national measures taken in the EU Member States to respect the EU sustainability criteria for biofuels, and measures taken for soil, water and air protection will be based on the assessment of effective implementation of the sustainability criteria in the Member States national law, information reported in the Member States reports, EC agreed certification bodies (voluntary schemes), and will be complemented where appropriate with additional information collected from the relevant Member State authorities.
- The assessment of national measures taken in the main third countries of supply to respect the EU sustainability criteria for biofuels, and measures taken for soil, water and air protection will be based on information from Member State authorities responsible for verifying the compliance with the biofuel sustainability criteria, economic operators, EC agreed certification bodies (voluntary schemes), civic organisations, as well as other relevant national and international bodies.

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<sup>14</sup> Once submitted, these reports will be available on European Commission's transparency platform at:

[http://ec.europa.eu/energy/renewables/transparency\\_platform/action\\_plan\\_en.htm](http://ec.europa.eu/energy/renewables/transparency_platform/action_plan_en.htm)

- The assessment of the impacts from increased use of biofuels will mainly be based on information reported in the Member States renewable energy progress reports, analysis and reports of relevant international bodies such as FAO, World Bank, UNEP, IEA, OSCE, international and national civic bodies, and others. The consultant shall also conduct its own analysis and research where appropriate (e.g. through economic modelling work, field research etc.).

**Lot 2: Support activities for assessment/modelling of indirect land use change impacts and cost-efficiency and feasibility assessment of the 10% target for renewable energy share in transport**

The activities should include:

- modelling of indirect ILUC in relation to all existing and likely production pathways relevant for the period up to 2020, including lignocellulosic based biofuels.
- data collection and technical and scientific assessment of the cost-efficiency of the measures for achieving the 10% target for renewable energy share in transport and the feasibility of the 10% target in view of sustainability requirements and impacts referred to in Article 23 (8b (i)-(v)).

*Description of tasks*

Support activities should cover the following tasks:

**Task 1:**

The EU Renewable Energy Directive (2009/28/EC) calls for a 10% renewable energy use in transport by 2020, of which biofuels are expected to be a significant part. The Renewable Energy Directive (the Directive) defines the sustainability criteria that biofuels must adhere to in order to be counted as contributing towards the 10% target, including related to the land the raw materials come from.

The Directive includes a requirement for the Commission to report on the indirect land use change (ILUC) from all production pathways and, where appropriate, take corrective action.

The study shall deliver a sophisticated understanding of ILUC as a consequence of increased use of biofuels and biomass and enable an assessment of available realistic policy options to minimize such impacts. The timeframe should be as of now to 2030.

- A. indirect land use changes in relation to all production pathways, presented in isolation and aggregated. The complex assessment needs to compare a biomass scenario with a counterfactual scenario.
- B. assessment of effectiveness of a range of policy options that will be clarified at the mid-term meeting. Elements of ILUC-factors, trade agreements, additional sustainability criteria should be among the options.
- C. continuous technical support to the Commission in answering to technical questions after the publication of the results.

## Methodology notes:

For the assessment of indirect land-use change emissions from biofuels special attention needs to be given to a range of parameters, among others: effects on food, feed and fibre and other competing sectors, changes in food quality, changes in nourishment, marginal yields, effects of an increase of protected areas (REDD+ etc.), amount of abandoned land available for cropland use, protein balance and utilisation of co-products, perennial crops versus annual crops with regard to soil emissions, no-till practices, possibilities of substitution among vegetable oils etc.

For the assessment of indirect land-use change emissions from biomass used for heating and electricity special attention needs to be given to a range of parameters, among others: Important aspects to understand and assess in the modelling are among others:

- The distribution of age and length of growth phases for various European forests
- The potential for increased sequestration through management of previously unmanaged forests.
- The markets and dynamics of utilisation of forest residues (such as tops, stumps, branches and leaves).
- The value chain of forestry products
- The stability and growth of older forest, and the risk of disturbances like forest fires and epidemics.
- The fossil fuel being replaced
- The type of land used for biomass production
- Alternative use and resulting carbon sequestration on land used for biomass in the EU and elsewhere
- How yields respond to increased demand

## Task 2:

Carrying out an assessment study on the cost-efficiency of the measures for achieving the 10% target for renewable energy in transport by 2020 and the feasibility assessment of the 10% target in view of the EU biofuel sustainability requirements. This assessment should as a minimum cover:

- the cost-efficiency of the measures to be implemented to achieve the target in the Member States and by the EU;
- an assessment of the feasibility of reaching the target whilst ensuring the sustainability of biofuels production in the EU and in third countries, and considering economic, environmental and social impacts, including on biodiversity, as well as commercial availability of second-generation biofuels;
- the impact of the implementation of the target on the availability of foodstuffs at affordable prices;
- the commercial availability of electric, hybrid and hydrogen powered vehicles, as well as methodology chosen to calculate the share of energy from renewable sources consumed in the transport sectors;
- the evaluation of specific market conditions, considering, in particular, markets on which transport fuels represent more than half of the final energy consumption, and markets which are fully dependent on imported biofuels.

*Methodology notes:*

In-depth knowledge of the technical and economic characteristics of various biofuel technologies is necessary, in addition to knowledge of feasible production potentials.

**Lot 3: Support activities for RES modelling post 2020**

Economic modelling to provide quantitative analysis of the environmental, GHG emissions, security of supply implications, industrial and employment benefits of renewable energy growth in the EU. Impacts on energy costs, including assessment of financial or administrative support for all forms of energy, including renewable energy, should be addressed.

The analysis undertaken should be consistent with current Commission (DG ENERGY) and JRC economic modelling, in particular of the energy sector, and draw on related earlier Commission analysis (e.g. "EmployRES"<sup>15</sup>) as appropriate. The modelling should include a "business as usual" scenario consistent with Commission analysis and two policy scenarios to be discussed and agreed with the Commission services, covering the period to 2050.

Results should be provided for the EU27 (and Croatia) and each Member State (including future Member State Croatia). The interrelationship between the energy sector (with distinctions between electricity, heating and cooling and transport sectors) and other sectors of the economy needs to be included in the analysis, to be able to provide results covering impacts on EU trade (details of energy (and other sub categories as appropriate) and total, gross and net imports and exports in quantitative and financial terms), on costs, prices and economic performance of economic sectors (agriculture, forestry, industry, households, services) and employment (direct and indirect, with gross and net impacts). The results should be presented for the period 2005-2050 with an assessment of sensitivity to key conditions (fuel prices, demand, energy efficiency expectations etc.).

Tasks associated with the work include preparing and agreeing the modelling methodology and data collection and analysis with the Commission services, undertaking the analysis and modelling and presenting results in a form agreed with the Commission services. Meetings and workshops may also be appropriate.

**I.4. Reports and documents to produce - Timetable to observe**

***Lot 1: Support activities for assessment of progress in renewable energy and sustainability of biofuels.***

Execution of the tasks begins after the date on which the Contract enters into force.

A **kick-off meeting** will take place in Brussels, at the latest 10 days following the signature of the contract, in order to settle all the details of the study, report, etc to be undertaken. A **study outline** containing an extensive table of contents and description of methodological issues relevant for each task shall be submitted to the Commission within one week of the meeting and be agreed or modified by the Commission within one week. The study outline agreed by the Commission will form the structure for the work and studies.

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<sup>15</sup> [http://ec.europa.eu/energy/renewables/studies/doc/renewables/2009\\_employ\\_res\\_report.pdf](http://ec.europa.eu/energy/renewables/studies/doc/renewables/2009_employ_res_report.pdf)

**Two progress meetings** will take place in Brussels:

- in month 7 following the submission of the 1<sup>st</sup> progress report.
- in month 14 following the submission of the 2<sup>nd</sup> progress report.

**Lot 2: Support activities for assessment/modelling of indirect land use change impacts and cost-efficiency and feasibility assessment of the 10% target for renewable energy share in transport**

Execution of the tasks begins after the date on which the Contract enters into force.

A **kick-off meeting** will take place in Brussels, at the latest 10 days following the signature of the contract, in order to settle all the details of the study, report, etc to be undertaken. A **study outline** containing an extensive table of contents and description of methodological issues relevant for each task shall be submitted to the Commission within one week of the meeting and be agreed or modified by the Commission within one week. The study outline agreed by the Commission will form the structure for the work and studies.

**Four progress meetings** will take place in Brussels:

- in month 8 following the submission of the 1<sup>st</sup> progress report;
- in month 12 following the submission of the 2<sup>nd</sup> progress report;
- in month 16 following the submission of the 3<sup>rd</sup> progress report;
- in month 20 following the submission of the 4<sup>th</sup> progress report.

**Lot 3: Support activities for RES modelling post 2020**

Execution of the tasks begins after the date on which the Contract enters into force.

A **kick-off meeting** will take place in Brussels, at the latest 10 days following the signature of the contract, in order to settle all the details of the study, report, etc to be undertaken. A **study outline** containing an extensive table of contents and description of methodological issues relevant for each task shall be submitted to the Commission within one week of the meeting and be agreed or modified by the Commission within one week. The study outline agreed by the Commission will form the structure for the work and studies.

**Two progress meetings** will take place in Brussels:

- in month 5 and in month 10.

**Progress reports**

***Lot 1: Support activities for assessment of progress in renewable energy and sustainability of biofuels.***

The **progress reports** showing progress of the work on tasks 1 and 2 shall be submitted to the Commission at the latest:

- 6 months after the date of signature of the contract

- 14 months after the date of signature of the contract

The Commission shall have twenty days from receipt to approve or reject the report. Within 20 days of receiving the Commission's observations, the Contractor will submit additional information or another report.

**Lot 2: Support activities for assessment/modelling of indirect land use change impacts and cost-efficiency and feasibility assessment of the 10% target for renewable energy share in transport**

The **progress reports** showing progress of the work on tasks 1 and 2 shall be submitted to the Commission at the latest:

- 7, 11, 15 and 19 months after the date of signature of the contract

The Commission shall have twenty days from receipt to approve or reject the report. Within 20 days of receiving the Commission's observations, the Contractor will submit additional information or another report.

**Lot 3: Support activities for RES modelling post 2020**

The **progress report** showing progress of the work on the tasks shall be submitted to the Commission at the latest:

- 5 months after the date of signature of the contract

The Commission shall have twenty days from receipt to approve or reject the report. Within 20 days of receiving the Commission's observations, the Contractor will submit additional information or another report.

***1.4.1. Final report***

***Lot 1: Support activities for assessment of progress in renewable energy and sustainability of biofuels.***

The contractor will submit a final report covering tasks 1 and 2 to the Commission **at the latest 18 months** after the signature of the contract.

The final report shall contain:

- an Executive Summary presenting briefly the common conclusions of the results of assessments required in above specifications for Lot 1;
- Main report containing detailed analysis and assessments drafted according to the structure described in above specifications for Lot 1;
- Source data, relevant background datasets and other information used in the main report, and full list of data sources, including names of databases, statistical collections used and relevant national and international bodies consulted for data collection purposes etc.

The Commission shall have forty-five days from receipt to approve or reject the final report, and the Contractor shall have 20 days in which to submit additional information or a new final report.



**Lot 2: Support activities for assessment/modelling of indirect land use change impacts and cost-efficiency and feasibility assessment of the 10% target for renewable energy share in transport.**

The contractor will submit a final report covering the tasks to the Commission **23 months** after the signature of the contract.

The final report shall contain:

- an Executive Summary presenting briefly the common conclusions of the results of assessments required in above specifications for Lot 2;
- Main report containing detailed analysis as described in above specifications for Lot 2;
- In annex to the main report: source data, relevant background datasets and other information used in the main report, and full list of data sources, including names of databases, statistical collections used and relevant national and international bodies consulted for data collection purposes etc.

The Commission shall have forty-five days from receipt to approve or reject the final report, and the Contractor shall have 20 days in which to submit additional information or a new final report.

**Lot 3: Support activities for RES modelling post 2020**

The contractor will submit a final report covering the tasks to the Commission **10 months** after the signature of the contract.

The final report shall contain:

- an Executive Summary presenting briefly the common conclusions of the results of assessments required in above specifications for Lot 3;
- Main report containing detailed analysis and assessments drafted according to the structure described in above specifications for Lot 3;
- Source data, relevant background datasets and other information used in the main report, and full list of data sources, including names of databases, statistical collections used and relevant national and international bodies consulted for data collection purposes etc.

The Commission shall have forty-five days from receipt to approve or reject the final report, and the Contractor shall have 20 days in which to submit additional information or a new final report.

***1.4.2. Report format and publication***

***For all 3 lots:***

3 copies of the reports shall be supplied in paper form and one copy in electronic form, either in MS Word or in HTML format. All reports shall be written in English.

The Commission may publish the results of the study. For this purpose, the tenderer must ensure that the study is not subject to any restrictions deriving from intellectual property rights of third parties. Should he intend to use data in the study, which cannot be published, this must be explicitly mentioned in the offer.

### **I.5. Duration of the tasks**

The duration of the tasks:

For Lot 1 the work shall not exceed 20 months.

For Lot 2 the work shall not exceed 25 months.

For Lot 3 the work shall not exceed 12 months.

This period is calculated in calendar days.

### **I.6. Place of performance**

*For all 3 lots:*

The tasks will be performed on the Contractor's premises. Data gathering from Member States should be performed mainly by usual IT, phone and other communication tools limiting the travels to Member States for the purposes of data gathering. As far as third countries are concerned and where data or local expertise is not available, for the purposes of data gathering the Contractor should use local experts, or travel to third countries to do fieldwork in third countries. These missions should be proportionate as to the purposes of fulfilling the requirements of this contract.

Meetings between the contractor and the Commission will be held on Commission premises in Brussels.

### **I.7. Estimate of the amount of work involved**

The total amount of work:

- for Lot 1 is assessed at 800 man-days.
- for Lot 2 is assessed at 900 man-days.
- for Lot 3 is assessed at 350 man-days.

## **II. TERMS OF CONTRACT**

In drawing up his offer, the tenderer should bear in mind the provisions of the draft contract attached to this invitation to tender (Annex 6). Any limitation, amendment or denial of the terms of contract will lead to automatic exclusion from the procurement procedure.

The Commission may, before the contract is signed, either abandon the procurement procedure or cancel the award procedure without the tenderers being entitled to claim any compensation.

### **II.1. Terms of payment**

Payments shall be made in accordance with the provisions specified in Annex 6, the draft service contract.

### **II.2. Subcontracting**

If the tenderer intends to subcontract part of the service, he shall indicate in his offer which part will be subcontracted and to what extent (% of the total contract value).

Tenderers must ensure that Article II.20 of the contract (Annex 6) can be applied to subcontractors. Once the contract has been signed, Article II.6 of the above-mentioned contract shall govern the subcontracting.

### **II.3. Joint tenders**

In case of a joint tender submitted by a group of tenderers, these latter will be regarded as partners. If awarded the contract, they will have an equal standing towards the contracting authority in the execution of the contract.

The tenderers should indicate in their offer whether the partnership takes the form of:

a) a new or existing legal entity which will sign the contract with the Commission in case of award

or

b) a group of partners not constituting a new legal entity, who via a power of attorney, signed by an authorised representative of each partner (except the lead partner), designate one of the partners as lead partner, and mandate him as lead contractor to sign the contract with the Commission in case of award.

If the contractor is a grouping or consortium of two or more persons, all such persons shall be jointly and severally liable to the Commission for the fulfilment of the terms and conditions of the contract. Such persons shall designate one of them to act as leader with full authority to bind the grouping or the consortium and each of its members. It shall be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration and for coordination. The composition and constitution of the grouping or consortium, and the allocation of the scope of tasks amongst the members, shall not be altered without the prior written consent of the Commission which can be withheld at discretion.

### III. FORM AND CONTENT OF THE TENDER

#### III.1. General

Tenders must be written in **one of the official languages** of the European Union and submitted in **four copies** (one clearly marked "original" and three copies) as well as a copy of the offer on a CD/DVD. The attention of the tenderers is drawn to the fact that the majority of the deliverables requested under Specific Contracts will have to be submitted in English.

Tenders must be clear and concise, with continuous page numbering, and assembled in a coherent fashion (e.g. bound or stapled).

The original signature of the single tenderer's or lead partner's authorised representative (preferably in blue ink) on the administrative identification form (Annex 1) shall be considered as the signature of the tender, binding the single tenderer or the group of partners to the terms included in the tender.

#### III.2. Structure of the tender

All tenders for each of the lots must include three sections i.e. an administrative, a technical and a financial proposal.

##### *III.2.1. Section One: administrative proposal*

This section must provide the following information, set out in the standard identification forms attached to these tender specifications (Annexes 1, 2, 3, 4 and 5 as well as other evidence required):

- Tenderers' identification (Annex 1)
  - All tenderers must provide proof of **registration**, as prescribed in their country of establishment, on one of the **professional or trade registers** or provide a declaration or certificate.
  - If the tenderer is a natural person, he/she must provide a copy of the identity card/passport or driving licence and proof that he/she is covered by a social security scheme as a self-employed person.

*Each tenderer (including subcontractor(s) or any member of a consortium or grouping) must complete and sign the identification forms in Annex 1 and also provide the above-mentioned documents. However, the subcontractor(s) shall not be required to fill in or provide those documents when the services represent less than 20% of the contract.*

- Financial identification (Annex 2)

The **bank identification form** must be filled in and signed by an authorised representative of the tenderer and his/her banker. A standard form is attached in Annex 2 and a specific form for each Member State is available at the following Internet address:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/financial\\_id/financial\\_id\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm)

In the case of a grouping, this form must only be provided by the person heading the project.

If the corresponding bank account of economic operators is already registered in the Commission's files they are not obliged to provide a new form on the condition that they confirm that no change in the information already provided as occurred. In case of doubt, we recommend submitting a new form.

- **Legal entities** (Annex 3)

The legal entity form in Annex 3 must be filled in and should be accompanied by a number of supporting documents, available on the Web site:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/legal\\_entities/legal\\_entities\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm)

In the case of a grouping, this form must be provided by all partners.

Economic operators already registered as a legal entity in the Commission's files (i.e. they are or have been contractors of the Commission) are not obliged to provide a new form on the condition that they confirm that no change in the information already provided as occurred, In case of doubt, we recommend submitting a new form.

- **Declaration of honour with respect to the Exclusion criteria and absence of conflict of interest** (Annex 4)

An original should be filled and signed by (an) authorised representative(s) of all partners. Only sub-contractors with a part of the contract above 20% should the sign the form.

- **Power of attorney** (Annex 5) – in case of grouping only

An original should be filled and signed by (an) authorised representative(s) of each partner.

- **All the supporting documentation** for the purpose of checking the selection criteria (IV.2) should also be submitted under this section

The Commission reserves the right, however, to request additional evidence in relation to the bid submitted for evaluation or verification purposes within a time-limit stipulated in its request.

### ***III.2.2. Section Two: Technical proposal***

This section is of great importance in the assessment of the bids, the award of the contract and the future execution of any resulting contract.

The award criteria as set out in chapter IV.3 define those parts of the technical proposal to which the tenderers should pay particular attention as they will be the ground for the evaluation of the quality of the proposal.

Some guidelines are given below, but attention is also drawn to the award criteria, which define those parts of the technical proposal to which the tenderers should pay particular attention. The technical proposal should address all matters laid down in the specifications of the lot for which the tenderer applies for and should include models, examples and technical solutions to problems raised in the specifications. The level of detail of the tender will be extremely important for the evaluation of the tender. Tenderers must present in their bids a proposal on the methodology and the organisation of the work to carry out in the framework of the study.

The technical proposal should address all matters laid down in the specifications and should include models, examples and technical solutions to problems raised in the specifications. The level of detail of the tender will be extremely important for the evaluation of the tender. Tenderers must present in their bids a proposal on the methodology and the organisation of the work to carry out in the framework of the study.

### ***III.2.3. Section Three: Financial proposal***

All tenders must contain a financial proposal. The tenderer's attention is drawn to the following points:

- Prices must be quoted in euros, including the countries which are not in the euro-area. As far as the tenderers of those countries are concerned, they cannot change the amount of the bid because of the evolution of the exchange rate. The tenderers choose the exchange rate and assume all risks or opportunities relating to the rate fluctuation.
- Prices must be fixed amounts and include all expenses, such as travel expenses and daily allowances.
- **Prices must be quoted free of all duties, taxes and other charges, i.e. also free of VAT**, as the European Union is exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities annexed to the Treaty on the Functioning of the European Union. Exemption is granted to the Commission by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption. For those countries where national legislation provides an exemption by means of a reimbursement, the amount of VAT is to be shown separately. In case of doubt about the applicable VAT system, it is the tenderer's responsibility to contact his or her national authorities to clarify the way in which the European Union is exempt from VAT;
- **Prices shall be fixed** and not subject to revision during the performance of the contract;
- For each category of staff involved in the project, the tenderer must specify:
  - the total labour costs;
  - **the daily rates and total number of days (man/days)** each member of staff will contribute to the project;
  - other categories of costs, indicating the nature of the cost, the total amount, the unit price and the quantity.

**Bids involving more than one service provider (consortium) must specify the amounts indicated above for each provider.**

## **IV. ASSESSMENT AND AWARD OF THE CONTRACT**

Participation in tendering procedures is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons in a third country which has a special agreement with the Union in the field of public procurement, under the conditions laid down 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 which have ratified this Agreement, under the conditions provided for therein.

The procedure for the award of the contract, which will concern only admissible bids (see requirements in the invitation to tender, in particular, regarding the deadline for submission and the presentation of the offers and packaging), will be carried out in three successive stages.

The aim of each of these stages is:

- 1) to check on the basis of the exclusion criteria, whether tenderers can take part in the tendering procedure;
- 2) to check on the basis of the selection criteria, the technical and professional capacity and economic and financial capacity of each tenderer;
- 3) to assess on the basis of the award criteria each bid which has passed the exclusion and selection stages.

The assessment will be based on each tenderer's bid. All the information will be assessed in the light of the criteria set out in these specifications.

### **IV.1. Exclusion criteria (exclusion of tenderers)**

#### ***IV.1.1. Exclusion criteria (Article 93 Financial Regulation<sup>16</sup>)***

1. To be eligible for participating in this contract award procedure, tenderers must not be in any of the following situations:

- (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 obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the

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<sup>16</sup> Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248 of 16.9.2002)

- 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's financial interests;
  - (f) they are currently subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation<sup>17</sup> for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a contract procurement procedure or by the authorising officer as a condition of participation in a grant award procedure, for failing to supply this information or for having been declared to be in serious breach of their obligations under contracts or grants covered by the Union budget.
2. The cases referred to in point IV.1.1. e) above shall be the following:
- a) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests established by the Council Act of 26 July 1995 (OJ/C 316 of 27.11.1995, p. 48);
  - b) cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, established by the Council Act of 26 May 1997 (OJ/C 195 of 25.6.1997, p. 1);
  - c) cases of involvement in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council (OJ/L 315 of 29.12.1998, p. 1);
  - d) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC (OJ/L 166 of 28.6.1991, p.77).

#### ***IV.1.2. Other cases of exclusion***

**1. In accordance with Article 94 Financial Regulation, contracts will not be awarded to tenderers who, during the procurement procedure:**

- a) **are subject to a conflict of interest;**

Tenderers must declare:

- that they do not have any conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest;
- that they will inform the contracting authority, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest;
- that they have not made and will not make any offer of any type whatsoever from which an unjustified advantage can be derived under the contract;
- that they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, where such advantage constitutes an illegal practice or involves corruption, either

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<sup>17</sup> Council Regulation (EC, Euratom) n° 1605/2002 of 25 June 2002 on the Financial regulation applicable to the general budget of the European Communities, OJ L 248 of 16 September 2002, p. 1, amended by Council Regulation (EC, Euratom) n° 1995/2006 of 13 December 2006, OJ L 390 of 30 December 2006, p.1.



directly or indirectly, inasmuch as it is an incentive or reward relating to performance of the Contract.

The Commission reserves the right to check the above information.

- b) **are guilty of misrepresentation** in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information.
  - c) find themselves in one of the **situations of exclusion**, referred to in paragraph IV.1.1. above for this procurement procedure.
2. As mentioned under section III.2.1., the tenderers must provide proof of **registration**, as prescribed in their country of establishment, on one of the professional or trade registers or provide a declaration or certificate.

#### ***IV.1.3. Evidence to be provided by the tenderers***

1. When submitting their bids, each tenderer (including subcontractor(s) or any member of a consortium or grouping) shall provide a declaration on their honour, duly signed and dated, stating that they are not in one of the situations mentioned above (cf. IV.1.1 and VI.1.2). For that purpose, they must complete and sign the form attached in Annex 4. Where the tenderer is a legal entity, they shall, whenever requested by the Commission, provide information on the ownership or on the management, control and power of representation of the legal entity.
2. The tenderer to whom the contract is to be awarded shall provide, within 15 calendar days after notification of the results of the procurement procedure and in any case before the signature of the contract, the following evidence, confirming the declaration referred to above:

The Commission shall accept, as satisfactory evidence that the tenderer is not in one of the situations described in point IV.1.1 (a), (b) or (e) above, 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 Commission accepts, as satisfactory evidence that the tenderer is not in the situation described in point IV.1.1 (d) above, a recent certificate issued by the competent authority of the State concerned.

Where no such document or certificate is 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.

3. Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraph 1 and 2 above shall relate to legal and/or natural persons including, if applicable with regard to points b) and e), company directors or any person with powers of representation, decision-making or control in relation to the tenderer.
4. When the subcontracted part is above 20% of the contract value, the subcontractor(s) must also provide the above-mentioned declaration on honour. In case of doubt on this declaration on the honour, the contracting authority may also request the evidence referred to in paragraphs 2 and 3 above.

5. The Commission reserves the right to request any other document relating to the proposed tender for evaluation and verification purpose, within a delay determined in its request.

**Remark:**

The tenderers will be waived of the obligation to submit the documentary evidence above mentioned if such evidence has already been submitted for the purposes of another procurement procedure launched by the Directorates General in charge of Energy or Transport and provided that the documents are not more than one year old starting from their issuing date and that they are still valid. In such a case, the tenderer shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure, specifying the reference of the call for tender for which the documents have been provided, and confirm that no changes in his situation have occurred.

***IV.1.4. Administrative and financial penalties***

Without prejudice to the application of penalties laid down in the contract, candidates or tenderers and contractors who have been found guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or have failed to supply this information or have been declared to be in serious breach of their obligations under contracts covered by the Union budget may be subject to administrative or financial penalties, in accordance with Article 96 of the Financial Regulation and Articles 134b and 133a of the Implementing Rules.<sup>18</sup>

**IV.2. SELECTION CRITERIA (SELECTION OF TENDERERS)**

To be eligible, the tenderers must have the economic and financial capacity as well as the technical and professional capacity to perform the tasks required in this call for tender.

***IV.2.1. Economic and financial capacity – Criteria and references required***

The tenderers should demonstrate that they have the financial capacity to be able to handle the proposed contract by providing proof that the average annual turnover of the tenderer for the last three years for which the accounts have been closed has exceeded 1 000 000 EUR for lot 1, 1 000 000 EUR for lot 2 and 400 000 EUR for lot 3. If the tenderer submits a bid for several lots, the requirement is cumulative. In case of a consortium, this criterion applies collectively to all members of the group.

Tenderers must provide proof of their financial and economic capacity by means of the following documents: a statement of overall turnover for the last three financial years and the profit and loss accounts for the last three financial years.

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<sup>18</sup> Commission Regulation (EC, Euratom) n° 2342/2002 of 23 December 2002 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, OJ L 357 of 31 December 2002, p. 1, as amended.

#### ***IV.2.2. Technical and professional capacity – Criteria and references required***

Tenderers for each of the 3 lots must confirm and demonstrate that their project teams have the skills and experience needed to carry out the work specified in relation to the lot for which they apply and that they meet the requirements listed below:

- 1) Experts who will carry out the work must have worked successfully on at least three projects in fields related to this contract (e.g. renewable energy and sustainability of biofuels) in the past three years.
- 2) In relation to data collection, tenderers must demonstrate the proof of access authorization to specific databases and other necessary data sources in the EU Member States and third countries for carrying out the work specified in tender specifications for the lot they apply, or the capacity to obtain this access should the contract be awarded to them;
- 3) In relation to modelling work, proof of ownership or access to relevant modelling and assessment tools.

In addition only for Lot 1:

- 4) Ability to work with documents in the EU official languages (and Croatian) where appropriate (e.g. work with Member State renewable energy progress reports).

Evidence of this capacity shall be furnished on the basis of the following documents:

- Tenderers should list most recent contracts and studies completed in the area related to the study-contract and beneficiaries of these services and the specific role of each of their experts in these contracts and studies;
- Tenderers should provide with their offer detailed curriculum vitae of each staff member responsible for carrying out the work, including his or her educational background and professional experience and research work relevant to the tasks to be performed, and his/her linguistic skills;
- The CV's shall be presented, preferably, in accordance to the Commission Recommendation on a common European format for curricula vitae, published in OJ L79 of 22 March 2002, p. 66.
- Demonstration by the tenderer that he has access to relevant databases/data sources and modelling tools as defined under criteria n° 2 and n°3 as well as, in case of lot 1, that he has the capacity to cover languages as defined under criterion n°4.
- Indication of part(s) of the contract which the service provider intends to subcontract.

#### ***IV.3. EVALUATION OF TENDERS – AWARD CRITERIA***

**A separate contract will be awarded to each of the lots according to the criteria given below, on the basis of the economically most advantageous tender.**

Only bids that have reached a total score of a minimum of 70% and a minimum score of 60 % for each criterion will be taken into consideration for awarding the contract.

- a) Technical evaluation criteria in their order of importance as weighted by percentage

N°	Award Criteria	Weighting
1	Understanding of the needs, the objectives and the scope of the tender.	20
2	Approach and methodology to achieve the tasks and objectives required.	40
3	Organisation of work, management of tasks, overall quality and sustainability of the work-plan and schedule.	30
4	Clarity and presentation of the offer.	10
<b>Total number of points</b>		<b>100</b>

b) Total price

The contract will be awarded to the tender which offers the best ratio quality/price x 10,000.

#### IV.4. INFORMATION FOR TENDERERS

The Commission will inform tenderers of decisions reached concerning the award of the contract, including the grounds for any decision not to award a contract or to recommence the procedure.

Upon written request, the Commission will inform the rejected tenderers of the reasons for their rejection and the tenderers having submitted an admissible tender of the characteristics and relative advantages of the selected tender and the name of the successful tenderer.

However, certain information may be withheld where its release would impede law enforcement or otherwise be contrary to the public interest, or would prejudice the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

#### V. ANNEXES

1. Identification of the Tenderer
2. Financial Identification
3. Legal Entity Form
4. Declaration by the Tenderer (relating to the exclusion criteria and absence of conflict of interest)
5. Power of Attorney (mandate in case of joint tender)
6. Draft Contract

# ANNEX 1

## IDENTIFICATION OF THE TENDERER

(Each service provider, including subcontractor(s) or any member of a consortium or grouping, must complete and sign this identification form)

Call for tender ENER/C1/428-2012 – LOT \_\_\_\_

<b>Identity</b>	
Name of the tenderer	
Legal status of the tenderer	
Date of registration	
Country of registration	
Registration number	
VAT number	
Description of statutory social security cover (at the level of the Member State of origin) and non-statutory cover (supplementary professional indemnity insurance) <sup>19</sup>	
<b>Address</b>	
Address of registered office of tenderer	
Where appropriate, administrative address of tenderer for the purposes of this invitation to tender	
<b>Contact Person</b>	
Surname: First name: Title (e.g. Dr, Mr, Ms) : Position (e.g. manager): Telephone number: Fax number: E-mail address:	

<sup>19</sup> For natural persons

<b>Legal Representatives</b>	
<b>Names and function of legal representatives and of other representatives of the tenderer who are authorised to sign contracts with third parties</b>	
<b>Declaration by an authorised representative of the organisation<sup>20</sup></b>	
I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.	
Surname: First name:	Signature:

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<sup>20</sup> This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.

## **ANNEX 2**

### **Financial identification form**

(to be completed by the tenderer and his or her financial institution)

A specific form for each Member State is available at the following Internet address:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/financial\\_id/financial\\_id\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm)

In the case of a grouping, this form must only be provided by the person heading the project.

## **ANNEX 3**

### **Legal entity form**

Complete the legal entity form, which should be accompanied by a number of supporting documents, available on the Web site:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/legal\\_entities/legal\\_entities\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm)

Please note that we can only accept either original documents or certified copies, which must be less than 6 months old.



## ANNEX 4

### Declaration of honour with respect to the Exclusion Criteria and absence of conflict of interest

Each service provider, including subcontractor(s) or any member of a consortium or grouping, must sign this declaration

The undersigned [*name of the signatory of this form, to be completed*]:

- in his/her own name (*if the economic operator is a natural person or in case of own declaration of a director or person with powers of representation, decision making or control over the economic operator<sup>21</sup>*)
- or
- representing (*if the economic operator is a legal person*)

official name in full (*only for legal person*):

official legal form (*only for legal person*):

official address in full:

VAT registration number:

declares that the company or organisation that he/she represents / he/she:

- a) is not bankrupt or being wound up, is not having its affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, and is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) has not been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata*;
- c) has not been guilty of grave professional misconduct proven by any means which the contracting authorities can justify;
- d) has fulfilled all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the contract is to be carried out;

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<sup>21</sup> To be used depending on the national legislation of the country in which the candidate or tenderer is established and where considered necessary by the contracting authority (see art. 134(4) of the Implementing Rules).

- e) has not 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's financial interests;
- f) is not a subject of the administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or failing to supply an information, or being declared to be in serious breach of his obligation under contract covered by the budget.

In addition, the undersigned declares on their honour:

- g) they have no conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest;
- h) they will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
- i) they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- j) they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to award of the contract;
- k) that the information provided to the Commission within the context of this invitation to tender is accurate, sincere and complete;
- l) that in case of award of contract, they shall provide upon request the evidence that they are not in any of the situations described in points a, b, d, e above.

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

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

For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.]

By signing this form, the undersigned acknowledges that they have been acquainted with the administrative and financial penalties described under art 133 and 134 b of the Implementing Rules (Commission Regulation 2342/2002 of 23/12/02), which may be applied if any of the declarations or information provided prove to be false.

Full name

Date

Signature

## ANNEX 5

### POWER OF ATTORNEY

#### mandating one of the partners in a joint tender as lead partner and lead contractor <sup>22</sup>

The undersigned:

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

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

HEREBY AGREES TO THE FOLLOWING:

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

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

Signed in ..... on [dd/mm/yyyy]

Place and date:

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

<sup>22</sup> To be filled in and signed by each of the partners in a joint tender, except the lead partner;

**ANNEX 6**  
**DRAFT CONTRACTS**