SPECIFICATIONS

To Invitation to Tender ENV.B.2./ETU/2011/0035

Background study towards biodiversity proofing of the EU budget

These specifications follow the publication of

- the contract notice in OJEU 2011/S 168012 of 28/05/2011

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PART 1: TECHNICAL DESCRIPTION

1. Background
Assessments confirmed that despite efforts undertaken, which have triggered substantial progress in certain areas, the target of halting biodiversity loss by 2010 within the EU (and worldwide) has been missed\textsuperscript{1}. On the other hand, recent studies show not only the natural and cultural but as well the considerable economic and social benefits of biodiversity and ecosystems\textsuperscript{2}. There is growing evidence not only on the state but as well on the consequences of biodiversity and ecosystems loss, which builds the clear case that an increased effort is needed to reverse the current negative trends in the interest of EU citizens and the overall socio-economic development in the EU.

Main pressures on biodiversity are habitat loss (e.g. due to land use change, fragmentation), overexploitation, pollution, invasive alien species and climate change, in addition with indirect drivers such as demographics, consumption and life style choices, institutional, market failures and economic growth\textsuperscript{3}. The reasons for failing to achieve the EU 2010 target are many and complex and are set out in numerous assessments\textsuperscript{4}. The most significant reasons are: insufficient integration into other sectoral policies, incomplete implementation of existing legislation, policy gaps, insufficient funding, limited awareness about biodiversity, inadequacy of policy framework and governance as well as missing administrative capacity, skills and knowledge gaps.

In January 2010, the Commission published a Communication with options for a vision and target for biodiversity policy in the EU for the period after 2010\textsuperscript{5}. Based on this, the Environment Council agreed upon the future vision (for 2050) and a headline target (for 2020)\textsuperscript{6}, which were subsequently endorsed by the Spring European Council in March, noting that “There is an urgent need to reverse continuing trends of biodiversity loss and ecosystem degradation. The European Council is committed to [...] the 2020 target set out in the Council's conclusions of 15 March 2010.”\textsuperscript{7} To deliver on this biodiversity target, a new EU strategy is being developed and foreseen to be adopted in May 2011.

Biodiversity and ecosystems provide many goods and services fundamental to economic and social development and human well-being. Therefore their protection and wise management is fundamental to achieving a sustainable and resource efficient Europe and thus contribute to achieving future targets e.g. set in the Europe 2020 Strategy\textsuperscript{8}, the 20/20/20 climate and energy target package\textsuperscript{9} as well as the 2020 EU biodiversity target. The preparations for the next Multi-

\textsuperscript{1} http://www.eea.europa.eu/publications/eu-2010-biodiversity-baseline/
\textsuperscript{2} www.teebweb.org
\textsuperscript{3} The European Environment state and outlook 2010 report, EEA, 30 November 2010 (see http://www.eea.europa.eu/pressroom/newsreleases/butterflies-or-business-europe-can)
\textsuperscript{4} http://ec.europa.eu/environment/nature/biodiversity/comm2006/bap_2008.htm and
\textsuperscript{6} The 2020 EU biodiversity target: Halting the loss of biodiversity and the degradation of ecosystem services in the EU by 2020, and restoring them in so far as feasible, while stepping up the EU contribution to averting global biodiversity loss
\textsuperscript{8} COM(2010)2020 final
\textsuperscript{9} COM(2008)30 final
annual Financial Framework (MFF 2014-2020) including the current policy reforms provide an excellent opportunity to start developing tools that can lead to removal of subsidies that might counteract the above goals, which obstacle was identified in several assessments\(^{10}\) and papers outlining the shortcomings and failures of current policies.

In order to achieve the above targets and to minimise negative impacts of investments on biodiversity as well as to avoid EU subsidies harmful to biodiversity, as part of the 2020 Biodiversity Strategy which is foreseen to be adopted in May 2011 and which will be publicly available to the tenderers for the preparation of their bids., the Commission intends to include measures to 'biodiversity proof' EU funds. This intention is in line with the call from several stakeholders to remove environmentally harmful subsidies. Projects and programmes might be 'biodiversity proofed' within the scope of relevant directives (e.g. Environmental Impact Assessment and Strategic Environmental Assessment Directives) and, in collaboration with Member States, a methodology might need to be established with a set of criteria for screening EU investments in the light of biodiversity objectives.

No such work on biodiversity proofing has hitherto been done by any other European service, whilst the lack of integration and ecological coherence of nature and biodiversity policy measures, as well as the limited knowledge and sometimes the relevant administrative capacity, have been clearly identified as obstacles to reach nature and biodiversity targets. There is some but still limited action done on climate proofing of EU funds, which work will have to be taken into account when conducting the current study contract in order to avoid any double work. Additionally, there are tools that might be considered as the base for biodiversity proofing of an investment/plan/project (i.e. Environmental Impact Assessment or the assessment and process set out in Article 6 of the Habitats Directive).

Although EU action has huge implications on external (global) biodiversity e.g. via trade and aid, due to the budgetary limitations of the current call for tender, the contractor is expected to focus only on internal EU budget.

2. Objectives

The overall objective of this call for tender is to ensure consistency between the implementation of nature and biodiversity policy and other EU policies, especially by identifying 'biodiversity proofing' tools and developing a framework to avoid measures taken under EU sectoral policies and having negative impacts biodiversity and nature objectives. The outcome of this study mainly would be the basis for preparing a frame with policy tools eliminating EU subsidies harmful to biodiversity and ecosystems. The scope of the study does not include the analysis of measures that are designed to directly enhancing or preserving biodiversity and ecosystems.

For this study, the areas that the contractor shall cover are the following:

1) Establish a common understanding of 'biodiversity proofing' and its definition.

\(^{10}\) For example: COM(2010) 4 final; the 2020 CBD global targets  [http://www.cbd.int/sp/targets/]
2) Identify the possible levels of intervention within the most relevant EU policies and EU funding streams.
3) Review climate proofing frameworks and tools in order to identify synergies and means that might be replicated or adopted to biodiversity proofing.
4) Suggest a framework to screen EU co-funded investments that enables identifying and eliminating those negative to biodiversity and ecosystems. By doing this, it is expected to identify knowledge gaps in setting up screening criterion and in applying them.

All the most relevant EU policies are to be screened for their harmful effects on biodiversity and ecosystems (e.g. Common Agricultural Policy, Common Fisheries Policy, Cohesion Policy, Trans-European Network policies, the 7th Framework Programme, climate and energy). The provisions and the implementation of respective regulations and guidelines as well as the relative weight of measures, reflected in their funding streams (i.e. European Agricultural Fund for Rural Development, European Regional Development Fund, Cohesion Fund, European Social Fund, European Fisheries Fund, the 7th Framework Programme) will have to be part of the analysis.

Any proposal or suggested tool should be assessed against its impact, including in terms of administrative workload and potential new/additional 'red tape'. Hence the contractor shall look at the 'user-friendliness' of the suggested biodiversity proofing tools to make sure that they are practical and effective.

The biodiversity proofing framework will have to be set in the context of EU biodiversity policies e.g. incorporating biodiversity goals, targets and indicators with an outlook to the post-2013 financial perspectives. Special attention shall be given to climate and energy policy, where there is a parallel process for climate proofing and where there are a number of completed or ongoing studies and projects in the area. It should build on good and innovative practices from within EU Member States, as well as on relevant practices outside Europe. Based on the analysis it should be identified how EU funds could be biodiversity proofed in the future. The study will have to provide practical conclusions and recommendations and avoid all duplication or lengthy quotation of already existing documents. Additionally, there is a need that the contractor points out the knowledge gaps that remain to be filled in order to implement or improve the framework. The information and findings of this contract will be used if the Commission develops tools or proposals on biodiversity proofing of the EU budget.

This contract shall build on the work of already existing or ongoing contracts and initiatives, filling the gaps, to provide concrete recommendations for biodiversity proofing of EU funds with a particular focus on the ways of intervention in the whole policy development and project life-cycle, of all related policies, measures, instruments, programmes and projects at all relevant implementation levels.

Contacting the relevant policy units in DG AGRI, DG EMPL, DG MARE and DG REGIO leading on the preparations of the financing perspectives for 2013 onwards, as well as DG CLIMA and DG ENV units who's work is most directly related to financing biodiversity and have an impact on achieving biodiversity goals e.g. A.3 (Cohesion Policy), B.1 (Agriculture and

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11 A list of suggested references can be found in Task 2
Forestry), B.3 (Natura 2000), .E.3 and E.4 (LIFE units), C.2 (Sustainable consumption & production), D.1 (Water), D.2 (Marine) and F.1 (Economists) will be indispensible within the course of the contract.

3. Content / Description of the tasks

**TASK 1 – DEVELOP DEFINITION OF 'BIODIVERSITY PROOFING'**

The contractor shall conduct a literature review of studies and documents that might be relevant for biodiversity proofing from within EU Member States and outside Europe. Work under this task will involve establishing criteria that define the character of an investment as being 'harmful to biodiversity and ecosystems'. On the basis of the thorough literature review, and expert knowledge, the contractor will compile and compare different definitions and methodologies to define 'biodiversity proofing' in the context of the EU or national investments. He will define what is meant by 'biodiversity proofing', what can be considered as a biodiversity proofing tool, what are the expected outcomes of application of 'biodiversity proofing' which would make a project/plan/programme/measure/payment being 'biodiversity proofed'.

**TASK 2 – DEVELOP INTERVENTION FRAME FOR BIODIVERSITY PROOFING OF EU BUDGET**

**Task 2a – Policy review**

All EU policies, funds regulation and guidelines and policy reforms and proposals that have adverse effect on achieving the 2020 EU Biodiversity Target and more generally on biodiversity and ecosystems as such have to be reviewed. The contractor shall compile a summary of the extent those policies currently address biodiversity and ecosystems and how they impact them.

The work should in particular cover policies having a high spatial impact, such as agriculture and rural, urban and regional development, fisheries, energy, climate and transport.

A list of studies, documents and other information sources as suggested references is provided below. Please note that the list is not exhaustive and should be taken as an indication and the contractor should also rely on additional sources.

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<th>Reference and Internet link (if available)</th>
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<td><strong>CLIMATE CHANGE</strong></td>
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<td>CORDIS database</td>
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<td><strong>Other sources</strong></td>
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<tr>
<td>Draft Guidance on strategic assessments and climate change (final title to be decided), Regions for Sustainable Change Project</td>
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<tr>
<td><a href="http://www.rscproject.org/">http://www.rscproject.org/</a></td>
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<tr>
<td><strong>Note:</strong> Draft guidance and/or contact details of the responsible person from the project will be provided to the contractor after signature of the contract.</td>
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<td><strong>Climate policy integration, coherence and governance</strong></td>
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Europe adapts to climate change – comparing national adaptation strategies

Internet link to the International Association of Impact Assessment website (please, especially look at the links to 2010 Conferences in Aalborg and Washington on climate change and impact assessment).

OECD/DAC Advisory Note: Strategic Environmental Assessment and adaptation to climate change

Internet link to the page related to EIA and climate change of the Institute of Environmental Management and Assessment

Recent studies on climate proofing of EU funds and checking against sustainability

IEEP study on Strategies and Instruments for Climate Proofing of the EU Budget.

WWF publication on Unlocking the Potential of the EU Budget, Vol. I & II,

**EU**

Internet link to the EC website on biodiversity

EU biodiversity policy

Discussion Paper - Towards a Strategy on Climate Change, Ecosystem Services and Biodiversity

Green Infrastructure

Managing Natura 2000 sites: The provisions of Article 6 of the 'Habitats' Directive 92/43/EEC

Methodological guidance on the provisions of Article 6 (3) and (4) of the Habitats Directive 92/43/EEC

Guidance document on Article 6(4) "Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interest, compensatory measures, overall coherence, Opinion of the Commission"

Information on the Economics of ecosystems and biodiversity:

Study on dealing with conflicts in the implementation and management of the Natura 2000 Network – Strategic Planning

Guidelines on implementation of Birds and Habitats Directive in estuaries and costal zones

Guidelines on non-energy extractive industry and Natura 2000

Impacts of climate change and renewable energy on biodiversity and Natura 2000

Integrating biodiversity and Natura 2000 in strategic planning and SEA

Guidelines on wind energy and Natura 2000
Note:
Only draft documents of the above six guidelines are available at this stage. They will be provided to the contractor at the beginning of the contract.

Other sources
Voluntary guidelines on biodiversity-inclusive impact assessment
Draft Guidance on biodiversity-inclusive strategic environmental assessment
http://www.cbd.int/decision/cop/?id=11042the%20Convention%20on%20Biological%20Diversity

Biodiversity in impact assessment, July 2005, Special Publication Series No. 3, International Association of Impact Assessment

Strategic environmental assessment and biodiversity: Guidance for Practitioners, 2004, RSPB

Principles on the efficient design and development process of plans and projects towards biodiversity assets by PIANC
http://www.pianc.org/workingwithnature.php

IEEP study on reflecting environmental land use needs into EU policy: preserving and enhancing the environmental benefits of “land services”: soil sealing, biodiversity corridors, intensification / marginalisation of land use and permanent grassland

CLIMATE CHANGE AND BIODIVERSITY

EU
Internet link to the EC website on climate change and biodiversity
http://ec.europa.eu/environment/nature/climatechange/index_en.htm

Impacts of climate change on EU biodiversity: evidence and modelling results

Other sources
Articles published by scientific reviews, e.g. the Impact Assessment and Project Appraisal Journal
http://www.ingentaconnect.com/content/beech/iapa

Biodiversity, climate change and you, EEA
http://www.eea.europa.eu/publications/signals-2010

EIA AND SEA

EU
Internet link to the EC website on EIA and SEA
http://ec.europa.eu/environment/eia/home.htm

Additionally, the contractor shall build on the deliverables of other contractors working for DG ENV and DG CLIMA like the ones performing on a Practical Guidance and recommendations for integrating climate change and biodiversity into EIA/SEA procedures, 'Climate proofing' of key EU policies and Methodologies for climate proofing investments and measures under cohesion and regional policy and the common agricultural policy. The Commission will make all such relevant work available to the contractor after signature of the contract.

Task 2b – Review climate proofing tools and initiatives

Taken the strong synergies and the ongoing parallel process on climate proofing of EU budget, within Task 2b, the contractor is expected to review climate proofing strategies and tools that have already been developed or applied in practice. This entails looking into regional and/or
national strategies, operation programmes or other initiatives for climate proofing budgets both within the EU and outside.

The focus of the review should be to identify synergies between climate and biodiversity proofing and good practices of climate proofing that with the necessary adjustments could potentially be replicated for biodiversity proofing.

**Task 2c – Identify best frame of actions**

Based on Task 2a and 2b, the contractor has to describe what possibilities and limitations there are to biodiversity proofing the EU budget. He shall identify for each EU policy field reviewed, where there was a possibility of applying biodiversity proofing as understood and described in Task 1. He shall analyse different integration approaches (e.g. strategic planning level, national or regional Operational Programme level, project level; during programming or implementation or monitoring and evaluation etc.). The contractor shall provide a detailed assessment of the pros & cons of applying biodiversity proofing at different levels of funding decision making e.g. a SWOT analysis and thus identify the best level of actions within the policy and/or the project cycles. He shall as far as possible take into account the differing situations in administrative capacity and experience with EU funding across Member States.

Based on the analysis, the contractor shall develop a biodiversity proofing framework for all major EU funds. It should be clearly identified who would be responsible for the implementation of the biodiversity proofing tools (e.g. European Commission, Member States national authorities, regional/local authorities, project initiator etc.) and which tools would be used at which stages of the programme and project development cycles. When describing the frameworks, the potential of certain elements of the framework shall be assessed as much as possible, preferably in quantitative terms. This should provide an indication for the EC that if a certain biodiversity proofing tool was implemented, how much of the EU budget would be biodiversity proofed and thus contribute to at least a 'no net loss of biodiversity and ecosystems'.

Special attention shall be given to ongoing approaches to climate proofing. Interlinkages should be addressed and the proposed frameworks shall point out any possible synergies between the two.

The outcome of Task 2 has to be a clear and logical frame, which summarises the structure of the respected EU policy and, if applicable, the funding stream attached to it, with identification and assessment of the places of intervention and a reference to intervention tools already in place. A maximum 2 pager summary of each existing tool reviewed and referred to should be annexed to the deliverable.

This work shall count for at least 50% of the time budget.
**Task 3 – Screening EU co-funded investments**

**Task 3a – Develop screening criterion and identify knowledge gaps**

Based on Task 2, the contractor shall prepare a set of criterion against which the different EU funding streams could be screened to identify plans, programmes or projects with a potential negative impact on biodiversity, nature (Natura 2000) and ecosystems.

When developing the set of criteria, knowledge and capacity gaps, in particular at the level of the authorities running and implementing EU funded programmes and projects shall be assessed and it has to be outlined what future works are needed to set up or further develop biodiversity proofing criteria and to apply those.

**Task 3b – Identify action for intervention**

The contractor, wherever possible, has to describe what action is needed or could be taken in case the implementation of the screening criterion would conclude that a plan, programme or project building on EU co-funding has potential negative impacts on biodiversity, Natura 2000 network or ecosystem services.

The performance of Task 3 shall count for at least 30% of the time budget.

**Task 4 – Compilation of the final report**

The contractor will have to foresee a presentation of the findings of the draft final report to Member States and experts, to be decided with the Commission, at a one-day meeting in Brussels. The number of participants is to be expected around 150 people. The contractor will be responsible for organising the meeting such as coordinating the invitation and registration of participants and for drafting the programme. The Commission will provide the venue in Brussels. Travelling costs of experts from Member States will be covered by the Commission. The contractor shall calculate with its own travelling costs in the financial proposal.

The objective of the meeting will have to be to present the main findings of the study, to foster a discussion on biodiversity proofing of EU budget and to receive feedback from experts of different institutions and sectors on the work done.

The timing of the expert meeting shall be foreseen 8 months from the date of the signature of the contract. The exact date will be agreed upon with the Commission. The outcome of the expert meeting will have to be incorporated into the Final Report.

To ensure a good contract implementation, there is a need for regular meetings between the contractor and representatives of the Commission.

The contractor will be required to attend the following meetings:

- an **inception meeting** in Brussels no later than one month after the signature of the contract. The draft inception report is to be submitted at latest one week before the inception meeting, with a final version incorporating the Commission's comments to be submitted at latest one week after the inception meeting;
• an interim meeting three and a half months after the signature of the contract, to discuss the state of play and the interim report (to be delivered three months after signature of the contract);
• a second interim meeting at latest five and a half months after the signature of the contract to discuss the state of play;
• a one-day expert meeting back-to-back with a final meeting in Brussels two weeks after the delivery of the draft final report.

In between the meetings indicated above, telephone and/or video conferences will be held with DG ENV every month in order to updated DG ENV on progress and to provide steering from the Commission for the contractors. Should further meeting(s) deemed to be necessary, the contractor will schedule those in agreement with the Commission.

The expert meeting and events will be scheduled in more detail at the inception meeting in agreement with the European Commission.

The Contractor will be responsible for preparing meetings, draft agendas and for the minutes' taking.

4. Experience required of the Contractor

For the fulfilment of the tasks described above, the core team of the contractor will need to show an excellent level of knowledge, expertise and proven track record in the following areas:

• A sound experience in European Nature and/or Biodiversity Policy with at least 4 years of professional and/or academic experience in policy assessment.

• A sound experience in the functioning and implementation at Member State and sub-national/regional level of other EU policies having an impact on biodiversity (such as agriculture, climate, energy, transport, ICT, water treatment and other infrastructure, coastal zones and flooding etc.) and a European-wide overview on their relevant funding streams (such as European Agricultural Fund for Rural Development, European Regional Development Fund, Cohesion Fund, European Social Fund, European Fisheries Fund, the 7th Framework Programme). An experience in climate adaptation and proofing would be an asset and should be highlighted.

He shall have experience with evaluating complex facts and the presentation of the results. Throughout the conduction of the contract, the contractor shall ensure that the various deliverables are coherent and presented in a single framework, using a common methodology.

The team proposed by the tenderer must have excellent knowledge of English. The language ability knowledge of the tenderer must be evidenced by the curricula vitae. As there is a need to review initiatives and practices in EU Member States or outside the EU, all other language capacities should be highlighted.
5. Deliverables

An inception, an interim report and a final report have to be prepared. The activities described therein will be evaluated, taking into account the remarks of the steering group, which will be invited to give comments on the reports. Elements which should be covered in the reporting, and will be evaluated for the acceptance of the reports, are:

- Adherence to deadlines;
- Quality of the deliverables;
- Use of the deliverables;
- Quality of the meetings and management of the steering group;
- Quality of the staff and the adherence to the profile requirements;
- Quality of the contractor’s staff’s follow-up and service/contract management.

Deliverable 1

The **inception report** will set out in detail the work plan for completing the tasks. The inception report is to be delivered no later than 2 weeks after signature of the contract.

The contractor should propose a working method ensuring a full transparency on the information gathering, and should upload all the information gathered on a restricted CIRCA interest group to be managed by the Commission.

Deliverable 2:

An **interim report reporting on Task 1, Task 2a and 2b** should be made available to the Commission services in electronic format for commenting no later than 3 months after the signature of the contract, to be discussed at the interim meeting.

Deliverable 3:

A **draft final report, covering all tasks**, should be made available to the Commission services in electronic format for commenting 7 months after the signature of the contract, to be discussed at the final meeting.

The **final report**, taking into account the outcome of the **one-day experts' meeting** and the Commission's comments shall be presented to DG Environment for final approval at the latest 9 months after the signature of the contract.

The **final report** must be supplied in two paper copies and in electronic format (MS word & excel), including the submission of all background data collected and generated under this project in a well structured, self-understandable and easy-to-use format. Any software and tools developed and the results of services provided shall be handed over to the Commission.

6. Duration of the tasks

The tasks should be completed within 9 months of the signature of the contract (see point 5). The execution of the tasks may not start before the contract has been signed.

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7. Place of performance

The place of performance of the tasks shall be the contractor’s premises or any other place indicated in the tender, with the exception of the Commission’s premises.
PART 2: ADMINISTRATIVE DETAILS

1. General terms and conditions for the submission of tenders

- Submission of a tender implies that the tenderer accepts all the terms and conditions set out in these specifications (including the annexes) and waives all other terms of business.
- Submission of a tender binds the contractor to whom the contract is awarded during performance of the contract.
- Changes to tenders will be accepted only if they are submitted on or before the final date set for the submission of tenders.
- Expenses incurred in respect of the preparation and presentation of tenders cannot be refunded.
- No information of any kind will be given on the state of progress with regard to the evaluation of tenders.
- Once the Commission has accepted the tender, it shall become the property of the Commission and the Commission shall treat it confidentially.
- The protocol on the Privileges and Immunities or, where appropriate, the Vienna Convention of 24 April 1963 on Consular Relations shall apply to this invitation to tender.

2. No obligation to award the Contract

- Fulfilment of adjudication or invitation to tender procedure shall not involve the Commission in any obligation to award the contract.
- The Commission shall not be liable for any compensation with respect to tenderers whose tenders have not been accepted. Nor shall it be liable in the event of its deciding not to award the contract.

3. Joint tenders

When a consortium / partnership is envisaged three cases can arise:

I. The offer originates from a consortium already formally set up as a separate and legal entity able to submit its statutes, mode of operation, technical and financial capacity, such as result from the contributions of its various members. It is such a consortium that will bear the technical and financial responsibility for the contract and will present the requested financial guarantee, if applicable.

II. The offer originates from companies not yet having created a consortium as a separate legal entity but planning to constitute one as referred to in item I, if their joint offer is accepted. In such a situation, the tenderer will have to provide the legal form, the envisaged draft statutes and mode of operation of the consortium, the various technical and financial contributions, letters of intent, as well as the guarantees envisaged, where applicable.

III. The offer originates from companies not wishing to constitute formally a consortium as a separate legal entity and thus constituting effectively an association. In such a case,
the offer will be submitted in the form of subcontracting (cf. point 4 below), in which case one of the companies shall assume the total responsibility for the offer. This company will sign the contract in its name, the other companies then being regarded as subcontractors of the first.

For joint tenders described in cases I and II above, the information required in

- Part 2, 6.2 (“administrative proposal”)
- Part 3, 1 (“information for assessment of exclusion criteria”) and
- Part 3, 2 (“information for assessment of selection criteria”)

must be provided for all members participating in the tender.

For sub-contractors (joint tenders described in case III) please refer to point 4 below. Furthermore, the questionnaire in Annex 2 must be completed.

4. Subcontractors

Sub-contracting for the purpose of the contract is permitted where there is a need for specific expertise.

Sub-contracting is defined as the situation where a contract has been or is to be established between the Commission and a contractor and where the contractor, in order to carry out that contract, enters into legal commitments with other legal entities for performing part of the service. However, the Commission has no direct legal commitment with the sub-contractor(s). At the level of the liability towards the Commission, tasks provided for in the contract may be entrusted to sub-contractors, but the contractor retains full liability towards the Commission for performance of the contract as a whole.

Accordingly:

- The Commission will treat all contractual matters (e.g. payments) exclusively with the contractor, whether or not the tasks are performed by a sub-contractor;
- The Commission will privilege direct contacts with the contractor, who is responsible for executing the contract;
- Under no circumstances can the contractor avoid liability towards the Commission on the grounds that the sub-contractor is at fault.

A contract which includes sub-contracting is subject to certain general conditions in particular the provisions on sub-contracting, checks and audits, and confidentiality. Where justified by the subject matter of the contract, a statement of confidentiality may be required to be submitted to the Commission. The sub-contracting arrangement between the contractor and his sub-
contractor should render directly applicable all those contractual obligations with regard to the Commission to the sub-contractor.

Consequently, the bid must clearly identify the sub-contractor(s) and document their willingness to accept the tasks and their acceptance of the terms and conditions set out in part 3, point 2 below, in particular article II.17 of the standard service contract by returning the form in Annex 2, duly filled in and signed.

Tenderers must inform the sub-contractor(s) and include in their sub-contracting documents that Article II.17 of the standard service contract may be applied to sub-contractors. Once the contract has been signed, Article II.13 of the above-mentioned service contract shall govern the sub-contracting.

Where sub-contracting exceeds 60,000€ or 20% of the contract value (the highest value will be applied), the sub-contractor(s) concerned will be assessed against the exclusion criteria, including absence of conflict of interest (see Annex 5), and selection criteria.

Documents to be submitted - subcontracting

If the bid envisages subcontracting, it must include the following:

Administrative information and evidence for access to the contract

1. The questionnaire for joint bids and subcontracting provided in Annex 2, signed by a legal representative of the tenderer. A separate copy of the second page of this questionnaire must be provided for each sub-contractor, and include the following information:
   - the reasons for sub-contracting;
   - the role, activities and responsibilities of each sub-contractor;
   - and the volume/proportion of tasks for each sub-contractor.

2. A declaration of intent by each sub-contractor stating its intention to collaborate with the tenderer if the contract is awarded to it.

Documents relating to the exclusion criteria

1. Subcontractors must provide the duly signed declaration on the grounds for exclusion (Annex 5). Where the value of the sub-contracting to be executed by a subcontractor in a bid is equal to or exceeds 60,000€ or 20% of the value of the contract (whichever is higher of the two), the subcontractor must if and when requested, provide all the supporting documents to the declaration as specified in part 3, point 1. Where these services represent less than the above mentioned ceiling, the subcontractor shall not be required to provide the supporting evidence. The Commission reserves the right to ask for those documents if considered necessary.

Documents relating to the selection criteria
1. Where the value of the subcontracting to be performed by a sub-contractor in a bid is equal to or exceeds 60,000€ or 20% of the value of the contract, the sub-contractor must provide the documents relating to financial and economic capacity as specified in part 3, point 2. Where these services represent less than above mentioned ceiling, the sub-contractor does not have to provide the documents relating to financial and economic capacity. However, if the tenderer is relying on the capacities of the sub-contractors to fulfil the selection criteria, as stated in the questionnaire for joint bids and sub-contracting (Annex 2), these documents must be submitted. The Commission also reserves the right to ask for those documents in other cases if considered necessary.

2. The sub-contractor must answer the questions in the technical questionnaire concerning the services it is proposing to perform.

**Documents relating to the award criteria**

*The documents relating to the award criteria shall be provided only by the tenderer.*

Tenderers should note that the Commission will consider the level of intended subcontracting in the assessment of the award criterion “project management and availability”.

**5. Payments**

This contract will be paid on a lump sum basis.

An **interim payment of 30%** will be paid upon acceptance by the Commission of the interim report.

A **final payment of 70%** will be paid upon acceptance by the Commission of the final report.

The Commission reserves the right to waive the pre-financing payment if applicable, or to request a financial guarantee should it be deemed necessary (ref. part 3 point 2.1).

The Commission is exempt from all taxes and dues, including value added tax, pursuant to the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union with regard to its financial contribution under the contract.

**6. Content of the tender**

All tenders must be presented in three sections:

**6.1. Financial offer**

- A financial offer duly dated and signed by the person authorised to sign on behalf of the organisation. The price must be quoted in Euro using the template in annex 3, including for the countries which do not form part of the Euro zone. For the tenderers of the countries which do not form part of the Euro zone, the amount of the offer cannot be revised because of exchange rate movements. The choice of exchange rate belongs to the
tenderer, who assumes the risks or opportunities associated with these exchange rate movements.

- The price must be a fixed amount, inclusive of all expenses.
- The price will not be subject to revision.
- The price range within which offers will be accepted for this contract is fixed at € 100,000 – 120,000 (one hundred thousand Euro – one hundred-twenty thousand Euro).
- The price quotation must be signed by the tenderer or his duly authorised representative.
- The price must be quoted free of all duties, taxes and other charges, including VAT, as European Union is exempt from such charges under Articles 3 and 4 of the Protocol (n° 7) on the Privileges and Immunities of the European Union (OJEU C 83 of 30 March 2010). 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 doubts about the applicable VAT system, it is the tenderer's responsibility to contact his national authorities to clarify the way in which the European Union is exempt from VAT.
- The offer shall remain valid for a period of 6 months, as from the deadline for submission of offer.

6.2. Administrative offer

- An administrative information form containing information on the full name of the organisation, legal status, address, person to contact, person authorised to sign on behalf of the organisation, telephone number, and facsimile number. The form must be duly dated, signed and stamped by the person authorised to sign on behalf of the company (see annex 1).
- Legal entity and financial identification forms (see annex 4), proof of enrolment (certificates) in one of the professional or trade registers, in country of establishment.
- If the tenderer is a natural person; she/he will be required to provide proof of her/his status as a self-employed person. To this end she/he must supply details of her/his social security cover and situation with regards to VAT regulation.
- A declaration of the candidate’s eligibility; certifying that he/she is not in one of the situations listed in articles 93 and 94 of the Financial Regulation of the European Communities (Official Journal L 390 of 30/12/2006) (see annex 5)
- Documents relating to the selection criteria (see part 3, point 2.1. Financial and Economic capacity)
- The service provider’s educational and professional qualifications and those of the firm’s managerial staff and, in particular, those of the person or persons responsible for providing the services (curriculum vitae presented on the EU standard form which can be downloaded from the following address – http://europass.cedefop.europa.eu/europass/home/vernav/Europasss+Documents/Europass+CV/navigate.action together with a consolidated overview of CVs in an excel table.
- A list, preferably in English or French of the principal studies, services contracts, consultancy work, surveys, publications or other work previously carried out during the past three years, indicating the name of the client and stating which, if any, were done for the European Commission.
• Tenders from consortia of firms or groups of service providers must specify the role, qualifications and experience of each member (see also part 3, points 1, 2 and 3 – exclusion, selection and award criteria).

6.3. Technical offer

• A technical offer with the methodology needed to fulfil the requirements mentioned in Part 1, point 3 must be submitted. The tender should give indications on the theoretical background used, the methodology used in the work that will be undertaken and on its appropriateness for this purpose. It should also give indications on the data to be used and their reliability.

• Establish the tenderer’s identity
The tenderer should detail the competence, experience and the means at his disposal which would allow the tasks foreseen in the contract to be carried out.
A list of previous work carried out over the past 3 years must be included.
If a consortium is formed for the execution of the tasks presented in this call for tender, then please explain the roles of each partner in the consortium. (For the administrative details in relation to joint tenders, please refer to Part 2, point 3).
If sub-contracting is envisaged, please clearly indicate which tasks are concerned, the % that this represents of the total value of the offer, and the name and address of the sub-contractor(s), if known at this stage.

• Implementation of the contract
Describe the methodology to be applied to carry out each of the tasks foreseen in the contract.

• Managing the contract
The tenderer’s availability during the period of the execution of the tasks must be clearly demonstrated, and explain how the project will be managed.
PART 3: ASSESSMENT AND AWARD OF A CONTRACT

The assessment will be based on each tenderers 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 will concern only admissible bids and it will be carried out in three successive phases. The first step is to check that the tenderers are not excluded in any way from taking part in the tender procedure. The second step is to check the tenderer's capacity (financial and technical) to perform the contract and the final step is to assess the quality of the offers against the award criteria for each offer that has passed the exclusion and selection phase.

In the case of joint tenders, the exclusion, selection and award criteria will be applicable to all the members of the consortium. The same principle will also be applied in the case where there are sub-contractors. The bid must clearly identify the subcontractors and document their willingness to accept the tasks and thus acceptance of the terms and conditions set out in Part 2.1. Tenderers must inform the subcontractors that Article II.17 of the standard contract will be applied to them. Once the contract has been signed, Article II.13 of the above mentioned contract shall govern subcontractors.

1. Exclusion criteria

Tenderers must declare on their honour that they are not in one of the situations referred to in articles 93 and 94 a) of the Financial Regulation. Tenderers or their representatives must therefore fill in and sign the form in Annex 5 to these specifications. Hereby agreeing to submit to the Commission, if and when requested to do so, those certificates or documents demonstrating that the tenderer is not in any of the situations described under points (a), (b), (d) and (e) below:

These articles are as follows:
Article 93:
1. Applicants or tenderers shall be excluded if:
(a) they are bankrupt or being wound up, are having their affairs administered by the court, 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 judgment 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 judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Union's financial interests;
(f) They are currently subject to an administrative penalty referred to in Article 96(1).

Article 94

A contract shall not be awarded to candidates or tenderers who, during the procurement procedure for this contract:

(a) are subject to a conflict of interest;

(b) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information;

(c) find themselves in one of the situations of exclusion, referred to in Article 93(1), for this procurement procedure.

2. Selection criteria

Only those tenders fulfilling all the selection criteria will be examined in the light of the award criteria. The selection criteria are set out below

2.1. Financial and economic capacity should be shown by means of the following:

- A simplified balance sheet and profit and loss account, exclusively based on the annex 6 form attached to these specifications;

  **In the event that the tenderer – for valid reasons which must be communicated to the Commission - is unable to complete the form as proposed above one of the following alternatives would be acceptable**

  a. financial statements for the last two financial years;
  
  OR
  
  b. other substantiating documents if the candidate or tenderer cannot, for valid reasons, provide those indicated above

2.2. Technical and professional competence:

- Experience as evidenced by the qualifications, both educational and professional, of the service provider or contractor and those of the firm's managerial staff and, in particular those of the person or persons responsible for carrying out the service/work. Curriculum vitae must be provided.

- A reference list of relevant previous projects over the past 3 years must be provided, indicating the sums involved, dates, recipients, public or private.

2.3. Authorisation to perform the contract

- A tenderer must prove that he is authorised to perform the contract under national law, as evidenced by inclusion in a trade or professional register, or a sworn declaration or
certificate, membership of a specific organisation, express authorisation or entry in the VAT register.

2.4. Access to the market

- A tenderer must indicate in which State they have their headquarters or domicile and to present the supporting evidence normally acceptable under their own law.

3. Award criteria

The contract will be awarded to the most cost-effective tender. The following award criteria will be applied:

**Award criteria 1 – Understanding (max points 30)**

This criterion serves to assess whether the tenderer has understood all of the issues involved, as well as the nature of the work to be undertaken and the content of the final products.

- General understanding of environment policy objectives
- General understanding of other EU policies having an impact on biodiversity and ecosystems
- Understanding of the policies and governance structures, especially in the environmental and biodiversity policy area
- Understanding of Member States' policies and governance structures as regards implementation of EU policies and management of EU funds

**Award criteria 2 – Methodology (max points 40)**

The degree to which the methodology shows the capacity to resolve the questions underlying in the tender in a realistic and well-structured way, as well as whether the methods proposed are suited to the needs set out by the Commission in the Technical Description.

**Award criteria 3 – Project management and availability (max points 30)**

This criterion relates to the quality of project planning, the organisation of the team with a view to managing a project of this nature and the availability of the resources for the completion of the contractual tasks which should be clearly outlined in the tender.

Since assessment of the tenders will be based on the quality of the proposed services, tenders should elaborate on all points addressed by these specifications in order to score as many points as possible. The mere repetition of mandatory requirements set out in these specifications, without going into details or without giving any added value, will only result in a very low score. In addition, if certain essential points of these specifications are not expressly covered by the tender, the Commission may decide to give a zero mark for the relevant qualitative award criteria.
4. Points

A points system to evaluate the award criteria relating to the technical value of the offers will be applied.

A maximum of 30 points will be attributed to criterion 1, a maximum of 40 points will be attributed to criterion 2, and a maximum of 30 points will be attributed to criterion 3. In addition a minimum threshold will be set up under this system of points:

- Technical sufficiency levels: Selected companies will have to score a minimum of 18, 24 and 18 points under criteria 1, 2 and 3 respectively, with a minimum total of 65 points.

5. Budget

The price range is fixed between €100,000 and €120,000 excluding VAT (including fees, travel and all other costs).

The Commission is exempt from all taxes and dues, including value added tax, pursuant to the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union with regard to its financial contribution under the contract.

The price quoted must be a firm, non-revisable price and must be quoted in euro.

Having examined the tenders from a technical point of view, the evaluation committee will proceed considering which is the economically most advantageous offer taking into account only those tenders that have obtained at least 65 out of the 100 points that are available for the technical quality of the bid. The evaluation committee will then proceed with the financial comparison of the tenders retained for further consideration according to the ranking procedure below.

6. Ranking of the tenders and award of the contract.

The bid offering the best value for money will be chosen, provided that the minimum number of points cited above is achieved. The ranking of the tenders will be calculated as follows:

- All bids that do not reach the stated technical sufficiency levels for each individual award criteria will not be considered for contract award.

- All bids that have passed the individual levels and score 65 or higher are deemed to be technically sufficient. Then the price is divided by the total number of points awarded to obtain the price-quality ratio. The award of the contract will be made in accordance with the lowest ratio.

The Commission reserves the right not to select any tender if the amounts tendered exceed the budget envisaged for this project.
7. Opening of tenders

The tenders received will be opened on **25/07/2011 at 14h30** in the Commission building at Avenue de Beaulieu 5, B-1160 Brussels.

8. Information for tenderers

After the award decision has been taken, the Commission will inform tenderers including the grounds for any decision not to award a contract or to recommence the procedure.
ANNEX 1 - ADMINISTRATIVE INFORMATION FORM

Organisation or individual:

NAME: ..............................................................................................................................................
ADRESS: ...........................................................................................................................................
HEADQUARTERS: .............................................................................................................................

PERSON AUTHORISED TO SIGN CONTRACT:

Name and position: ..........................................................................................................................

PERSON FOR ROUTINE CONTACT:

Name and position: ..........................................................................................................................
Telephone and fax number: .............................................................................................................

Signature of Tenderer
ANNEX 2 - QUESTIONNAIRE FOR JOINT BIDS AND SUBCONTRACTING

This questionnaire should only be completed if your tender involves a joint bid or subcontracting.

**Joint bid (refer to part 2, point 3)**

1. Does your bid involve more than one tenderer? Yes ☐ No ☐

Questions 2 - 4 shall be answered only if you have answered yes to question 1.

2. Please fill in the name of the company having power of attorney for the group of tenderers and acting as a co-ordinator:

   ____________________________________________________________

3. Please fill in the names of the other companies taking part in the joint offer:

   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________

4. If a consortium or similar entity exists, please fill in the name and the legal status of the entity:

   ____________________________________________________________

**Subcontracting (refer to part 2, point 4)**

5. Does your bid involve subcontracting? Yes ☐ No ☐

If the answer is yes, please complete question 6, and the next page per sub-contractor.

6. List of sub-contractors:

   ..................................................................................
   ..................................................................................
   ..................................................................................
Reasons, roles, activities and responsibilities of sub-contractors.

Please complete this page for each sub-contractor (one page per sub-contractor):

Name of the sub-contractor:
..................................................................................................................

Official legal form:
..................................................................................................................

Country of registration:
..................................................................................................................

Statutory registration number:
..................................................................................................................

(Internet address, if applicable):
..................................................................................................................

Official address in full:
..................................................................................................................
..................................................................................................................

Contact person:
..................................................................................................................

Telephone number:
..................................................................................................................

Reasons for subcontracting:
..................................................................................................................

Role, activities and responsibilities of the sub-contractor:
..................................................................................................................

The volume or the proportion of the sub-contracting:
..................................................................................................................

Do you intend to rely on capacities from the sub-contractor in order to fulfil the selection criteria? If yes, specify which selection criterion - financial and economic capacity or technical and professional capacity - and be aware that the tenderer must provide the documents which make it possible to assess the selection criteria.
..................................................................................................................

Tenderer: Date: Signature:
## ANNEX 3 - FINANCIAL OFFER TEMPLATE

*(FOR GUIDANCE PURPOSES ONLY)*

### PRICE AND ESTIMATED BUDGET BREAKDOWN

Calculation of the costs (incl. travel, overheads, consumables and any other related costs)

<table>
<thead>
<tr>
<th>Type of service provider</th>
<th>Position within the project team</th>
<th>Number of working days</th>
<th>Allocation of tasks</th>
<th>Proportion of the contract in %</th>
<th>Costs in €</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead contractor</td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sub-contractor 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sub-contractor 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sub-contractor 3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>External experts</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Sub-total**

**Total**

---

Signature of Tenderer  

__________________________

Date  

__________________________
ANNEX 4 - LEGAL ENTITY AND FINANCIAL IDENTIFICATION FORMS

These forms can be downloaded from

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm
(Legal entity form)

http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm
(financial identification form)
ANNEX 5

DECLARATION ON EXCLUSION CRITERIA AND ABSENCE OF CONFLICT OF INTERESTS

Name of the organisation/individual:

Legal address:

Registration number:

VAT number:

Name of the signatory of this form:

Position:

☑ representative legally authorised to represent the tenderer vis-à-vis third parties and acting on behalf of the aforementioned company or organisation [please tick box if applicable]

hereby certifies that [please tick one of the two boxes]

☑ they
☑ the company or organisation that they represent:

a) are/is not bankrupt or being wound up, is not having their affairs administered by the court, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, or is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

b) have/has not been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;

c) have/has not been found guilty of grave professional misconduct proven by any means which the Commission can justify;

d) have/has 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 those of the country of the contracting authority or those of the country where the contract is to be performed;

e) have/has 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 Union's financial interests;

f) are/is currently not subject to an administrative penalty referred to in Article 96(1).

In addition, the undersigned declares on their honour:
g) that on the date of submission of the tender, they, the company or organisation they represent and the staff proposed for this tender are not subject to a conflict of interests in the context of this invitation to tender; the undersigned undertakes to inform the Commission without delay of any change to this situation after the date of submission of the tender;

h) that the information provided to the Commission within the context of this invitation to tender is accurate, sincere and complete;

i) that, if and when requested, they will provide the evidence required under point 1, part 3 of the Specifications.

Full name: Date Signature:
ANNEX 6

Explanation – please read carefully before completing the financial capacity form (in a separate excel table)

How to complete Annex 6

Simplified balance sheet and profit and loss account

Annex 6 has to be completed by all private tenderers (and their partners in case of a consortium). Tenderers considered as public bodies or international organisations shall not complete this form. Private tenderers shall indicate if they are profit making or non profit making companies/organisations.

The purpose of this form is to collect financial data based on your company’s/organisation's balance sheets. Please find below a correspondence table giving an explanation on the regrouping of different accounts with respect to the 4th Accounting Directive.

You should carefully complete this form. Given its complexity, we advise you to have the form completed by a professional accountant or an auditor. The data reported will be used to evaluate the financial viability of the company/organisation. Therefore it is very important that data reported are accurate. The Commission may wish to cross check the data with those reported in the official certified accounts.

The amounts have to be filled in euros (for financial statements established in other currencies please refer to EC InforEuro exchange rates available on http://ec.europa.eu/budget/inforeuro/index.cfm?fuseaction=home&SearchField=&Period=2003-9&Delim=,&Language=en according to the closing date of the statement)

Abbreviation $t-1$ and $t_0$

The abbreviation $t_0$ represents the last certified historical balance sheet and profit and loss account; $t-1$ is the balance sheet prior to the last certified one. Consequently, the closing date $t_0$ is the closing date of the last certified historical balance sheet; the closing date $t-1$ is the closing date of the balance sheet prior to the last one. Duration $t_0$ is the number of months covered by the last historical balance sheet. Duration $t-1$ is the number of months covered by the previous certified historical balance sheet.

<table>
<thead>
<tr>
<th>BALANCE SHEET ASSETS</th>
<th>CORRESPONDANCE 4th ACCOUNTING DIRECTIVE ASSETS / 4th ACCOUNTING DIRECTIVE (Article 9)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Subscribed capital unpaid</td>
<td>A. Subscribed capital unpaid A. Subscribed capital unpaid (including called capital)</td>
</tr>
<tr>
<td>2. Fixed assets</td>
<td>C. Fixed Assets B. Formation expenses as defined by national law</td>
</tr>
<tr>
<td>2.1. Intangible fixed assets</td>
<td>C.I. Intangible fixed assets C.I.1. Cost of research and development</td>
</tr>
<tr>
<td></td>
<td>C.I.2. Concessions, patents, licences, trade marks and similar rights and assets, if they were: (a) acquired for valuable consideration and need not be shown under C (I) (3); or (b) created by the undertaking itself</td>
</tr>
<tr>
<td></td>
<td>C.I.3. Goodwill, to the extent that it was acquired for valuable consideration</td>
</tr>
<tr>
<td></td>
<td>C.I.4. Payments on account</td>
</tr>
<tr>
<td>2.2. Tangible fixed assets</td>
<td>C.II. Tangible fixed assets C.II.1. Land and buildings</td>
</tr>
<tr>
<td></td>
<td>C.II.2. Plant and machinery</td>
</tr>
<tr>
<td></td>
<td>C.II.3. Other fixtures and fittings, tools and equipment</td>
</tr>
<tr>
<td></td>
<td>C.II.4. Payment on account and tangible assets in course of construction</td>
</tr>
<tr>
<td>2.3. Financial assets</td>
<td>C.III. Financial assets C.III.1. Shares in affiliated undertakings</td>
</tr>
<tr>
<td></td>
<td>C.III.2. Loans to affiliated undertakings</td>
</tr>
<tr>
<td></td>
<td>C.III.3. Participating interests</td>
</tr>
</tbody>
</table>
### 3. Current assets

#### 3.1. Stocks

<table>
<thead>
<tr>
<th>D. Current assets</th>
<th>D.I. Stocks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>D.I.1. Raw materials and consumables</td>
</tr>
<tr>
<td></td>
<td>D.I.2. Work in progress</td>
</tr>
<tr>
<td></td>
<td>D.I.3. Finished products and goods for resale</td>
</tr>
<tr>
<td></td>
<td>D.I.4. Payment on account</td>
</tr>
</tbody>
</table>

#### 3.2. Debtors due after one year

<table>
<thead>
<tr>
<th>D.II. Debtors, due and payable after more than one year</th>
</tr>
</thead>
<tbody>
<tr>
<td>D.II.1. Trade debtors</td>
</tr>
<tr>
<td>D.II.2. Amounts owed by affiliated undertakings</td>
</tr>
<tr>
<td>D.II.3. Amounts owed by undertakings with which the company is linked by virtue of participating interest</td>
</tr>
<tr>
<td>D.II.4. Others debtors</td>
</tr>
<tr>
<td>D.II.6. Prepayments and accrued income</td>
</tr>
</tbody>
</table>

#### 3.2. Debtors due within one year

<table>
<thead>
<tr>
<th>D.III. Debtors due and payable within a year</th>
</tr>
</thead>
<tbody>
<tr>
<td>D.II.1. Trade debtors</td>
</tr>
<tr>
<td>D.II.2. Amounts owed by affiliated undertakings</td>
</tr>
<tr>
<td>D.II.3. Amounts owed by undertakings with which the company is linked by virtue of participating interest</td>
</tr>
<tr>
<td>D.II.4. Others debtors</td>
</tr>
<tr>
<td>D.II.6. Prepayments and accrued income</td>
</tr>
</tbody>
</table>

#### 3.3. Cash at bank and in hand

<table>
<thead>
<tr>
<th>D.IV. Cash at bank and in hand</th>
</tr>
</thead>
<tbody>
<tr>
<td>D.IV. Cash at bank and in hand</td>
</tr>
</tbody>
</table>

#### 3.4. Other current assets

<table>
<thead>
<tr>
<th>D.III Investments</th>
</tr>
</thead>
<tbody>
<tr>
<td>D.III.1. Shares in affiliated undertakings</td>
</tr>
<tr>
<td>D.III.2. Own shares (with an indication of their nominal value or, in the absence of a nominal value, their accounting par value)</td>
</tr>
<tr>
<td>D.III.3. Other investments</td>
</tr>
</tbody>
</table>

### Total assets

#### Liabilities

### Liabilities / 4th Accounting Directive (Article 9)

#### A. Capital and reserves

| A.I. | A.I. Subscribed capital |
| A.II. | A.II. Share premium account |
| A.III. | A.III. Revaluation reserve |
| A.IV. | A.IV. Reserves |
| A.V. | A.V. Profit and loss brought forward from the previous years |
| A.VI. | A.VI. Profit or loss for the financial year |

#### B. Provisions for liabilities and charges

| B.1. | B.1. Provisions for pensions and similar obligations |
| B.2. | B.2. Provisions for taxation |
| B.3. | B.3. Other provisions |
| B.4. | B.4. Trade creditors |
| B.5. | B.5. Bills of exchange payable |

#### C. Creditors

| C.1. | C.1. Debenture loans, showing convertible loans separately |
| C.2. | C.2. Amounts owed to credit institutions |
| C.3. | C.3. Payments received on account of orders in so far as they are not shown separately as deductions from stocks |
| C.4. | C.4. Trade creditors |
| C.5. | C.5. Bills of exchange payable |
| C.6. | C.6. Amounts owed to affiliated undertakings |
| C.7. | C.7. Amounts owed to undertakings with which the company is linked by virtue of participating interests |
| C.8. | C.8. Other creditors including tax and social security |

#### B. Provisions for liabilities and charges ( > one year)

| B.1. | B.1. Provisions for pensions and similar obligations |
| B.2. | B.2. Provisions for taxation |
| B.3. | B.3. Other provisions |
| B.4. | B.4. Trade creditors |
| B.5. | B.5. Bills of exchange payable |

#### C. Creditors ( > one year)

| C.1. | C.1. Debenture loans, showing convertible loans separately |
| C.2. | C.2. Amounts owed to credit institutions |
| C.3. | C.3. Payments received on account of orders in so far as they are not shown separately as deductions from stocks |
| C.4. | C.4. Trade creditors |
| C.5. | C.5. Bills of exchange payable |

#### B. Provisions for liabilities and charges (= one year)

| B.1. | B.1. Provisions for pensions and similar obligations |
| B.2. | B.2. Provisions for taxation |
| B.3. | B.3. Other provisions |
| B.4. | B.4. Trade creditors |
| B.5. | B.5. Bills of exchange payable |

#### C. Creditors (= one year)

<p>| C.1. | C.1. Debenture loans, showing convertible loans separately |
| C.2. | C.2. Amounts owed to credit institutions |
| C.3. | C.3. Payments received on account of orders in so far as they are not shown separately as deductions from stocks |
| C.4. | C.4. Trade creditors |
| C.5. | C.5. Bills of exchange payable |</p>
<table>
<thead>
<tr>
<th>5.2.2. Short term bank debt</th>
<th>C. Creditors &quot;credit institutions&quot; (= one year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total liabilities</td>
<td>Total liabilities</td>
</tr>
</tbody>
</table>

- C.3. Payments received on account of orders in so far as they are not shown separately as deductions from stocks
- C.4. Trade creditors
- C.6. Amounts owed to affiliated undertakings
- C.7. Amounts owed to undertakings with which the company is linked by virtue of participating interests
- C.8. Other creditors including tax and social security
- C.9. Accruals and deferred income

C.2. Amounts owed to credit institutions
C.5. Bills of exchange payable
### PROFIT AND LOSS ACCOUNT

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>6. Turnover</td>
<td></td>
</tr>
<tr>
<td>7. Variation in stocks</td>
<td></td>
</tr>
<tr>
<td>8. Other operating income</td>
<td></td>
</tr>
<tr>
<td>9. Costs of material and consumables</td>
<td></td>
</tr>
<tr>
<td>10. Other operating charges</td>
<td></td>
</tr>
<tr>
<td>11. Staff costs</td>
<td></td>
</tr>
<tr>
<td><strong>12. Gross operating profit</strong></td>
<td></td>
</tr>
<tr>
<td>13. Depreciation and value adjustments on non financial assets</td>
<td></td>
</tr>
<tr>
<td><strong>14. Net operating profit</strong></td>
<td></td>
</tr>
<tr>
<td>15. Financial income and value adjustments on financial assets</td>
<td></td>
</tr>
<tr>
<td>16. Interest paid</td>
<td></td>
</tr>
<tr>
<td>17. Similar charges</td>
<td></td>
</tr>
<tr>
<td><strong>18. Profit or loss on ordinary activities</strong></td>
<td></td>
</tr>
<tr>
<td>19. Extraordinary income and charges</td>
<td></td>
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<tr>
<td>20. Taxes on profits</td>
<td></td>
</tr>
<tr>
<td><strong>21. Profit or loss for the financial year</strong></td>
<td></td>
</tr>
</tbody>
</table>

### PROFIT AND LOSS ACCOUNT / 4TH ACCOUNTING DIRECTIVE (Article 23)

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>1. Net turnover</td>
<td></td>
</tr>
<tr>
<td>2. Variation in stock of finished goods and in work in progress</td>
<td></td>
</tr>
<tr>
<td>3. Work performed by the undertaking for its own purposes and capitalized.</td>
<td></td>
</tr>
<tr>
<td>4. Other operating income</td>
<td></td>
</tr>
<tr>
<td>5. (a) Raw materials and consumables</td>
<td></td>
</tr>
<tr>
<td>5. (b) Other external charges</td>
<td></td>
</tr>
<tr>
<td>6. Other operating charges</td>
<td></td>
</tr>
<tr>
<td>6. (a) Wages and salaries</td>
<td></td>
</tr>
<tr>
<td>6. (b) social security costs, with a separate indication of those relating to pensions</td>
<td></td>
</tr>
<tr>
<td><strong>7. Depreciation and value adjustments on non financial assets</strong></td>
<td></td>
</tr>
<tr>
<td>7. (a) Value adjustments in respect of formation expenses and of tangible and intangible fixed assets</td>
<td></td>
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<tr>
<td>7. (b) Value adjustments in respect of current assets, to the extent that they exceed the amount of value adjustments which are normal in the undertaking concerned</td>
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</tr>
<tr>
<td><strong>8. Gross operating profit - Depreciation and value adjustments on non-financial assets</strong></td>
<td></td>
</tr>
<tr>
<td>Financial income and value adjustments on financial assets</td>
<td></td>
</tr>
<tr>
<td>Interest paid</td>
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<tr>
<td>Similar Charges</td>
<td></td>
</tr>
<tr>
<td><strong>Profit or loss on ordinary activities</strong></td>
<td></td>
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<tr>
<td>Extraordinary income and charges</td>
<td></td>
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<tr>
<td>Taxes</td>
<td></td>
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<tr>
<td><strong>Profit or loss for the financial year</strong></td>
<td></td>
</tr>
<tr>
<td>9. Income from participating interests</td>
<td></td>
</tr>
<tr>
<td>10. Income from other investments and loans forming part of the fixed assets</td>
<td></td>
</tr>
<tr>
<td>11. Other interest receivable and similar income</td>
<td></td>
</tr>
<tr>
<td>12. Value adjustments in respect of financial assets and of investments held as current assets</td>
<td></td>
</tr>
<tr>
<td>13. Interest payable and similar charges</td>
<td></td>
</tr>
<tr>
<td><strong>15. Profit or loss on ordinary activities after taxation</strong></td>
<td></td>
</tr>
<tr>
<td>14. Tax on profit or loss on ordinary activities</td>
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</tr>
<tr>
<td>19. Tax on extraordinary profit or loss</td>
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</tr>
<tr>
<td>20. Other taxes not shown under the above items</td>
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</tr>
<tr>
<td>21. Profit or loss for the financial year</td>
<td></td>
</tr>
</tbody>
</table>
ACKNOWLEDGEMENT OF YOUR TENDER

Our reference: ENV.B.2./ETU/2011/0035

Your reference:

We wish to confirm the receipt and opening of your offer¹. Your offer will now be evaluated by the Commission and its experts. You will be informed of the result in due course.

We thank you for your interest.

MarketsTeam
SRD.2

¹ Your personal contact data has been recorded in a database used by the Markets Team of unit SRD.2 for the administrative management of offers. The Commission is bound by Regulation 45/2001 on the protection of individuals with regard to the processing of personal data by the Union institutions and bodies. For more information, and to exercise your rights to access and eventually correct data concerning you, please don’t hesitate to contact us.
## ANNEX 8

### CHECK LIST

<table>
<thead>
<tr>
<th>Document / information</th>
<th>Page(s) in offer</th>
</tr>
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<tbody>
<tr>
<td>1 Administrative information form filled in</td>
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</tr>
<tr>
<td>2 Financial offer duly signed</td>
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</tr>
<tr>
<td>3 Legal entity and financial identification forms completed and signed</td>
<td></td>
</tr>
<tr>
<td>4 Declaration of the candidate’s eligibility regarding exclusion criteria, completed, signed and dated (and supporting evidence, if relevant)</td>
<td></td>
</tr>
<tr>
<td>5 Questionnaire for joint bids and sub-contracting</td>
<td></td>
</tr>
<tr>
<td>6 Acknowledgement form with candidate's address</td>
<td></td>
</tr>
<tr>
<td>7 Technical bid</td>
<td></td>
</tr>
<tr>
<td>8 Possible annexes</td>
<td></td>
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</tbody>
</table>