

TENDER SPECIFICATIONS
ATTACHED TO THE INVITATION TO TENDER

**Invitation to tender No. TREN/D1/48-2008 concerning
“Assessment of non-cost barriers to renewable energy growth
in EU Member States”**

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I. SPECIFICATIONS

I.1. Introduction

Since 1997 the Community has had a policy of promoting renewable energy, founded on the need to address sustainability concerns surrounding climate change and air pollution, improve the security of Europe's energy supply and develop Europe's competitiveness in industrial and technological innovation. The policy includes the aim of reaching a 12% share of renewable energy by 2010 and Directives promoting renewable energy in the electricity and transport sectors.

The Commission has reported regularly on the EU's progress in developing renewable energy¹. In 2007, the Renewable Energy Road Map highlighted the slow progress Member States were making and the likelihood that the EU as a whole would fail to reach its 2010 target. It explained possible reasons for this, including the merely indicative nature of the national targets and the uncertain investment environment provided by the existing legal framework. Earlier reports on Member States' progress focused on financial support frameworks and whilst the effectiveness of financial support for is important, several non-cost related barriers are also significant. The Commission has highlighted the need to reduce non cost barriers, and called, for instance, for the creation of "one stop shops", clear authorisation procedures, pre-planning mechanisms, lighter procedures for small projects and clear guidance on the implementation of environmental legislation. However little progress appears to have been made.

The new Renewable Energy Directive, which will enter into force in June 2009², will strengthen the legal framework. It sets mandatory renewable energy targets (20% of EU gross final energy consumption from renewable energy sources and 10% renewable energy in transport) and requires Member States to produce National Action Plans clearly setting out how they will meet their shares of the overall EU targets. It also contains requirements for member States to remove non cost market barriers:

1. Member States shall ensure that

- authorisation, certification and licensing procedures for plants and infrastructure are streamlined, proportionate and necessary, with simplified procedures for small or decentralised projects where appropriate
- responsibilities for such procedures are defined and coordinated between local, regional and national bodies, with transparent timetables and provision of information on processing and assistance
- rules for these procedures are objective, transparent, proportionate and non discriminatory
- associated administrative charges are transparent and cost related
- Technical specifications of equipment (for support) shall be clearly defined, based on European standards and should not constitute a barrier to trade.

¹ COM(2004)366 "The share of renewable energy in the EU", COM(2005)627 "The support of electricity from renewable energy sources", COM(2006)849 "Report on progress in renewable electricity", SEC(2008)57 "The support of electricity from renewable energy sources".

² New Directive http://www.europarl.europa.eu/sce/data/amend_motions_texts/doc/P6_AMA%282008%290369%28210-210%29_EN.doc

2. Member States shall recommend that
 - local and regional bodies ensure the use of renewable energy when planning, designing and building industrial and residential areas and infrastructure
3. Member States shall introduce appropriate measures in building regulations and codes to increase the use of renewable energy in buildings
 - including minimum levels of renewable energy in buildings
 - public buildings should be “show cases”
4. Member States shall promote energy efficient renewable energy equipment e.g. efficient conversion of biomass, compliance with eco labels for heat pumps and solar equipment
5. Member States shall ensure information on support measures is publicly and widely available, including information on costs, net benefits and the energy efficiency of equipment, practical information and awareness-raising guidance on renewable energy equipment.
6. Member States shall ensure that
 - certification schemes for equipment installers are available by 2012, based on common guidelines (Annex IV) and with mutual recognition of qualifications
 - information on these schemes shall be publicly available
 - lists of qualified installers should be available
 - Guidelines (for planners, architects etc.) on optimising the use of renewable energy and energy efficiency shall be provided
7. Member States shall
 - § take the appropriate steps to develop all infrastructure (transmission and distribution grid infrastructure, intelligent networks, storage facilities, interconnections) to ensure its secure operation as it accommodates more electricity from renewable energy sources
 - § accelerate authorisation procedures and co-ordinate with administrative and planning procedures
8. Member States shall
 - § guarantee transmission and distribution of renewable electricity
 - § provide priority or guaranteed grid access
 - § ensure priority dispatching (where dispatching occurs)
 - § grid and market operational measures minimise curtailment of electricity from renewable energy sources
9. Member States shall require TSOs and DSOs to
 - § set up and make public rules of cost bearing and sharing (connection, reinforcement, improved operation, grid code implementation costs) based on objective, transparent non discriminatory criteria
 - § provide new producers with the comprehensive and necessary information for connection (connection cost estimates, reasonable and precise timetable for processing application and for connection)
10. Member States shall
 - § assess the need to extend gas network for integrating renewable energy sources
 - § require TSOs and DSOs to publish technical rules and connection tariffs

11. Following the Member State's assessment of need in the renewable energy action plan, Member States shall develop district heating grid infrastructure in accordance with the plan.

These requirements of the directive highlight how the Commission and Member States have agreed that there are significant major non-cost related barriers which need to be overcome in order to facilitate the deployment of renewable energy sources.

DG TREN has commissioned several studies on these matters, including "PROGRESS: Identification of administrative and grid barriers to the promotion of electricity from renewable energy sources" and "Benchmarking of permitting procedures for bioenergy installations in the EU27" (both led by ECOFYS). However, a thorough analysis of all these barriers is needed to understand the current state of barriers in all Member States and the actions that they need to take to comply with the new Directive and remove the barriers.

The Commission's template for national renewable energy action plans will also be a useful guide for the categories to be investigated.

I.2. Purpose of the contract

Thus this study will

1. help Member States understand the barriers in their territory,
2. allow comparison with situations and practices in other Member States, and
3. help the Commission assess the necessary changes needed to comply with the Directive.

The object of this study is to carry out a complete analysis of the main non-cost barriers to renewable energy growth in every EU Member State. The study will describe in detail practices in *each* Member State which create barriers to the growth of renewable energy in all sectors. The areas to be reviewed include the 11 areas identified as in need of action in the Directive and listed in I1 above. The study will examine administrative practices, assess best practices and advise on practical efforts to address barriers and develop best practice and guidance for MS

This analysis will provide a review and support for the implementation of the Renewable Energy Directive which includes requirements to remove market barriers. The study will be in three parts. It will:

1. Explain in detail all Member States' renewable energy planning and permit regime (including local and regional differences and requirements), highlight practices which create administrative barriers to the promotion of energy from renewable sources and recommend best practices taking account of differences in infrastructure, culture and administrative set-up; (Note that 'permit regime' refers to all authorisation, licensing and certification procedures required to obtain permission for a plant to get an operating permit. It does not refer to contracts for supplying energy).
2. Explain in detail all Member States' renewable energy installer training/qualification/certification schemes, highlight practices which might cause problems in the single market (e.g. lack of certification schemes or incompatibilities between Member States) and recommend best practices. Take stock of all other training/ qualification schemes on renewable energy, including specific courses for builders or architects or engineers and town planners; and
3. Explain in detail all Member States' renewable energy equipment maintenance/ guarantee systems, highlight practices which create problems and recommend best practices.

The key tasks to support the objectives of the study are identified below. The list is not exclusive and the tenderer is expected to propose a detailed work plan, outlining a set of coherent tasks to be completed by the end of the contract. On the basis of the time schedule and reporting outlined in these specifications, the tenderers have to include in their offer a detailed description of tasks and explain their work approach.

Task

- 1. Collection of information of current Member State practice for elements relating to items 1-11 in II. It is important that the contractor has the staff and the language skills to understand relevant documents in each Member State.**
- 2. Identification of practices which raise barriers to the growth of renewable energy**
- 3. Identification of best practices for each of the elements relating to items 1-11 in II**
- 4. Recommendations for precise and practicable reforms in each Member State based on the comparative analysis and covering all elements relating to items 1-11 in II.**

Consulting stakeholders

The tenderer will require detailed contacts with the key policymakers, professionals and other stakeholders in each Member State and make extensive use of such contacts in ascertaining the current legal and administrative situation and in proposing practicable reforms.

Two 1 day meetings with Member State representatives in Brussels will need to be organised by the tenderer in the course of preparing the report, in particular to report on current Member State circumstances and on recommendations for reforms.

I.3. Reports and documents to produce - Timetable to observe

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 15 days following the signature of the contract, in order to settle all the details of the study to be undertaken and the other deliverables. A **study outline** containing an extensive table of contents and description of methodological issues relevant for each task will be presented to the Commission 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 report.

One progress report meeting will take place in Brussels, at the latest 4 months, following the signature of the contract to present and discuss the interim report.

A **third meeting** will take place in Brussels upon submission of the draft final report in order to discuss the Commission's observations. This is a 6 month contract.

I.3.1. Interim reports

The **interim report** constitutes a full outline of the whole report with completed tasks one and two. It shall be submitted to the Commission at the latest four months after the date of signature of the contract.

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

I.3.2. Final report

The contractor will submit a draft final report to the Commission at the latest 6 months after the signature of the contract.

Within 20 days after the submission of this draft final report the Commission will provide the contractor with its comments on the draft final report and the date of a **third meeting** in Brussels will be agreed in order to discuss the Commission's observations.

After this meeting, the Contractor shall have 20 days in which to submit additional information or a new final report.

I.3.3. Report format and publication

All reports shall be submitted in English.

5 copies of the reports shall be supplied in paper form and one copy in electronic form, in MS Word format.

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.4. Duration of the tasks

The duration of the tasks shall not exceed **6 months**. This period is calculated in calendar days.

I.5. Place of performance

The tasks will be performed on the Contractor's premises. However, meetings between the contractor and the Commission may be held on Commission premises in Brussels.

I.6. Estimate of the amount of work involved

The total value of the contract has been estimated at 600,000.00 EUR.

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 5). 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 5, the draft service contract

II.2. Financial guarantees

Guarantee on pre-financing

For any pre-financing higher than 100,000 EUR, a financial guarantee equivalent to the amount of the pre-financing will be requested.

Depending on the financial situation of the tenderer, the Commission may ask for the financial guarantee for amounts lower than 100,000 EUR.

II.3. 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.17 of the contract (Annex 5) can be applied to subcontractors. Once the contract has been signed, Article II.13 of the above-mentioned contract shall govern the subcontracting.

II.4. Legal form to be taken by the grouping of service providers to whom the contract is awarded (if applicable)

Groupings, irrespective of their legal form, may submit bids. Tenderers may, after forming a grouping, submit a joint bid on condition that it complies with the rules of competition. Such groupings (or consortium) must specify the company or person heading the project and must also submit a copy of the document authorising this company or person to submit a bid. If awarded, the contract will be signed by the company or the person heading the project, who will be, vis à vis the Commission, the only contracting party responsible for the performance of this contract. Tenders from a consortium of firms or groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member of the consortium or group. Each member must provide all the necessary documents for assessing the bid as a whole with regard to the exclusion criteria, selection criteria (in their entirety) and award criteria.

III. FORM AND CONTENT OF THE TENDER

III.1. General

Tenders must be written in **one of the official languages** of the European Union.

Tenders must be clear and concise, with continuous page numbering, and assembled in a coherent fashion (e.g. bound or stapled, etc...). Since tenderers will be judged on the content of their written bids, they must make it clear that they are able to meet the requirements of the specifications.

It should be noted that the reports required under the contract shall be submitted in English.

III.2. Structure of the tender

All tenders 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 and 3):

- 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 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/execution/ftiers_en.htm

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

- 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/execution/legal_entities_en.htm

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

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.

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 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 must provide all the information needed for the purpose of awarding the contract.

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 should be quoted free of all duties, taxes and other charges, i.e. also free of VAT**, as the Communities are exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965 (OJ L 152 of 13 July 1967). Exemption is granted to the Commission by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption. For those countries where national legislation provides an exemption by means of a reimbursement, the amount of VAT is to be shown separately. In case of 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 Community 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

The assessment will be based on each tenderer's bid.

All the information will be assessed in the light of the criteria set out in these specifications. The procedure for the award of the contract, which will concern only admissible bids, 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.

IV.1. Exclusion criteria (exclusion of tenderers)

IV.1.1. Exclusion criteria (Article 93 Financial Regulation³)

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 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 Communities' financial interests;
 - (f) they are currently subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation⁴ for being guilty of misrepresentation in supplying the

³ 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)

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 Community 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 (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 advantage can be derived under the contract;
- that they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract.

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.

⁴ 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.

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 Directorate General for Energy and 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 Community 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.⁵

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 – References required

Tenderers must provide proof of their financial and economic capacity by means of the following documents: the balance sheets or extracts from balance sheets for the last three financial years, and a statement of overall turnover and turnover relating to the relevant services for the last three financial years.

This rule applies to all service providers, regardless of the percentage of tasks they intend to execute, once they have chosen to submit a tender. However, if the tender includes subcontractors whose tasks represent less than 20% of the contract, those subcontractors are not obliged to provide evidence of their economic and financial capacity.

IV.2.2. Technical and professional capacity – References required

Tenderers must confirm and demonstrate that their project teams have the skills and experience needed to carry out the work specified in relation to this tender and in accordance with the requirements listed below:

- 1) Excellent skills and proven experience in socio-economic information and data gathering and analysis.
- 2) Experience in drafting and editing high quality documents; capacity and proven experience in organising and animating stakeholders meetings.
- 3) Extensive and detailed knowledge and understanding about current EU and all Member States' policies related to renewable energy and Section II.

⁵ 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, last amended by Commission Regulation (EC, Euratom) n° 478/2007 of 23 April 2007, OJ L 111 of 28 April 2007, p.1.

- 4) In relation to data collection, proof of the existence of an access authorization to specific databases, as necessary or the capacity to obtain this access should the contract be awarded to them.
- 5) Experience in working at EU level and in communicating with the national administrations, the relevant market actors and main stakeholders in the Member States.
- 6) List of the main services and tasks, relevant to the study-contract, delivered during the last five years as well as related amounts, dates and beneficiaries with mention of the sector they belong to (private/public);
- 7) Indication of part(s) of the contract which the service provider intends to subcontract.

If several service providers/subcontractors are involved in the bid, each of them must have and show that they have the professional and technical capacity to perform the tasks assigned to them.

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, degrees and diplomas, professional experience, research work, publications and 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.

IV.3. EVALUATION OF TENDERS – AWARD CRITERIA

The contract will be awarded 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	Approach for implementing the work, quality and credibility of the work-plan and schedule, adequacy of information/data collection and analysis techniques.	60
2	Appreciation and understanding of the needs, the objectives and the scope of the tender	30
3	Overall quality, completeness, clarity and presentation of the offer	10
Total number of points		100

b) Total price

The contract will be awarded to the tender which offers the best ratio quality/cost.

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)
5. Draft Service 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 TREN/D1/48-2008

Identity	
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) ⁶	
Address	
Address of registered office of tenderer	
Where appropriate, administrative address of tenderer for the purposes of this invitation to tender	
Contact Person	
Surname: First name: Title (e.g. Dr, Mr, Ms) : Position (e.g. manager): Telephone number: Fax number: E-mail address:	

⁶ For natural persons

Legal Representatives	
Names and function of legal representatives and of other representatives of the tenderer who are authorised to sign contracts with third parties	
Declaration by an authorised representative of the organisation⁷ I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.	
Surname: First name:	Signature:

⁷ This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.

ANNEX 2

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

The tenderer's attention is drawn to the fact that this document is a model and that a specific form for each Member State is available at the following Internet address:

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

FINANCIAL IDENTIFICATION

ACCOUNT HOLDER

NAME	<input type="text"/>																							
ADDRESS	<input type="text"/>																							
TOWN/CITY	<input type="text"/>												POSTCODE	<input type="text"/>										
COUNTRY	<input type="text"/>						VAT NUMBER	<input type="text"/>																
CONTACT PERSON	<input type="text"/>																							
TELEPHONE	<input type="text"/>												FAX	<input type="text"/>										
E - MAIL	<input type="text"/>																							

BANK

BANK NAME	<input type="text"/>																							
BRANCH ADDRESS	<input type="text"/>																							
TOWN/CITY	<input type="text"/>												POSTCODE	<input type="text"/>										
COUNTRY	<input type="text"/>																							
ACCOUNT NUMBER	<input type="text"/>																							
IBAN (optional)	<input type="text"/>																							

REMARKS :

BANK STAMP + SIGNATURE of BANK REPRESENTATIVE (Both Obligatory)

DATE + SIGNATURE of ACCOUNT HOLDER : (Obligatory)

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/execution/legal_entities_en.htm

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

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

ANNEX 4

DECLARATION BY THE TENDERER

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

1. In accordance with Article 93 of the Financial Regulation⁸, I declare on my honour that I am not in any of the following situations which would exclude me from participating in this procurement procedure:
 - a) I am not bankrupt, being wound up or having my affairs administered by the courts, I have not entered into an arrangement with creditors, I have not suspended business activities, I am not the subject of proceedings concerning any such matters, and I am not in any similar situation arising from a similar procedure provided for in legislation or regulations;
 - b) I have not been convicted of an offence concerning my professional conduct by a judgment which has the force of res judicata;
 - c) I have not been found guilty of grave professional misconduct proven by any means which the contracting authority can justify;
 - d) I have not failed to fulfil 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 I am established or with those of the country or the contracting authority or those of the country where the contract is to be performed;
 - e) I have not been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
 - f) I am currently not subject to an administrative penalty referred to in Article 96(1) of the Financial Regulation 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 Community budget.
2. In addition, the undersigned declares on his or her honour:
 - a) that on the date of submission of the tender, the company or organisation I do represent and the staff proposed for this tender are not subject to a conflict of interests in the context of this invitation to tender; I undertake to inform the Commission without delay of any change to this situation after the date of submission of the tender.
 - b) that the information provided to the Commission within the context of this invitation to tender is accurate, sincere and complete.

Done at on.....

Name

Title

Signature:

⁸ 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.