CALL FOR TENDERS

ENV.B.1./SER/2018/00XXLV

SERVICE CONTRACT FOR

Stakeholder representation and expertise in the EU Green Public Procurement criteria development process

TENDER SPECIFICATIONS
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1. INFORMATION ON TENDERING

1.1. Participation

Participation in this tender procedure is restricted to the invited candidates only.

For British candidates or tenderers:

Please be aware that after the UK's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries will apply to candidates or tenderers from the UK depending on the outcome of the negotiations. In case such access is not provided by legal provisions in force candidates or tenderers from the UK could be rejected from the procurement procedure.

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. Compliance with applicable law

The tender must comply with applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

1.4. Joint tenders

A joint tender is a situation where a tender is submitted by a group of economic operators (natural or legal persons). Joint tenders may include subcontractors in addition to the members of the group.

In case of joint tender, all members of the group assume joint and several liability towards the Contracting Authority for the performance of the contract as a whole, i.e. both financial and operational liability. Nevertheless, tenderers must designate one of the economic operators as a single point of contact (the leader) for the Contracting Authority for administrative and financial aspects as well as operational management of the contract.

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After the award, the Contracting Authority will sign the contract either with all members of the group, or with the leader on behalf of all members of the group, authorised by the other members via powers of attorney.

**Subcontracting**

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

Tenderers are required to identify all subcontractors and provide an indication of the proportion of subcontracting. See Annex 2, questionnaire for joint bids and subcontracting.

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

**Structure and content of the tender**

The tenders must be presented as follows:

Part A: Identification of the tenderer (see section 1.7)

Part B: Non-exclusion (see section 2.2)

Part C: Selection (see section 2.3)

Part D: Technical offer (see section 3)

Part E: Financial offer (see section 2.6)

**Identification of the tenderer**

The tender must include a cover letter signed by an authorised representative presenting the name of the tenderer (including all entities in case of joint tender) and identified subcontractors if applicable, and the name of the single contact point (leader) in relation to this procedure. Coherence must be ensured between the information in the cover letter and in Annex 1.

In case of joint tender, the cover letter must be signed either by an authorised representative for each member, or by the leader authorised by the other members with powers of attorney. The signed powers of attorney must be included in the tender as well. Subcontractors that are identified in the tender must provide a letter of intent signed by an authorised representative stating their willingness to provide the service presented in the tender and in line with the present tender specifications.

The tenderer (and each member of the group in case of joint tender) must declare whether it is a Small or Medium Size Enterprise in accordance with Commission Recommendation 2003/361/EC. This information is used for statistical purposes only.
All tenderers (including all members of the group in case of joint tender) 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.

The tenderer (or the leader in case of joint tender) must provide a Financial Identification Form with its supporting documents. Only one form per tender should be submitted. No form is needed for subcontractors and other members of the group in case of joint tender. 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 solely on the information provided in the submitted tender. It involves the following:

- Verification of non-exclusion of tenderers on the basis of the exclusion criteria
- Selection of tenderers on the basis of selection criteria
- Verification of compliance with the minimum requirements set out in these tender specifications
- Evaluation of tenders on the basis of the award criteria

The contracting authority may reject abnormally low tenders, in particular if it established that the tenderer or a subcontractor does not comply with applicable obligations in the fields of environmental, social and labour law.

The Contracting Authority will assess these criteria in no particular order. The successful tenderer must pass all criteria to be awarded the contract.

2.2. Verification of non-exclusion

All tenderers must provide a declaration on honour (see Annex 5), signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in that declaration on honour.

In case of joint tender, each member of the group must provide a declaration on honour signed by an authorised representative.

In case of subcontracting, subcontractors whose capacity is necessary to fulfil the selection criteria must provide a declaration on honour signed by an authorised representative.
The Contracting Authority reserves the right to verify whether the successful tenderer is in one of the situations of exclusion by requiring, at any point during the procedure, the supporting documents listed in the declaration on honour.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the contracting authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that that there has been no change in its situation.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the contracting authority can access the document in question on a national database free of charge.

2.3. Selection criteria

Tenderers must prove their legal, regulatory, 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. Declaration and evidence

The tenderers (and each member of the group in case of joint tender) and subcontractors whose capacity is necessary to fulfil the selection criteria must provide the declaration on honour (see Annex 5), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them individually. In case of joint tender or subcontracting, the criteria applicable to the tenderer as a whole will be verified by combining the various declarations for a consolidated assessment.

This declaration is part of the declaration used for exclusion criteria (see section 2.2) so only one declaration covering both aspects should be provided by each concerned entity.

The Contracting Authority will evaluate selection criteria on the basis of the declaration on honour and evidence submitted for the legal and regulatory, financial and economic and technical and professional capacity of the tenderers.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the contracting authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that that there has been no change in its situation.
A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the contracting authority can access the document in question on a national database free of charge.

2.3.2. Legal and regulatory capacity criteria and evidence

Tenderers must prove that they are allowed to pursue the professional activity necessary to carry out the work subject to this call for tenders. The tenderer (including each member of the group in case of joint tender) must provide the following information in its tender if it has not been provided with the Legal Entity Form:

- 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 applicable to the legal person requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.

- For natural persons, if required under applicable law, a proof of registration on a professional or trade register or any other official document showing the registration number.

2.3.3 Economic and financial capacity criteria and evidence

The tenderer must have the necessary economic and financial capacity to perform this contract until its end. The tenderer must comply with the following selection criteria:

Annual turnover of the last two financial years above EUR 35,000 (thirty five thousand euros); this criterion applies to the tenderer as a whole, i.e. the combined capacity of all members of a group and identified subcontractors in case of a joint tender.

On request from the contracting authority, the tenderer should be able to provide the following evidence at short notice.

- Copy of the profit and loss accounts for the last two years for which accounts have been closed from each concerned legal entity;

- Failing that, appropriate statements from banks;

- If applicable, evidence of professional risk indemnity insurance.

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

a. Criteria relating to tenderers

Tenderers (in case of a joint tender the combined capacity of all members of the group and identified subcontractors) must comply with the criteria listed below:

The project references indicated below consist of a list of relevant services provided (i.e. fully delivered) in the past three years, with the sums, dates and clients, public or private, accompanied by statements issued by the clients.

- **Criterion A1**: The tenderer must prove experience in the field of EU environmental and public procurement policies, specifically in the field of green public procurement (GPP). This experience has to include knowledge and work with GPP policies, integration of environmental criteria into public procurement, criteria development processes and GPP practices and implementation.

  **Evidence A1**: The tenderer must provide references for two projects delivered in these fields in the last three years with a minimum value for each project of € 30,000.

- **Criterion A2**: The tenderer must prove capacity to work in English.

  **Evidence A2**: The tenderer must provide references for two projects delivered in the last three years showing the necessary language capacity.

- **Criterion A3**: The tenderer must prove capacity to draft reports in English.

  **Evidence A3**: The tenderer must provide one document of at least 10 pages (report, study, etc.) in this language that it has drafted and published or delivered to a client in the last two years. The verification will be carried out on 5 pages of the document.

In order to prove their capacity, the tenderer must submit with its tender the evidence listed above.

a. Criteria and evidence relating to the team delivering the service:

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

**Criterion B1 - Project Manager**: At least three 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 € 50,000) and experience in management of teams of at least two people.

**Evidence B1**: CV
**Criterion B2 - Language quality check**: At least two members of the team should have at least C1 level in the Common European Framework for Reference for Languages\(^2\) in English.

**Evidence B2**: A language certificate or past relevant experience.

**Criterion B3 - Experts in green public procurement** for the following product groups: each with relevant higher education degree and four years' academic or professional experience working in the respective field:

- Imaging equipment (see scope in current EU GPP criteria);
- Computers and monitors (see scope in current EU GPP criteria);
- Building design, construction and maintenance, and office buildings in particular (see scope in current EU GPP criteria);
- Transport technologies (see scope in current EU GPP criteria).

**Evidence B3**: CV

In order to prove their capacity, the tenderer must submit with its tender the evidence listed above.

### 2.4. Award criteria

The contract will be awarded to the most economically advantageous tender, according to the 'best price-quality ratio' award method. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>40</td>
</tr>
<tr>
<td>2</td>
<td>30</td>
</tr>
<tr>
<td>3</td>
<td>30</td>
</tr>
</tbody>
</table>

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 24, 21 and 15 points under criteria 1, 2 and 3 respectively, with a minimum total of 65 points.

Assessment of the tenders will focus on the quality of the proposed services therefore tenderers 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.

1 **Quality of the proposed methodology** (40 points – minimum threshold 24 points)

\(^2\) See http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp
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. For the attribution of points the Commission will give special attention to the methodology proposed to ensure that the written comments to be submitted will be of good quality, in line with the EU Public Procurement directives, take into account the two ambitions levels of the EU GPP criteria and the applicability of the proposals in real procurement procedures. The Commission will also look at the proposed methodology to be used to ensure the involvement of other NGOs during the criteria development process for each product group under revision for the period 2019-2021 (imaging equipment, computers and monitors, office buildings design, construction and maintenance and transport).

2 Organisation of the work and allocation of resources (30 points – minimum threshold 21 points)

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.

3 Quality control measures (30 points – minimum threshold 15 points)

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 a 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.

2.5. Ranking and Award

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.

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.

2.6. Financial offer

The maximum budget allocated to this contract is fixed at € 50,000 (Fifty thousand euros) excluding VAT (including fees, travel and all other costs). The participation of experts at the ad-hoc working group meetings will be covered separately by the Commission; any other travel and subsistence expenses should be part of the lump sum and will not be refunded separately. Any offers received that do not respect this maximum budget will be automatically excluded from the evaluation procedure. For guidance purposes see Annex 3.

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.

3. TECHNICAL SPECIFICATIONS

3.1 Background

Europe's public authorities are major consumers. By using their purchasing power to choose goods, services and works with lower impacts on the environment, they can make an important contribution to sustainable consumption and production. At the same time, by promoting and using GPP, public authorities also provide industry with incentives for developing green technologies and products. GPP is therefore a strong stimulus for eco-innovation and thus a key voluntary instrument in the EU's efforts to become a more resource-efficient, green and competitive low carbon economy.

The Communication "Public Procurement for a Better Environment" (2008) formalised the process for setting common GPP criteria with the aim of achieving more and better GPP. In June 2010, a new procedure for EU GPP criteria development was put in place in order to make the criteria development process more participatory and provide stakeholders with the possibility to comment on the documents and the draft EU GPP criteria at several stages of the process.

The Commission's Joint Research Centre is currently leading the criteria development process for the majority of products groups under revision or development. The EU GPP criteria development standard procedure foresees two ad-hoc working group meetings open to all interested parties: at the first meeting, the preliminary report and a draft technical report containing criteria areas are discussed; at the second meeting, the updated version of the technical report and the first draft criteria are discussed (and, if applicable, an implementation guidance document) in view of reaching some level of consensus. A shortened procedure can be applied:
• for existing criteria: when a non-substantial revision (e.g. change of legislation or policy, new technical data, new ecolabels) is necessary;
• for the development of new criteria: when the scientific base is already well established, e.g. through existing ecolabels, eco-design requirements, best-available techniques and national GPP criteria.

Under the shortened procedure, a technical background report (including the content of the preliminary report and of the technical report) and the proposal for draft EU GPP criteria have to be made available for external consultation on the Commission's website for a period of two months for comments. One only ad-hoc working group meeting is normally foreseen in case of shortened procedure. For at least three of the product groups covered under the present contract, the shortened procedure should apply.

In both the case of a standard or shortened procedure, all working documents are made available online at least 3 weeks before the meetings take place. After the meetings take place, stakeholders have at least 3 weeks to submit written comments (deadlines may be longer depending on the product group). Typically, a final written consultation round, with a duration of at least 3 weeks, takes places allowing stakeholders to comment on the updated versions of the technical report and the criteria and guidance documents.

The knowledge and experience of NGOs with many of the environmental issues addressed by GPP criteria (e.g. resource efficiency, hazardous substances, product design, waste management, noise, etc) can provide valuable input for the criteria development process for all product groups. In this sense, it can be expected that NGO representation at the ad-hoc working groups and the written feedback during the development of the EU GPP criteria will increase both the quality and the legitimacy of GPP policies.

In the light of the above, the purpose of this contract is to ensure stakeholder representation and expertise in the EU GPP criteria development process, and, in particular representation of NGOs.

3.2 Objectives

The main objective of the contract is to increase NGO representation with environmental and public procurement knowledge in the EU GPP decision making processes, namely, during the EU GPP criteria development process.

3.3 Description of tasks

Ensure NGO participation in the GPP criteria development process

According to the current planning, it is foreseen that, during the period of 2019-2021, GPP criteria will be revised by JRC for the following product groups:
• imaging equipment (final phases);
• computers and monitors;
• design, construction and maintenance of office buildings;
• transport.
The development and revision of EU GPP criteria for the listed product groups will follow the standard described above. For more details about this procedure see: GPP Procedure for the development and revision of EU GPP criteria.

The date of the working group meetings will be announced to the contractor by the Commission 3 months before the respective meetings take place. The majority of meetings will likely take place in Seville, at the seat of JRC.

In order to fulfil the task of contributing to the criteria development process of the listed product groups and according to the criteria development procedure described, the contractor shall:

- Ensure expert participation in all working group meetings and expert input to all the documents discussed at the meetings (technical report, draft criteria and, if applicable, draft guidance document) and to the documents at final stakeholder written consultation stage. Travel expenses and accommodation will be covered separately by the Commission to facilitate participation of the experts in the working group meetings.

- Seek to involve other environmental NGOs and public procurement experts in the criteria development process. For this purpose, the contractor shall inform other environmental NGOs (to be selected according to the product group) each time a new draft criteria document is under stakeholder consultation. Furthermore, before each working group meeting, the contractor, together with the appointed expert, shall prepare a preliminary set of comments which shall be shared with other environmental NGOs along with an invitation for these to provide feedback in their areas of interest (e.g. chemicals, energy efficiency, waste management, biodiversity, noise, food systems etc.). This is to ensure that contacted NGOs have at least two weeks to provide feedback before the final set of comments is submitted by the contractor. The environmental NGOs concerned shall also be consulted during the written consultation round and given at least one week to provide feedback before the final comments are submitted.

- Submit written comments to the technical reports and draft criteria of all listed product groups. Input regarding draft guidance documents can be foreseen for a maximum of 3 product groups. The comments to be submitted to the updated versions of the technical report and the criteria and, if applicable, guidance documents after the second working group and in the final written consultation can build on the earlier submissions of the contractor, but need to react to the new elements of the updated documents. The submitted written comments shall take into consideration, for each product group:
  - the latest scientific evidence and technological developments;
  - the expected environmental benefit resulting from the implementation of the criteria;
  - cost considerations (from a life cycle perspective) and market availability;
  - applicability in real procurement procedures, especially ease of verification for procurers;
  - the legal framework of the public procurement directives;
- the two ambition levels set out in the Communication "Public Procurement for a Better Environment" ("core" and "comprehensive" levels).

The contractor shall include in its comments the input gathered from other environmental NGOs in their area of interest, namely, resource efficiency, circular economy, product design, chemicals, noise, waste management and biodiversity.

The contractor has at least 3 weeks to submit written comments to the documents presented at the meetings and in the framework of the final written consultation round.

The contractor must foresee the participation of experts at not more than 5 stakeholder meetings and, thus, submission of approximately 5 sets of comments to the documents discussed at the meetings plus approximately 4 sets of comments during the final written consultation rounds of the criteria development process.

**3.4 Duration of the tasks**

The contract will have a maximum duration of 36 months of the start of the contract. The execution of the tasks may not start before the contract has been signed.

**3.5 Meetings**

The contractor shall participate in the following meetings:

Kick-off meeting with the Commission in Brussels no later than 30 working days after the start of the contract to discuss the project in detail.

Each year one interim meeting (3 in total) will be held physically, by telephone or via videoconference (to be decided together with the Commission). The exact dates of the interim meetings will be agreed upon with the contractor.

The contractor has to provide an agenda at the latest two weeks before each meeting and minutes of all meetings at the latest two weeks after these have taken place. Additional telephone meetings will take place if necessary.

**3.6 Reporting and deliverables**

**3.6.1. Detailed outline of the project**

In view of the Kick-off meeting the contractor shall no later than 25 working days after the start of the contract submit a detailed outline of the approach to be followed in delivering the services under the contract. This should be based on what is presented in the technical proposal and lay out the framework, methodology and detailed work plan for the delivery of the service.

**3.6.2. Annual reports**
An annual report shall be delivered 12 and 24 months after start of the contract.

Each report shall contain a summary of the activities developed under the contract during the 12 previous months. Specifically, it shall include:

- all written comments submitted;
- details of expert participation at the working group meetings;
- details of environmental NGOs contacted and, if applicable, input provided

### 3.6.3. Final report

The final report shall be delivered 36 months after start of the contract. The report shall include a brief description of all the activities undertaken under the contract including submitted papers, expert participation in AHWG meetings, and communications with other environmental NGOs, and provide a critical assessment of the added value of these activities. The final report shall identify as well, the difficulties encountered regarding the criteria development procedure, the structure of the discussion documents, the identification of experts or communication with other NGOs and the obstacles, if any, for NGO involvement in GPP policies. Finally, it shall include recommendations to improve the GPP criteria development process and NGO participation in the latter.

All deliverables shall be written in English and delivered electronically (MS Word and pdf versions).

### 3.7 Summary of meetings and deliverables

<table>
<thead>
<tr>
<th>Deliverable/Meeting (Venue)</th>
<th>Latest Delivery Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outline</td>
<td>25 working days after start of contract</td>
</tr>
<tr>
<td>Kick-off meeting (Brussels)</td>
<td>In agreement with DG Environment but no later than 30 working days after start of contract</td>
</tr>
<tr>
<td>Minutes of kick-off meeting</td>
<td>15 working days after kick-off meeting</td>
</tr>
<tr>
<td>Interim meetings*</td>
<td>One interim meeting per year. The exact dates will be agreed with DG Environment</td>
</tr>
<tr>
<td>Ad-hoc working meetings</td>
<td>TBD The exact dates of the AHWG meetings will be communicated 3 months in advance</td>
</tr>
<tr>
<td>1st Annual report</td>
<td>12 months after start of contract</td>
</tr>
<tr>
<td>2nd Annual report</td>
<td>24 months after start of contract</td>
</tr>
<tr>
<td>Final report</td>
<td>36 months after start of the contract</td>
</tr>
</tbody>
</table>

* could be physical meetings, via phone or videoconference (in agreement with DG Environment)

### 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.
ANNEX 1 - ADMINISTRATIVE INFORMATION FORM

(To be signed by the tenderer only or the lead tenderer in the case of joint bids)

Organisation or individual:

NAME: ...............................................................................................................................
ADDRESS: ..........................................................................................................................

Address where contract should be sent to (if different from above):
........................................................................................................................................

PERSON AUTHORISED TO SIGN CONTRACT:

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

PERSON FOR ROUTINE CONTACT:

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

Telephone and E-mail: .................................................................................................

Signature of Tenderer .................................................................................................
ANNEX 2 – QUESTIONNAIRE FOR JOINT BIDS AND SUBCONTRACTING

(To be completed and signed by the lead tenderer)

Joint bid (refer to paragraph 1.4)

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 paragraph 1.5)

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: Percentage of subcontracting:

   ……………………………………………………………… ………………………………………………………………
   ……………………………………………………………… ………………………………………………………………
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

(To be completed and signed by the tenderer only or the lead tenderer in the case of joint bids)

(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>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>......</td>
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<td>......</td>
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</tr>
<tr>
<td></td>
<td><strong>Sub-total</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
</tr>
<tr>
<td>Sub-contractor 1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>......</td>
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</tr>
<tr>
<td></td>
<td><strong>Sub-total</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
</tr>
<tr>
<td>Sub-contractor 2</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>......</td>
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</tr>
<tr>
<td></td>
<td><strong>Sub-total</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
</tr>
<tr>
<td>Sub-contractor 3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>......</td>
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</tr>
<tr>
<td></td>
<td><strong>Sub-total</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
</tr>
<tr>
<td>Travel/other costs¹ (if applicable)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
<td><strong>......</strong></td>
</tr>
</tbody>
</table>

Signature of Tenderer .................................................................

Date .................................................................

¹ Will be reimbursed on a lump-sum basis.
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)

(To be signed by the tenderer and all members of the group in the case of joint tender (not necessary for subcontractors)

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

(One form per offer to be signed by the tenderer or lead tender in the case the of joint tender)
ANNEX 5 - DECLARATION ON HONOUR ON EXCLUSION CRITERIA AND SELECTION CRITERIA

(To be completed by the tenderer, all members of a joint tender and any subcontractor whose capacity is necessary to fulfil the selection criteria)

Comments [in grey italics in square brackets] are to be deleted and/or replaced by appropriate data.

The undersigned [insert name of the signatory of this form], representing:

<table>
<thead>
<tr>
<th>(only for natural persons) himself or herself</th>
<th>(only for legal persons) the following legal person:</th>
</tr>
</thead>
<tbody>
<tr>
<td>ID or passport number:</td>
<td>Full official name:</td>
</tr>
<tr>
<td>(‘the person’)</td>
<td>Official legal form:</td>
</tr>
<tr>
<td></td>
<td>Statutory registration number:</td>
</tr>
<tr>
<td></td>
<td>Full official address:</td>
</tr>
<tr>
<td></td>
<td>VAT registration number:</td>
</tr>
<tr>
<td></td>
<td>(‘the person’)</td>
</tr>
</tbody>
</table>

I – SITUATION OF EXCLUSION CONCERNING THE PERSON

- declares that the above-mentioned person is in one of the following situations:
  a) it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations;
  b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;
  c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<tr>
<td></td>
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<tr>
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</tr>
<tr>
<td>(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;</td>
<td></td>
</tr>
<tr>
<td>(ii) entering into agreement with other persons with the aim of distorting competition;</td>
<td></td>
</tr>
<tr>
<td>(iii) violating intellectual property rights;</td>
<td></td>
</tr>
<tr>
<td>(iv) attempting to influence the decision-making process of the contracting authority during the award procedure;</td>
<td></td>
</tr>
<tr>
<td>(v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;</td>
<td></td>
</tr>
<tr>
<td>d) it has been established by a final judgement that the person is guilty of the following:</td>
<td></td>
</tr>
<tr>
<td>(i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;</td>
<td></td>
</tr>
<tr>
<td>(ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the contracting authority is located, the country in which the person is established or the country of the performance of the contract;</td>
<td></td>
</tr>
<tr>
<td>(iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;</td>
<td></td>
</tr>
<tr>
<td>(iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council;</td>
<td></td>
</tr>
<tr>
<td>(v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;</td>
<td></td>
</tr>
<tr>
<td>(vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;</td>
<td></td>
</tr>
<tr>
<td>e) the person has shown significant deficiencies in complying with the main obligations in the performance of a contract financed by the Union’s budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an Authorising Officer, OLAF or the Court of Auditors;</td>
<td></td>
</tr>
<tr>
<td>f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;</td>
<td></td>
</tr>
<tr>
<td>g) for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or</td>
<td></td>
</tr>
</tbody>
</table>
irregularity, the applicant is subject to:

i. facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;

ii. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;

iii. decisions of the ECB, the EIB, the European Investment Fund or international organisations;

iv. decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law; or

v. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

II – SITUATIONS OF EXCLUSION CONCERNING NATURAL PERSONS WITH POWER OF REPRESENTATION, DECISION-MAKING OR CONTROL OVER THE LEGAL PERSON

Not applicable to natural persons, Member States and local authorities

➢ declares that a natural person who is a member of the administrative, management or supervisory body of the above-mentioned legal person, or who has powers of representation, decision or control with regard to the above-mentioned legal person (this covers company directors, members of management or supervisory bodies, and cases where one natural person holds a majority of shares) is in one of the following situations:

Situation (c) above (grave professional misconduct)

Situation (d) above (fraud, corruption or other criminal offence)

Situation (e) above (significant deficiencies in performance of a contract)

Situation (f) above (irregularity)

III – SITUATIONS OF EXCLUSION CONCERNING NATURAL OR LEGAL PERSONS ASSUMING UNLIMITED LIABILITY FOR THE DEBTS OF THE LEGAL PERSON

➢ declares that a natural or legal person that assumes unlimited liability for the debts of the above-mentioned legal person is in one of the following situations:

Situation (a) above (bankruptcy)
Situation (b) above (breach in payment of taxes or social security contributions)

IV – GROUNDS FOR REJECTION FROM THIS PROCEDURE

- declares that the above-mentioned person:

  YES  NO

  h) has distorted competition by being previously involved in the preparation of procurement documents for this procurement procedure.

V – REMEDIAL MEASURES

If the person declares one of the situations of exclusion listed above, it must indicate measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. This may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to this declaration. This does not apply for situations referred in point (d) of this declaration.

VI – EVIDENCE UPON REQUEST

Upon request and within the time limit set by the contracting authority the person must provide information on the persons that are members of the administrative, management or supervisory body. It must also provide the following evidence concerning the person itself and concerning the natural or legal persons which assume unlimited liability for the debt of the person:

For situations described in (a), (c), (d) or (f), production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the person showing that those requirements are satisfied.

For the situation described in point (a) or (b), production of recent certificates 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 person is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

The person is not required to submit the evidence if it has already been submitted for another procurement procedure. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:
VII – SELECTION CRITERIA

- declares that the above-mentioned person complies with the selection criteria applicable to it individually as provided in the tender specifications:
  
  (a) It has the legal and regulatory capacity to pursue the professional activity needed for performing the contract as required in section 2.3.2 of the tender specifications;
  
  (b) It fulfills the applicable economic and financial criteria indicated in section 2.3.3 of the tender specifications;
  
  (c) It fulfills the applicable technical and professional criteria indicated in section 2.3.4 of the tender specifications.

- if the above-mentioned person is the sole tenderer or the leader in case of joint tender, declares that:

  (d) the tenderer, including all members of the group in case of joint tender and including subcontractors if applicable, complies with all the selection criteria for which a consolidated assessment will be made as provided in the tender specifications.

VII – EVIDENCE FOR SELECTION

The signatory declares that the above-mentioned person is able to provide the necessary supporting documents listed in the relevant sections of the tender specifications and which are not available electronically upon request and without delay.

The person is not required to submit the evidence if it has already been submitted for another procurement procedure. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

The above-mentioned person may be subject to rejection from this procedure and to administrative sanctions (exclusion or financial penalty) if any of the declarations or information provided as a condition for participating in this procedure prove to be false.
ANNEX 6

Travel and subsistence costs
(Only applicable if the organisation of workshops/conferences is specified in the tender specifications –
Not applicable to contractor's own staff)

Travel costs must be based on the following:
- **Train**: first-class rail travel for journeys less than 400 km (one way).
- **Flight**: economy class air travel for distances of more than 400 km. Business class is allowed for a flight of 4 hours or more without stopovers.
- **Private car**: the travel shall be reimbursed at the same rate as the first-class rail ticket, or by default at the rate of 0.22 € per km.

Different travel options will not be accepted and will entail the refusal of the offer. Amounts must be quoted in EURO. Prices must be fixed amounts and be calculated exclusive of all duties and taxes.

Maximum rates for accommodation and meals.

<table>
<thead>
<tr>
<th>Destination</th>
<th>Hotel ceiling in euros</th>
<th>Daily allowance in euros</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>148</td>
<td>102</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>135</td>
<td>57</td>
</tr>
<tr>
<td>Czech Republic</td>
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<tr>
<td>Denmark</td>
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<td>Germany</td>
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<td>Estonia</td>
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<td>Ireland</td>
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<tr>
<td>Greece</td>
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<td>Spain</td>
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<td>France</td>
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<td>Croatia</td>
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<tr>
<td>Italy</td>
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<tr>
<td>Cyprus</td>
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<tr>
<td>Latvia</td>
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<tr>
<td>Luxembourg</td>
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<td>Hungary</td>
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<tr>
<td>Malta</td>
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<td>88</td>
</tr>
<tr>
<td>Netherlands</td>
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<tr>
<td>Austria</td>
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<tr>
<td>Poland</td>
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<tr>
<td>Portugal</td>
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<td>83</td>
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<tr>
<td>Romania</td>
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<tr>
<td>Slovenia</td>
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<tr>
<td>Slovak Republic</td>
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</tr>
<tr>
<td>Finland</td>
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<td>113</td>
</tr>
<tr>
<td>Sweden</td>
<td>187</td>
<td>117</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>209</td>
<td>125</td>
</tr>
</tbody>
</table>

Rates for hotel and subsistence for countries not included in the above table will be provided by the Commission services if necessary.
ANNEX 7 - ACKNOWLEDGEMENT OF RECEIPT

EUROPEAN COMMISSION
DIRECTORATES-GENERAL ENVIRONMENT
Circular Economy Directorate
B.1 – Sustainable Production, Products & Consumption

ACKNOWLEDGEMENT OF YOUR TENDER

Our reference: ENV.B.1./SER/2018/00XXLV

Your reference:

We wish to confirm the receipt and opening of your offer\(^1\). 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.

Hugo-Maria SCHALLY
Head of Unit

\(^1\) Your personal contact data has been recorded in a database used by the Markets Team of unit ENV.A5 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.