



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

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

CALL FOR TENDERS

N°ENER/C1/2015-438/4

TECHNICAL ASSISTANCE CONCERNING THE REPORTING
REQUIREMENTS ON BIOFUELS AND BIOLIQUIDS STEMMING
FROM THE DIRECTIVE (EU) 2015/1513

TENDER SPECIFICATIONS

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1. INFORMATION ON TENDERING

1.1. Participation

Participation in this tender procedure 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 on the conditions laid down in that agreement. Where the Multilateral Agreement on Government Procurement¹ concluded within the WTO applies, the participation to the call for tender is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down.

1.2. Contractual conditions

The tenderer should bear in mind the provisions of the draft contract which specifies the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, and checks and audits.

1.3. Joint tenders

A joint tender is a situation where a tender is submitted by a group of economic operators (consortium). Joint tenders may include subcontractors in addition to the joint tenderers.

In case of joint tender, all economic operators in a joint tender assume joint and several liability towards the Contracting Authority for the performance of the contract as a whole.

These economic operators 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.

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.

¹ See http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm

1.4. Subcontracting

Subcontracting is permitted in the tender but the contractor will retain full liability towards the Contracting Authority for performance of the contract as a whole.

Tenderers must give an indication of the part of the services and proportion of the contract that they intend to subcontract.

Tenderers are required to identify subcontractors whose share of the contract is above 20%.

During contract execution, the change of any subcontractor identified in the tender will be subject to prior written approval of the Contracting Authority.

1.5. Content of the tender

The tenders must be presented as follows:

Part A: Identification of the tenderer (see section 1.6)

Part B: Evidence for exclusion criteria (see section 2.2)

Part C: Evidence for selection criteria (see section 2.3)

Part D: Technical offer (see section 2.5)

Part E: Financial offer (see section 2.6)

Part F: Power of attorney (for consortia only)

1.6. Identification of the tenderer: legal capacity and status

- The tenderer's identification form in **Annex 1** shall be filled in and signed by:
 - o The tenderer (including any member of a consortium or grouping)
 - o subcontractor(s) whose share of the work represent more than 20% of the contract.
- In order to prove their legal capacity and their status, all tenderers (including any member of a consortium of grouping) must provide a signed **Legal Entity Form with its supporting evidence**. The form is available on:
http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

Tenderers that are already registered in the Contracting Authority's accounting system (i.e. they have already been direct contractors) must provide the form but are not obliged to provide the supporting evidence.

- If it has not been included with the Legal Entity Form, tenderers must provide the following information:
 - For legal persons, a legible copy of the notice of appointment of the **persons authorised to represent the tenderer** in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation which applies to the legal entity concerned requires such publication. Any

delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.

- For natural persons, where applicable, a proof of registration on a professional or trade register or any other official document showing the registration number.
- The tenderer (only the leader in case of joint tender) must provide a **Financial Identification Form and supporting** documents. The form is available on: http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm

2. EVALUATION AND AWARD

2.1. Evaluation steps

The evaluation is based on the information provided in the submitted tender. It takes place in three steps:

- (1) Verification of non-exclusion of tenderers on the basis of the exclusion criteria
- (2) Selection of tenderers on the basis of selection criteria
- (3) Evaluation of tenders on the basis of the award criteria (technical and financial evaluation)

Only tenders meeting the requirements of one step will pass on to the next step.

2.2. Exclusion criteria

All tenderers shall provide a declaration on their honour (see Annex 2), duly signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in the Annex 2.

The declaration on honour is also required for identified subcontractors whose intended share of the contract is above 20%.

The successful tenderer shall provide the documents mentioned as supporting evidence in Annex 2 before signature of the contract and within a deadline given by the contracting authority. This requirement applies to all members of the consortium in case of joint tender. In case of doubt on this declaration on the honour, the contracting authority may also request the evidence for subcontractors whose intended share of the contract is above 20%.

2.3. Selection criteria

Tenderers must prove their economic, financial, technical and professional capacity to carry out the work subject to this call for tender.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for

example by producing an undertaking on the part of those entities to place those resources at its disposal.

2.3.1. Economic and financial capacity criteria and evidence

In order to prove their economic and financial capacity, the tenderer (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

- The annual turnover of above € 200,000 for each of the last three financial years for which the accounts have been closed.

The following evidence should be provided:

- Copy of the profit & loss account for the last three years for which accounts have been closed,

If, for some exceptional reason which the Contracting Authority considers justified, a tenderer is unable to provide one or other of the above documents, he or she may prove his or her economic and financial capacity by any other document which the Contracting Authority considers appropriate. In any case, the Contracting Authority must at least be notified of the exceptional reason and its justification in the tender. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

2.3.2. Technical and professional capacity criteria and evidence

a. Criteria relating to tenderers

Tenderers (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

- The tenderer must prove interdisciplinary experience in the following fields: Economic modelling and qualitative analysis of agricultural and energy markets (including food, feed, energy and other uses), greenhouse gas calculation methodologies, econometrics, technical and quality specifications used in trade of agricultural and forest-based commodities, fuels and biofuels with at least 5 projects delivered in this field in the last three years with a minimum value for each project of € 200,000.00.
- The tenderer must prove experience of working and drafting reports in English with at least 3 studies delivered in English in the last three years.
- In relation to data collection, tenderers must demonstrate the proof of access authorization to specific databases, research publications as well as to other necessary data sources and relevant researchers and stakeholders in the EU Member States and third countries for carrying out the work specified in tender specifications, or the capacity to obtain this access should the contract be awarded to them.
- The tenderer must prove capacity to draft high quality and sophisticated reports in English. The tenderer must prove experience in modelling; data collection, statistical analyses including graphical data representation, qualitative analysis, drafting reports and recommendations

b. Criteria relating to the team delivering the service:

The team delivering the service should include, as a minimum, the following profiles:

- In-depth knowledge of scientific research and scientific evidence analysis in area of indirect land use change impacts of biofuel policies in the EU and in third countries, including the research on ILUC mitigation
- In-depth knowledge of existing economic and bio-physical modelling for the quantification of ILUC greenhouse gas emissions in energy sector
- In-depth understanding of the global and EU biofuel market inter-linkages with the agriculture markets and the global and the EU transport fuel markets, including greenhouse gas emission calculation
- In-depth knowledge of the EU renewable energy and biofuel policy and the relevant EU legislation
- Very good understanding of the relevant biofuel policies and production pathways in the largest biofuel producers in third countries
- Expertise in econometrics

Project Manager: At least 5 years' experience in project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in projects of a similar size (at least € 200,000) and coverage (global agricultural markets), with experience in management of inter-disciplinary expert teams of at least 5 people.

Experts: Experts who will carry out the work must have worked successfully in fields related to this contract (indirect land use change research in relation to production of biofuels and bioliquids, greenhouse gas emissions of transport fuels, agriculture- and energy markets). Relevant higher education degree and/ or 5 years' professional experience in the following fields: a) agricultural market, b) energy market, c) econometrics, d) economic and bio-physical (emissions from land use and land use change) modelling and/or analysis.

c. Evidence:

The following evidence should be provided to fulfil the above criteria:

- List of relevant services provided in the past three years, with sums, dates and recipients, public or private. The most important services shall be accompanied by certificates of satisfactory execution, specifying that they have been carried out in a professional manner and have been fully completed;
- The educational and professional qualifications of the persons who will provide the service for this tender (CVs) including the management staff. Each CV provided should indicate the intended function in the delivery of the service;
- The most recent relevant scientific publications in area of ILUC research and greenhouse gas emission calculation methodology of transport fuels, including information on the author(s), title, the year and the source of publication.

2.4. Award criteria

The tender will be awarded according to the best-value-for-money procedure. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

- **Quality of the proposed methodology** (80 points - minimum threshold 60%)

Sub-criterion 1.1 (30 points):

Coherence with the defined scope and objectives, accuracy, clarity and completeness of the offer. Feasibility of the approach proposed.

Sub-criterion 1.2 (30 points):

Scientific soundness, completeness and feasibility of the methodology proposed in view of achieving the objectives of the tasks and the overall objectives of the project.

Sub-criterion 1.3 (20 points)

Methodology for the result presentation/ discussions/ consultations with stakeholders. Completeness of reporting, datasets and analysis.

- **Organisation of the work** (10 points – minimum threshold 60%)

This criterion will assess how the roles and responsibilities of the proposed team and of the economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task. It also assesses the global allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the work. The tender should provide details on the allocation of time and resources and the rationale behind the choice of this allocation.

- **Quality control measures** (10 points – minimum threshold 60%)

This criterion will assess the quality control system applied to the service foreseen in this tender specification concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.

Tenders must score above 60% for each criterion and above 70% in total. Tenders that do not reach the minimum quality thresholds will be rejected and will not be ranked.

After evaluation of the quality of the tender, the tenders are ranked using the formula below to determine the tender offering best value for money. An equal weight is given to quality and price. The contract will be awarded to the tender, which offers the best ratio quality/price X 10.000.

2.5. Technical offer

The technical offer must cover all aspects and tasks required in the technical specification and provide all the information needed to apply the award criteria. Offers deviating from

the requirements or not covering all requirements may be excluded on the basis of non-conformity with the tender specifications and will not be evaluated.

2.6. Financial offer

The price for the tender must be quoted in euro. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to assume the risks or the benefits deriving from any variation.

Prices must be quoted free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union. The amount of VAT may be shown separately.

The quoted price must be a fixed amount which includes all charges (including travel and subsistence). Travel and subsistence expenses are not refundable separately.

Maximum price: 220,000 Euros.

3. TECHNICAL SPECIFICATIONS

3.1. General background

Renewable Energy Directive is a part of the EU climate and energy package, which aims to combat climate change and increase EU energy security, to promote technological development and innovation, and to provide opportunities for employment and regional development, especially in rural and isolated areas. The Directive includes, besides the 20% overall target for the share of renewable energy by 2020, a 10% target for each Member State for the share of renewable energy in transport by 2020. The implementation of the Directive, including the design of the support schemes promoting the development of renewable energy, is the responsibility of the Member States.

The Renewable Energy Directive provides a clear regulatory framework for biofuel sustainability to be applied in all EU Member States. Similar provisions are also included in the EU Fuel Quality Directive, which establishes fuels minimum specifications for health and environmental reasons and sets a target for the reduction of life cycle GHG emissions of fuels².

To reduce the risk of indirect land use change, the Directive (EU) 2015/1513, amending the Renewable Energy and Fuel Quality directives ("ILUC-Directive) was adopted on 9 September 2015 and it entered into force on 5 October 2015.

² Directive 2009/30/EC amending the Directive 98/70EC

The ILUC Directive includes a number of additional reporting obligations regarding the scientific research and the best latest available scientific evidence in regard for the European Commission which are due in 2016 and 2017.

So, under the Article 23 of the revised Renewable Energy Directive the Commission has to use the reports of the Member States to provide information on the on the provisional mean values of the estimated ILUC emissions and the associated ranges derived from the sensitivity analysis publicly available (based on information on the volumes of different categories of conventional biofuels and bioliquids reported by the Member States). The Commission has also to provide information on and analysis of the available scientific research results regarding he ILUC in relation to all production pathways, accompanied by an assessment of whether the range of uncertainty identified in analysis underlying the estimations of ILUC can be narrowed down and the possible impact of EU policies, such as environment, climate and agriculture policies, can be factored in. The report is also required on technological developments and availability of data on use, economic and environmental impacts of biofuels produced from dedicated energy crops.

Under Article 3 of the ILUC Directive the Commission has to provide an assessment of the best available scientific evidence on ILUC greenhouse gas emissions associated with the production of biofuels and bioliquids and the latest available information with regard to key assumptions influencing the results from modelling of the ILUC GHG emissions associated with the production of biofuels and bioliquids. The Commission has also to assess the possibility of setting out criteria for the identification and certification of low ILUC-risk biofuels and bioliquids that are produced in accordance with the EU sustainability criteria.

This invitation to tender is launched for gaining technical support with gathering comprehensive information on and systematic analysis of the latest available scientific research and the latest available scientific evidence on ILUC greenhouse gas emissions associated with production of biofuels and bioliquids. Inter alia, it is necessary for competing the above cited reporting tasks.

Reference document:

- Directive 2009/28/EC of the European Parliament and the Council on the Promotion of the use of energy from renewable sources (RES Directive), if applicable as amended through the legislative procedure on ILUC (COM (2012) 595);
- Directive (EU) 2015/1513 of the the European Parliament and the Council of 9 September 2015 amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC of the European Parliament and the Council on the promotion of the use of energy from renewable sources.

3.2. General and specific objectives

The objective of the contract is to provide Technical assistance concerning the analysis as well as concerning reporting obligations of the European Commission on biofuels and other renewable fuels stemming from the Directive (EU) 2015/1513 as regards the measures aiming to address the ILUC impacts of the EU biofuel policy.

3.3. Tasks

Support activities shall cover the three following tasks that are considered as inseparable and equally important.

Task 1: Literature review and systematic overview of available results of ILUC research and the available scientific evidence

The literature review should provide comprehensive information on the ILUC research developments and a systematic overview of the most recent research results and available scientific evidence on ILUC impacts of the biofuel policies of the EU and the relevant third countries. The literature review should provide information on the best available scientific evidence on ILUC greenhouse gas emissions associated with the production of biofuels and bioliquids in the EU.

Identification of availability and literature review of the latest available research and scientific evidence on ILUC mitigation options, measures, factors and actors as well as on identification and certification of low-ILUC risk biofuels and bioliquids should be provided.

It should also cover the available publications comparing different ILUC quantification studies, models and their results. The availability of publications on comparison of ILUC estimates/ modelling results with the real-life developments should be analysed.

Information on the available scientific research results regarding ILUC greenhouse gas emissions in relation to all production pathways should be provided. It should cover not only the food and feed crops – subject of the 7% cap under the ILUC Directive. Information on available research results on ILUC impacts of biofuel production from Annex IX feedstocks and other non-land using feedstocks and dedicated energy crops (not limited to woody and grassy energy crops) etc. should be also included.

Gathering and analysis of the latest available information with regard to the key assumptions and dedicated analysis of uncertainties influencing the results from the modelling of the indirect land-use change greenhouse gas emissions associated with the production of biofuels and bioliquids is also necessary.

Information on availability of analysis of impacts on the modelling results of the parameters related to measured trends in agricultural yields and productivity, co-product allocation and observed global land-use change and deforestation rates, and the possible impact of Union policies, such as environment, climate and agricultural policies.

This task has to be carried out, based on the latest available scientific research literature, and with involvement of the stakeholders where relevant. This overview has to be accompanied also by a list of references to relevant and most recent peer-reviewed scientific research literature.

Task 2 – Analysis of the best available scientific ILUC research and scientific evidence, key assumptions and uncertainties influencing the ILUC modelling results

Analysis of the latest available ILUC research and the latest best available scientific evidence should be prepared. The information on and analysis of the available scientific research results and the scientific evidence should be presented in a systematic and structured way.

Comparative analysis of different approaches and their results for LUC GHG quantification for available biofuel and bioliquid production pathways as well as for analysis of ILUC impacts of biofuel policies of the EU and the relevant third countries, including ILUC mitigation policies should be provided. Possibilities to narrow down the ranges and uncertainties for calculation of ILUC values should be analysed, and the possible impact of the EU policies, such as environment, climate and agriculture policies, can be factored in. Also a comparative analysis of available research results and scientific evidence on low-ILUC-biofuels should be carried out in view of meeting the reporting requirements of the Commission.

This information should be accompanied by a quantitative and qualitative assessment whether, based on the latest best available scientific research results, the range of uncertainty identified in analysis underlying the estimations of ILUC can be narrowed down and the possible impact of the EU policies, such as environment, climate and agriculture policies, can be factored in.

Information of availability of dedicated scientific research results and scientific evidence regarding a quantitative (as far as possible) and qualitative analysis of uncertainties identified in analysis underlying the estimations of ILUC should be provided. Particularly where dedicated modelling of uncertainties (in addition to sensitivity and uncertainty analysis where the parameters are varied randomly), their impact to the final results should be analysed and the key assumptions with the highest impact should be identified and compared.

Task 3 Technical support to the Commission with answering questions in relation to ILUC science and a stakeholders' workshop for information on and analysis of the ILUC research (subject of an agreement with the Commission)

Continued technical support to the European Commission with answering questions in relation to ILUC research will be necessary during the duration of the tasks and after the submission of the final report.

A workshop on ILUC research developments and discussion on the latest best available scientific evidence might potentially be necessary. If required by the European Commission, it could be organised in the premises of the European Commission with the objective to provide information on the state of play in the ILUC research and to discuss the most recent ILUC research results with relevance for the EU biofuel policy.

Inter alia, a discussion with regard to the key assumptions influencing the results from modelling of the ILUC emissions association with the production of biofuels and bioliquids in the EU, including measured trends in agriculture yields and productivity, co-product allocation and observed global land-use change and deforestation rates, and the possible impact of EU policies, such as environment, climate and agriculture policies should be prepared.

3.4. Reports and documents to produce – Timetable to observe

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

In principle, the deadlines set out below cannot be extended. The Contractors are deemed solely responsible for delays occasioned by subcontractors or other third parties (except for rare cases of force majeure). Adequate resources and appropriate organisation of the work including management of potential delays should be put in place in order to observe the timetable below.

The contractor will deliver a literature review and systematic overview of available results of ILUC research and the available scientific evidence together with a draft progress report indicating the next steps at the latest 3 months after the date of signature of the contract. The Commission will have 15 days to provide the Contractor with its comments.

The contractor will deliver an analysis of the best available scientific ILUC research and scientific evidence, key assumptions and uncertainties influencing the ILUC modelling results indicating the next steps at the latest 6 months after the date of signature of the contract. The Commission will have 15 days to provide the Contractor with its comments.

A draft final study report shall be submitted to the Commission at the latest 8 months after the contract was signed. The Commission will have 15 days to provide the Contractor with its comments.

Final output and deliverable: The contractor will deliver a final report and a Powerpoint presentation summarising the study.

The contractor will submit the final study report to the Commission at the latest 9 months after the signature of the contract.

Details on deliverables: The final report will be delivered in English, 3 paper copies and as word-document file.

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 progress meeting will be held in Brussels following the submission of the intermediate draft deliverables.

Following the submission of the draft final study report, a meeting will be organised in Brussels to discuss the Commission's observation. The exact date will be agreed upon with the Contractor.

3.5. Duration of the tasks

The duration of the tasks shall not exceed 9 months. This period is calculated in calendar days.

4. CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE FINAL DELIVERABLES

All studies produced for the European Commission and Executive Agencies shall conform to the corporate visual identity of the European Commission by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo³.

³ The Visual Identity Manual of the European Commission is available upon request. Requests should be made to the following e-mail address: comm-visual-identity@ec.europa.eu

The Commission is committed to making online information as accessible as possible to the largest possible number of users including those with visual, auditory, cognitive or physical disabilities, and those not having the latest technologies. The Commission supports the [Web Content Accessibility Guidelines 2.0](#) of the W3C.

For full details on Commission policy on accessibility for information providers, see: http://ec.europa.eu/ipg/standards/accessibility/index_en.htm

Pdf versions of studies destined for online publication should respect W3C guidelines for accessible pdf documents. See: <http://www.w3.org/WAI/>

4.1. Content

4.1.1 Final study report

The final study report shall include:

- an abstract of no more than 200 words and an executive summary of maximum 6 pages, both in English and French;
- the following standard disclaimer:

“The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”

- specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

4.1.2. Publishable executive summary

The publishable executive summary shall be provided in both in English and French and shall include:

- the following standard disclaimer:

“The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”

- specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

4.2. Structure

The structure for the presentation of the study final report should follow the structure of the tasks as outlined in the tender specifications.

4.3. Graphic requirements

For graphic requirements please refer to the template provided in the annex 4. The cover page shall be filled in by the contractor in accordance with the instructions provided in the template. For further details you may also contact comm-visual-identity@ec.europa.eu.

5. ANNEXES

1. Tenderer 's Identification Form
2. Declaration related to the exclusion criteria and absence of conflict of interest
3. Power of Attorney (mandate in case of joint tender)
4. Standard Word template for studies
5. Draft Contract

ANNEX 1

IDENTIFICATION OF THE TENDERER

(Each service provider , including any member of a consortium or grouping and subcontractor(s) whose share of the work is more than 20% of the contract must complete and sign this identification form)

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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) ⁴	
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) :	

⁴ For natural persons

Position (e.g. manager): Telephone number: Fax number: E-mail address:	
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 organisation⁵ I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.	
Surname: First name:	Signature:

⁵ This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.

ANNEX 2

Declaration of honour on exclusion criteria and absence of conflict of interest

(Complete or delete the parts in grey italics in parentheses)

[Choose options for parts in grey between square brackets]

The undersigned (*insert name of the signatory of this form*):

in **[his][her]** own name (*for a natural person*)

or

representing the following legal person: (*only if the economic operator is a legal person*)

full official name:

official legal form:

full official address:

VAT registration number:

➤ declares that **[the above-mentioned legal person][he][she]** is not in one of the following situations:

- a) is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - b) has been convicted of an offence concerning professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
 - c) has been guilty of grave professional misconduct proven by any means which the contracting authorities can justify including by decisions of the European Investment Bank and international organisations;
 - d) is not in compliance with 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 performed;
 - e) has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such activity is detrimental to the Union's financial interests;
 - f) is a subject of an administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a procurement procedure or failing to supply this information, or having been declared to be in serious breach of its obligations under contracts covered by the Union's budget.
- (*Only for legal persons other than Member States and local authorities, otherwise delete*) declares that the natural persons with power of representation, decision-

making or control⁶ over the above-mentioned legal entity are not in the situations referred to in b) and e) above;

- declares that [the above-mentioned legal person][he][she]:
- g) has 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 affinity, family, emotional life or any other shared interest;
 - h) 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) has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has 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 directly or indirectly, inasmuch as it is an incentive or reward relating to award of the contract;
 - j) provided accurate, sincere and complete information to the contracting authority within the context of this procurement procedure ;
- acknowledges that [the above-mentioned legal person][he][she] may be subject to administrative and financial penalties⁷ if any of the declarations or information provided prove to be false.

In case of award of contract, the following evidence shall be provided upon request and within the time limit set by the contracting authority:

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.

If the tenderer is a legal person, information on the natural persons with power of representation, decision making or control over the legal person shall be provided only upon request by the contracting authority.

Full name	Date	Signature

⁶ This covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares.

⁷ As provided for in Article 109 of the Financial Regulation (EU, Euratom) 966/2012 and Article 145 of the Rules of Application of the Financial Regulation

ANNEX 3

POWER OF ATTORNEY

mandating one of the partners in a joint tender as lead partner and lead contractor ⁸

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:

⁸ To be filled in and signed by each of the partners in a joint tender, except the lead partner;

ANNEX 4

Standard Word template for studies

European
Commission

Add document title 1

Add title 2

6. Table of Contents

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7. How To Use This Document Template

Cover page

Add the title of the document which should be center aligned. Add any other relevant information if necessary which should be left aligned on the left vertical axis of the EC logo.

The font colour of the title should be **White**.

Page set up

- Top margin: 3.5
- Bottom margin: 2.5
- Left margin: 3
- Right margin: 2.5

Headings and subheadings

The following styles should be used for headings and subheadings.

- Heading 1
Font type: Verdana

Font Size: 14
Colour: R:38, G:54, B:115

- Heading 2
Font type: Verdana
Font Size: 11
Colour: R:38, G:54, B:115
- Heading 3
Font type: Verdana
Font Size: 10
Colour: R:38, G:54, B:115

Do not use capital letters for the headings/subheadings, the format should always be "sentence case", except for abbreviations.

Body text

Font style: Verdana
Font size: 10
Font colour: Gray 80%

Header

The header should include the EU flag and the reference text:

- European Commission
- The title of the document
- Font type: Verdana Italic
- Font size: 8

Footer

Add the relevant name of the month and year in the footer which should appear to the left below the line.

- Font type: Verdana Italic
- Font size: 8.
- The page numbers will appear automatically.

Bulleted list

The bullet should be square and the colour should be Black. For reference please see list under "[Headings and subheadings](#)". To apply the style of the list, select "List Bullet 2" from the "Style" drop down menu.

Hyperlinks

By default the hyperlinks will appear in blue (colour coder: R:26, G:63, B:124), no underline.

Table of Contents

This template is complete with Styles for a Table of Contents. From the **Insert menu**, choose **Reference**, then **Index and Tables**. Click on the tab **"Table of Contents"**. In the "Format" box, select "From template".

ANNEX 5

DRAFT CONTRACT

Please see separate document