

SPECIFICATIONS – INVITATION TO TENDER N° VT/2008/047

STUDY ON HOUSING EXCLUSION:

WELFARE POLICIES, HOUSING PROVISION AND LABOUR MARKETS

1. TITLE OF THE CONTRACT

Study on housing exclusion – Ref. n° VT/2008/047
Contract value: maximum 350,000 €

2. BACKGROUND INFORMATION ON THE PROGRESS PROGRAMME

The Social Agenda (2005-2010) has fixed as its overall strategic goal to promote more and better jobs and to offer equal opportunities for all. The realisation of the Social Agenda relies on a combination of instruments comprising EU legislation, the implementation of open methods of coordination in various policy fields and financial incentives such as the European Social Fund.

The Decision n°1672/2006 establishing a Community programme for employment and social solidarity – PROGRESS was adopted by the European Parliament and the Council on 24 October and published in the OJ on 15 November 2006.

PROGRESS aims at supporting the core functions of the European Community towards fulfilling its Treaty-delegated tasks and powers in its respective areas of competence in the employment and social sphere. PROGRESS mission is to strengthen the EU contribution in support of Member States' commitments and efforts to create more and better jobs and to build a more cohesive society. To that effect, PROGRESS will be instrumental in:

- providing analysis and policy advice on PROGRESS policy areas;
- monitoring and reporting on the implementation of EU legislation and policies in PROGRESS policy areas;
- promoting policy transfer, learning and support among Member States on EU objectives and priorities; and
- relaying the views of the stakeholders and society at large.

More specifically, PROGRESS will support:

- the implementation of the European Employment Strategy (section 1);
- the implementation of the open method of coordination in the field of social protection and inclusion (section 2);
- the improvement of the working environment and conditions including health and safety at work and reconciling work and family life (section 3);
- the effective implementation of the principle of non-discrimination and promotion of its mainstreaming in all EU policies (section 4);
- the effective implementation of the principle of gender equality and promotion of its mainstreaming in all EU policies (section 5).

The present Call for tenders is issued in the context of the implementation of the 2008 annual plan of work which is consultable at the following webpage:

http://ec.europa.eu/employment_social/progress/index_en.htm.

3. BACKGROUND TO THE STUDY

In the framework of the Open Method of Coordination (OMC) for Social Protection and Social Inclusion, the 2005 Joint Report¹ identified "ensuring decent accommodation" as one of the seven key policy priorities that stand out across the European Union. This priority was confirmed in the 2006 Joint Report that also highlights the concentration of multiple disadvantages in certain urban and rural communities and among some groups – the homeless being one of those. The Report called on Member States to develop integrated and co-ordinated responses to multiple disadvantages and to address the needs of groups at particular risk by improving access to mainstream provision of services and, where necessary, targeted measures.

In order to tackle multiple deprivations, the European Commission put forward an integrated active inclusion strategy that combines adequate income support with access to inclusive labour markets and quality social services. After submitting this approach to a first stage public consultation in 2006², the Commission presented its specific proposals in this area in a Communication adopted in October 2007³, which launched a second-stage public consultation that ended on 28 February 2008⁴. Homeless people are one of the key target groups covered by this initiative and the provision of social housing is one of the elements of the third pillar of the active inclusion strategy – access to quality social services⁵. In particular, access to adequate housing is a vital factor for active social and labour market inclusion: it affects the capacity of individuals to live in dignity, to participate in society and develop social networks, and to have access to stable employment. Furthermore, the quality of housing provision has an impact on labour mobility, household formation and the development of sustainable communities.

The 2007 Sixth European Meeting of People Experiencing Poverty under the German Presidency strongly highlighted one of the main concerns of people experiencing poverty: the importance of having a home to lead a dignified life. Most delegations confirmed that homelessness not only represents one of the most severe forms of deprivation, but it is also one of the main obstacles to full social integration and access to employment.

Tackling housing exclusion and homelessness requires not only addressing disadvantages in different policy fields – e.g. housing, employment and health – but also promoting an integrated governance structure. The responsibility for designing housing and homelessness policies typically lies with several public authorities at different levels and these policies are often implemented by an even more diverse set of actors.

¹ All Joint reports can be found at: http://ec.europa.eu/employment_social/spsi/joint_reports_en.htm#2005_1

² COM(2006) 44 final "Concerning a consultation on action at EU level to promote the active inclusion of the people furthest from the labour market" of 8.2.2006

³ COM(2007) 620 final "Modernising social protection for greater social justice and economic cohesion: taking forward the active inclusion of people furthest from the labour market" of 17.10.2007.

⁴ All documents related to the active inclusion initiative can be found at: http://ec.europa.eu/employment_social/spsi/active_inclusion_en.htm

⁵ On the application of Community rules to Social Services of General Interest, including social housing, and the definition and assessment of their quality, see also the Commission Communication: "Implementing the Community Lisbon programme: Social services of general interest in the European Union", COM(2006) 177 final, 26.04.2006, and the Commission Communication "Services of general interest, including social services of general interest: a new European commitment", COM(2007) 725 final, 20.11.2007

Given the importance of this issue and the need to promote better governance, the Social Protection Committee is considering dedicating one of the forthcoming thematic years in the OMC cycle (possibly 2009) to the issue of homelessness and housing exclusion.

4. SUBJECT OF THE CONTRACT

Housing exclusion is a key dimension of social exclusion and has a profound impact on social and labour market outcomes. At the same time, the socio-economic position of individuals and their employment careers are one of the main determinants of their housing situation (e.g. whether people are in employment and the type of contract they have can have an impact on their capacity to access the housing market). The link between housing and employment also depends on the specific type of "welfare regime" in place. Despite the strong links between housing, social and labour market policies, these are often the responsibility of a different set of public authorities, both in their design and implementation, and these three dimensions are dealt with in an uncoordinated fashion. At EU level, the interrelation between social and employment policies is acknowledged⁶, both in the policy and the research fields, but the role of housing receives less attention. Furthermore there is little evidence and analysis on the lack of access to adequate housing as a component of social exclusion processes more broadly.

The study will provide evidence of the interaction between the three aforementioned policy areas – housing, welfare and employment - in the light of recent reforms in the EU. It will contribute to an effective mainstreaming of housing and homelessness policies in the social and employment fields in the context of the European Social Agenda and the Lisbon strategy. In particular, it will highlight how housing policies "feed into" social and employment objectives while at the same time underline the extent to which socio-economic policies "feed out" to promote access to housing - or fail to do so - in the context of different welfare regimes. The discussion on housing policies and conditions will also analyse their impact on homelessness⁷ and the other dimension of social exclusion; the study will give indications as to the most effective ways to tackle it, in particular in the framework of interacting social and employment policies. The role of Government at different levels (local/regional, national and European) should be taken into account.

5. PARTICIPATION

The call is open to any physical person or legal entity coming within the scope of the Treaties and any other physical person or legal entity from a third country which has concluded with the Communities a specific agreement in the area of public contracts, under the conditions provided for in that agreement.

Where the Multilateral Agreement on Public Contracts concluded within the framework of the WTO applies, the contracts are also open to nationals of States that have ratified this Agreement, under the conditions provided for therein. It should be noted that research and development services, which come under category 8 of Annex II A of Directive 2004/18/CE, are not covered by this Agreement.

In practice, the participation of applicants from third countries that have concluded a bilateral or multilateral agreement with the Communities in the area of public contracts must be allowed, under the conditions provided for in that agreement. Bids submitted by applicants from third countries that have not concluded such an agreement may be accepted, but may also be rejected.

⁶ For a presentation of the social OMC "feeding in" to growth and employment objectives while Lisbon programmes "feed out" to advance social cohesion goals, see COM(2005) 706 final of 22.12.2005 on *Working together, working better: a new framework for the open coordination of social protection and inclusion policies in the European Union*.

⁷ The definition of homelessness should include four different categories: sleeping rough; living in temporary or emergency accommodation; living in insecure accommodation; living in inadequate accommodation.

6. TASKS TO BE UNDERTAKEN BY CONTRACTOR

6.1. Objectives

The purpose of this study is to analyse the interaction between housing, social and employment outcomes in the context of different and changing models of welfare provision and labour market institutions. In particular, the simultaneous role of public policies (housing, social and employment policies), individual circumstances and area effects in explaining social exclusion will be highlighted. The study will analyse the link between housing and employment, in particular the extent to which housing histories and conditions have an impact on labour market outcomes on the one hand and how employment status – and changes in status – affect access to adequate housing, in the context of different welfare regimes. It will provide a better understanding of social exclusion in the EU in a multi-dimensional context that takes into account the housing, social and economic situations of individuals.

6.2. Description of tasks

6.2.1 Theoretical framework and review of existing knowledge

The study will present recent developments in housing policies in the EU, with a specific focus on access to housing for disadvantaged people, highlighting the link between housing policies and welfare regimes. Different approaches to housing provision – public and market mechanisms – will be illustrated, with specific attention to the importance of the employment status of individuals. The study will also highlight key changes in labour markets, including *institutional* factors such as the increased diversity in working conditions, contractual arrangements and precarious employment and *economic* conditions, such as (long term) unemployment and inactivity, to the extent that these changes are relevant to explain access to housing. Finally, the study will describe the link between individual circumstances, external factors – such as area effects - and the policy environment and how this interaction might contribute to housing exclusion.

6.2.2 New research evidence

The study will identify a representative sample of MSs and/or local entities according to the key elements highlighted in the theoretical framework, including welfare regimes, housing provision and labour market conditions and institutions. It will then collect quantitative and/ or qualitative evidence on the interaction between the housing situation, individual circumstances and employment status of people, illustrating how these sets of factors affect each other in different policy contexts. It will highlight the role of public policies and their impact on housing exclusion – both in terms of preventing and reducing homelessness on the one hand and the potential increase in risk factors on the other.

6.3. Outputs

6.3.1 Reports

The study will produce an interim report with a substantial and critical review of existing knowledge on the link between housing policies, welfare regimes and labour market conditions, providing specific and concrete examples, and a final report with new quantitative and/or qualitative evidence or with original and innovative analysis and interpretation of existing evidence.

6.3.2 Seminars

Apart from internal working group meetings with the team in charge of carrying out the study, the contractor will present the interim report and the methodology to be adopted at a research seminar with key stakeholders (policy makers, researchers and NGOs). The draft final report will be presented and discussed at a final conference.

7. GUIDE AS TO HOW ACTIVITIES SHOULD BE CARRIED OUT

7.1. Guidelines specific to this study

Take account of the EU policy framework – and in particular the initiatives described in section 3. Identify the potential role of housing and homelessness policies in the European Social Agenda and Lisbon strategy.

Build on previous research in the field of welfare, housing and labour market policies and in particular that carried out for the European Commission on the issues of homelessness and housing exclusion⁸.

7.2. Progress guidelines

The PROGRESS Programme aimed at promoting gender mainstreaming in all its five policy sections and commissioned or supported activities. Consequently, the contractor will take the necessary steps to ensure that:

- Gender equality issues are taken into account when relevant for the drafting of the technical offer by paying attention to the situation and needs of women and men;
- Implementation of the requested tasks includes a gender perspective by considering systematically women and men dimension;
- Performance monitoring includes the collection and gathering of data disaggregated by sex when needed.
- its proposed team and/or staff respects the gender balance at all levels.

Equally, needs of disabled people shall be duly acknowledged and met while executing the requested service. This will in particular entail that where the contractor organises training sessions, conferences, issues publications or develops dedicated websites, people with disabilities have equal access to the facilities or the services provided.

⁸ http://ec.europa.eu/employment_social/spsi/index_en.htm and http://ec.europa.eu/research/social-sciences/index_en.htm

Finally, the Contracting Authority encourages the contractor to promote equal employment opportunities for all its staff and team. This entails that the contractor shall foster an appropriate mix of people, whatever their ethnic origin, religions, age, and ability.

The contractor will be required to detail in its activity report accompanying the request for the final instalment the steps and achievements it made towards meeting these contractual provisions.

Reporting and information requirements

PROGRESS will be implemented through a results-based management - RBM. Managing for outcomes and results is about working to maximise results for European citizens. This includes:

- Identifying the most important results for European citizens;
- Managing for these results, including setting clear desired results, implementing plans based upon these results and learning about 'what works' in the process;
- Seizing opportunities to work together whenever this helps achieve the results.

As a first step, a Strategic Framework for the implementation of PROGRESS has been developed in collaboration with Member States and organisations from civil society. The Strategic Framework provides the framework for implementing PROGRESS, complemented by the Performance Measurement, which defines PROGRESS mandate, its long-term and specific outcomes. See in Annex III the overview of PROGRESS performance measurement framework. For more information on the strategic framework, please visit the PROGRESS website⁹.

The Commission will in that context monitor the effect of PROGRESS supported or commissioned initiatives and consider how these initiatives contribute to PROGRESS outcomes as defined in the Strategic Framework. In that context, the Contractor will be asked to loyally work in close cooperation with the Commission to define their expected contributions and the set of performance measures against which their contribution will be assessed. The Contractor will be asked to collect and report on its own performance on a regular basis to the Commission. In addition, the Contractor will make available to the Commission all documents or information that will allow PROGRESS performance measurement to be successfully completed and to give them the rights of access.

8. PROFESSIONAL QUALIFICATIONS

See Annex IV of the draft contract "CVs and classification of experts".

See point 14(2) of the Selection criteria below.

9. TIME SCHEDULE AND REPORTING

See Article I.2. of the draft contract.

9.1. Additional requirements (specific deadlines for the performance of tasks):

The contract will last **15 months** from the official start of the contract, which will be on the date of signature of the contract by the last of the two parties. In executing this contract, the contractor will be expected to

⁹ Progress website - http://ec.europa.eu/employment_social/progress/

work closely with the Contracting Authority and the contractor should, to that end, foresee the need for at least 4 meetings.

In addition, the team in charge of the study could be asked to attend and help the Commission services in any key and relevant initiatives carried out in relation to housing exclusion and homelessness especially in the framework of the Open Method of Coordination on Social Protection and Social Inclusion.

9.2. Reporting

In addition to regular contacts with Commission officials, the following formal reporting requirements must be observed:

- **End of 1st month:** kick-off meeting – to prepare for this meeting the contractor is expected to provide a short inception report (~ 21 days after project start) containing a more detailed empirical methodology, main elements of the theoretical framework, a work plan and time schedule.
- **End of 6th month:** second meeting to discuss the draft interim report to be received by the European Commission two weeks in advance of the meeting. The draft interim report will contain a substantial and critical review of existing knowledge on the link between housing provision, welfare policies and labour market conditions and institutions (tasks under points 6.2.1). Approval of this report will enable interim payment;
- **End of 10th month:** third meeting to discuss the progress-to-date in relation to the empirical part of the study. To prepare for this meeting the contractor will submit two weeks in advance a short activity report providing a full description of the empirical work carried out at this stage (see point 6.2.2 above).
- **End of 14th month:** final meeting to discuss the draft final report covering all tasks in section 6.2.
- **Within 15 months** of the official start of the contract the contractor will submit the final study (one original and two copies, plus electronic version in a web-friendly and publishable format) taking into account the comments on the draft report by the Commission service.

The final study should be in English and also contain:

- an executive summary in English, French and German,
- a final activity report, providing a full description of the work carried out,
- a presentation of the deliverables produced and results achieved,
- and any comments, suggestions or recommendations deemed useful

The reports and related annexes and material will remain the property of the Commission. Any dissemination and publication of these deliverables will be subject to previous agreement and authorisation by the Commission.

9.3. Publicity

Publicity and information requirements

1. As a matter of principle, with a view to favouring valorisation by the European Commission of all results obtained and outputs delivered under PROGRESS programme, the contractor will be required to provide - either upon specific request or in any event with the final activity report - for each of the tasks required under the present call the following:

- Presentation of their key points in one page. Key points should be concise, sharp and easily understandable. They shall be provided in English, French and German. Other Community languages would be welcome even if not compulsory.
- And an executive summary in 5/6 pages in English, French and German unless otherwise more precisely described in the section "tasks to be carried out".

2. In accordance with the General Conditions, the contractor is under the obligation to acknowledge that the present service is delivered on behalf of the Community in all documents and media produced, in particular final delivered outputs, related reports, brochures, press releases, videos, software, etc, including at conferences or seminars, as follows.

"This (publication, conference, training session) is supported by the European Community Programme for Employment and Social Solidarity (2007-2013). This programme is managed by the Directorate-General for Employment, social affairs and equal opportunities of the European Commission. It was established to financially support the implementation of the objectives of the European Union in the employment and social affairs area, as set out in the Social Agenda, and thereby contribute to the achievement of the Lisbon Strategy goals in these fields.

The seven-year Programme targets all stakeholders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA-EEA and EU candidate and pre-candidate countries.

PROGRESS mission is to strengthen the EU contribution in support of Member States' commitments and efforts to create more and better jobs and to build a more cohesive society. To that effect, PROGRESS will be instrumental in:

- *providing analysis and policy advice on PROGRESS policy areas;*
- *monitoring and reporting on the implementation of EU legislation and policies in PROGRESS policy areas;*
- *promoting policy transfer, learning and support among Member States on EU objectives and priorities; and*
- *relaying the views of the stakeholders and society at large.*

For more information see: http://ec.europa.eu/employment_social/progress/index_en.html

For publications it is also necessary to include the following reference: "The information contained in this publication does not necessarily reflect the position or opinion of the European Commission"

With regard to publication and any communication plan linked to the present service, the Contractor will insert the European Union logo, and if any another logo developed for the employment and social solidarity fields, and mention the European Commission as the contracting authority in every publication or related material developed under the present service contract.

10. GROUPINGS OF ECONOMIC OPERATORS OR CONSORTIA

Tenders can be submitted by groupings of service providers/suppliers who will not be required to adopt a particular legal form prior to the contract being awarded, but the consortium selected may be required to

assume a given legal form when it has been awarded the contract if this change is necessary for proper performance of the contract¹⁰. However, a grouping of economic operators must nominate one party to be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration, and for coordination. The documents required and listed in the following points 13 and 14 must be supplied by every member of the grouping.

Each member of the grouping assumes a joint and several liability towards the Commission.

11. PAYMENTS AND STANDARD CONTRACT

Payments under the contract shall be made in accordance with Article II.4 of the draft contract.

Payments shall be executed only if the contractor has fulfilled all his contractual obligations by the date on which the invoice is submitted. Furthermore, payment requests may not be made if payments for previous periods have not been executed as a result of default or negligence on the part of the contractor.

11.1. Pre-financing

Following signature of the contract by the last contracting party, within 45 days of the receipt by the Commission of a request for pre-financing with a relevant invoice, a pre-financing payment equivalent to 30 % of the total amount referred to in Article I.3.1 of the contract shall be made.

11.2. Interim payment

Requests for interim payment by the contractor shall be admissible if accompanied by:

- an interim technical report in accordance with the instructions in section 9.2 above,
- the relevant invoices

The Commission will have 60 days to approve or reject the report and the contractor shall have 30 days in which to submit additional information or a revised report.

Within 30 days of the date on which the report is approved by the Commission, an interim payment corresponding to the relevant invoices, up to a maximum of 40% of the total referred to in Article 1.3.1 of the contract shall be made.

11.3. Payment of the balance

The request for payment of the balance of the contract shall be admissible if accompanied by:

- the final technical report in accordance with the instructions in section 9.2 of this call,
- the relevant invoices

¹⁰ These entities can take the form of an entity with or without legal personality but offering sufficient protection of the Commission's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary association). The contract has to be signed by all members of the group, or by one of the members, which has been duly authorised by the other members of the grouping (a power of attorney or sufficient authorisation is to be attached to the contract), when the tenderers have not formed a legal entity.

The Commission will have 60 days to approve or reject the report and the contractor will have 30 days in which to submit additional information or a new report.

Within 30 days of the date on which the report is approved by the Commission, payment of the balance of the total amount referred to in Article I.3.1 of the contract shall be made.

12. PRICES

Under the terms of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities, the latter are exempt from all charges, taxes and duties, including value added tax; such charges may not therefore be included in the calculation of the price quoted. The amount of VAT is to be indicated separately.

The price must be stated in EUR (€), net of VAT (using, where appropriate, the conversion rates published in the C series of the Official Journal of the European Union on the day when the invitation to tender was issued), and broken down according to the model in Annex III included in the attached standard contract.

Professional fees and direct costs

- Fees, expressed as the number of person-days multiplied by the unit price per working day for each expert proposed. The unit price should cover the experts' fees and administrative expenditure

- Other direct costs such as:

- Travel expenses for contractor's staff
- Reporting expenses
- Translation and printing costs
- Shipping of documents
- Documentation
- Any unavoidable expenses necessary for the contract's purposes.

The price should not exceed € 350,000 in total.

13. EXCLUSION CRITERIA AND SUPPORTING DOCUMENTS

1) Bidders must provide a declaration on their honour, duly signed and dated, that they are not in one of the situations referred to in Articles 93 and 94 a) of the Financial Regulation.

Those articles are as follows:

"Article 93:

Applicants or tenderers shall be excluded if:

- a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) they have been convicted of an offence concerning their professional conduct by a judgement which has the force of res judicata;
- c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;

- d) they have not fulfilled their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
 - e) they have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
 - f) they are currently subject to an administrative penalty referred to in Article 96(1)¹¹.
- (...)

Article 94:

Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:

- 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;(..."

2) The tenderer to whom the contract is to be awarded shall provide, within a time limit defined by the contracting authority and preceding the signature of the contract, the evidence referred to in Article 134 of the implementing Rules, confirming the declaration referred to in point 1 above.

Article 134 of the Implementation Arrangements – Supporting documents

1. The contracting authority shall accept, as satisfactory evidence that the candidate or tenderer is not in one of the situations described in points (a), (b) or (e) of Article 93 of the Financial Regulations, production of a recent extract from the judicial record or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that these requirements are met.

2. The contracting authority shall accept, as satisfactory evidence that the candidate or tenderer is not in the situation described in point (d) of Article 93 of the Financial Regulations, a recent certificate issued by the competent authority of the State concerned.
Where no such document or certificate is issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

3. Depending on the national legislation of the country in which the tenderer or applicant is established, the documents referred to in paragraphs 1 and 2 above shall relate to legal entities and/or physical persons, including, where considered necessary by the awarding authority, company directors or any person with powers of representation, decision-making or control in relation to the tenderer.

See Annex I (which may be used as a checklist) for the supporting documents accepted by the European Commission to be provided by applicants, tenderers or tenderers to whom the contract will be awarded.

¹¹ "Article 96(1): The contracting authority may impose administrative or financial penalties on the following:

- (a) candidates or tenderers in the cases referred to in point (b) of Article 94;
- (b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget.

(...)"

3) The contracting authority may waive the obligation of a candidate or tenderer to submit the documentary evidence referred to in Article 134 of the Implementing Rules, if such evidence has already been submitted to it for the purposes of another procurement procedure launched by DG EMPL and provided that the issuing date of the documents does not exceed one year and that they are still valid.

In such a case, the candidate or tenderer shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes in his situation have occurred.

14. SELECTION CRITERIA

In order for the Commission to determine the sound economic, financial and technical capacity of an entity to execute this contract, the following should be provided

14.1. Economic and financial capacity:

- proof of turnover in the last financial year at least equivalent to 100% of the price of the contract;
- full set of financial statements (comprising at least a balance sheet and profit and loss account) for the last two financial years (of the annual budget of the last 2 years in the case of semi-public or non-profit organisations), where the bidder is required by law to produce such statements. Where the relevant company law requires these financial statements to be audited, the audits statement should be included. Where the bidder is not required to produce full financial statements, other documents establishing financial capacity should be submitted (e.g. internal reports, management accounts, appropriate bankers' statements evidence of professional risks indemnity insurance, etc.)

14.2. Technical capacity:

The senior members of the core team should have:

- a high level of expertise in the field of social inclusion and social protection, in particular in the specific areas that are subject of this study;
- solid work experience in managing similar activities;

The management team should have experience in similar activities, organisation capacity, good analytical and drafting capacity and in-depth knowledge of the EU social inclusion process. They should have adequate coverage of working languages. To this end, please provide details (i.e. CVs) of education and professional qualifications of the project manager, the proposed experts for the project and a list of studies in the last 5 years in the social inclusion and social protection field.

15. AWARD CRITERIA

The contract will be awarded to the bid offering the best price/quality ratio, taking account of the following criteria:

1. The quality and consistency of the tender (maximum 50%)

- the degree of understanding of the nature of the assignment, its context and results to be achieved (maximum 25%).
- the quality and appropriateness of the strategy proposed for the implementation of the study, a well articulated theoretical framework, innovative approaches to the subject of the study building on the existing knowledge in the area (maximum 25%).

2. The content of the bid and proposed methodology (maximum 50%)

- The work plan: actions proposed to supplement the sources of information available and to collect new data, the use of existing research in the fields covered by the study as well as available data to complement background information (**maximum 15%**).
- Type of analysis provided: interpretation of quantitative and qualitative information according to the proposed strategy (**maximum 20%**).
- Timetable, including human resources mobilised to carry out the different stages of the work and the capacity to complete the work well in the time available (**maximum 15%**).

Please note that the contract will not be awarded to any bid that receives less than 70 % in the award criteria.

The points will then be divided by the price, with the highest scoring bid being chosen.

The contracting authority reserves the right to abandon the procurement procedure or not to award a contract.

16. CONTENT AND PRESENTATION OF BIDS

16.1. Content of bids

Tenders must include:

- all information and documents necessary to enable the Commission to appraise the bid on the basis of the selection and award criteria (see points 14 and 15 above);
- a bank ID form duly completed and signed by the bank;
- a "legal entity" form duly completed;
- the price;
- the detailed CVs of the proposed experts;
- the name and function of the contractor's legal representative (i.e. the person authorised to act on behalf of the contractor in any legal dealings with third parties);
- proof of eligibility: bidders must indicate the state in which they have their registered office or are established, providing the necessary supporting documents in accordance with their national law.

16.2. Presentation of bids

Bids must be submitted in triplicate (i.e. one original and two copies).

They must include all the information required by the Commission

They must be clear and concise.

They must be signed by the legal representative.

They must be submitted in accordance with the specific requirements of the invitation to tender, within the deadlines laid down.

Annex I - Supporting documents to be provided by successful bidder

Exclusion criteria (Article 93(1) FR)	Supporting documents to be provided by applicants, tenderers or bidders (Article 134 IR)
<p>1. Exclusion from a procurement procedure, Article 93(1) FR : « Candidates or tenderers shall be excluded from participation in a procurement procedure if:</p> <p>1.1. (subparagraph a)</p> <ul style="list-style-type: none"> ▪ they are bankrupt or being wound up, ▪ are having their affairs administered by the courts, ▪ have entered into an arrangement with creditors have suspended business activities, are the subject of proceedings concerning those matters, ▪ or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations¹; <p>1.2. (subparagraph b)</p> <p>they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata²;</p>	<p>Recent extract from the judicial record</p> <p style="text-align: center;">or</p> <p>recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance</p> <p style="text-align: center;">or</p> <p>Where no such certificate is issued in the country concerned : sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance</p>
	<p>Cf. supporting documents for Article 93(1)(a) FR above</p>

¹ See also Article 134(3) IR : Depending on the national legislation of the country in which the tenderer or candidate is established, the documents referred to in paragraphs 1 and 2 shall relate to legal persons and/or natural persons including, where considered necessary by the contracting authority, company directors or any person with powers of representation, decision-making or control in relation to the candidate or tenderer.

² Cf. footnote n° 1.

<p>Exclusion criteria (Article 93(1) FR)</p>	<p>Supporting documents to be provided by applicants, tenderers or bidders (Article 134 IR)</p>
<p>1.3. (subparagraph c) <i>they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;</i></p>	<p>Declaration by the candidate or tenderer that he is not in the situation described</p>
<p>1.4. (subparagraph d) <i>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 performed³;</i></p>	<p>Recent certificate issued by the competent authority of the State concerned confirming that the candidate is not in the situation described</p> <p style="text-align: center;">or</p> <p>Where no such certificate is issued in the country concerned : sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance</p>
<p>1.5. (subparagraph e) <i>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 Communities' financial interests⁴;</i></p>	<p>Cf. supporting documents for Article 93(1)(a) FR above</p>
<p>1.6. (subparagraph f) <i>they are currently subject to an administrative penalty referred to in Article 96(1)⁵</i></p>	<p>Declaration by the candidate or tenderer that he is not in the situation described</p>

³ Cf. footnote n°1.

⁴ Cf. footnote n° 1.

⁵ Article 96(1)FR: the contracting authority may impose administrative or financial penalties on the following:

- (a) candidates or tenderers in the cases referred to in point (b) of Article 94
- (b) contractors who have been declared to be in serious breach of their obligations under contracts covered by the budget.

<p style="text-align: center;">Exclusion criteria (Article 94 FR)</p>	<p style="text-align: center;">Supporting documents to be provided by applicants, tenderers or bidders (Article 134 IR)</p>
<p>2. Exclusion from a procurement or grant award procedure Article 94 FR : « <i>Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:</i></p>	
<p>2.1. (subparagraph a) <i>are subject to a conflict of interest;</i></p>	<p>Statement by the applicant, tenderer or bidder confirming the absence of conflict of interests, to be submitted with the application, bid or proposal</p>
<p>2.2. (subparagraph b) <i>are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information»⁶.</i></p>	<ul style="list-style-type: none"> – No specific supporting documents to be supplied by the applicant, tenderer or bidder – It is the responsibility of the authorising officer, represented by the evaluation committee, to check that the information submitted is complete⁷ and to identify any misrepresentation

⁶ Cf. Article 146(3) of the FR Implementing Rules: « ...the evaluation committee may ask candidates or tenderers to supply additional material or to clarify the supporting documents submitted in connection with the exclusion and selection criteria, within a specified time-limit. » and Article 178(2) of the FR Implementing Rules: « The evaluation committee may ask an applicant to provide additional proof or to clarify the supporting documents establishing financial and operational capacity, within a specified time-limit. »

⁷ Cf. footnote n°1

[Model]

**Declaration of honour
with respect to**

the Exclusion Criteria and absence of conflict of interest

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

- in his/her own name (*if the economic operator is a natural person or in case of own declaration of a director or person with powers of representation, decision making or control over the economic operator¹*)

or

- representing (*if the economic operator is a legal person*)

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

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

official address in full:

VAT registration number:

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

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

¹ To be used depending on the national legislation of the country in which the candidate or tenderer is established and where considered necessary by the contracting authority (see art. 134(4) of the Implementing Rules).

- b) has not been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata*;
- c) has not been guilty of grave professional misconduct proven by any means which the contracting authorities can justify;
- d) has fulfilled all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the contract is to be carried out;
- e) has not been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- f) is not a subject of the administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or failing to supply an information, or being declared to be in serious breach of his obligation under contract covered by the budget.

In addition, the undersigned declares on their honour:

- g) they have no conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest;
- h) they will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
- i) they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- j) they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to award of the contract.
- k) that the information provided to the Commission within the context of this invitation to tender is accurate, sincere and complete.
- l) that in case of award of contract, they shall provide the evidence that they are not in any of the situations described in points a, b, d, e above².

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

² Mandatory for contracts of value above €133 000 only (see art. 134(2) of the Implementing Rules). The contracting authority can nevertheless request such evidence for contracts with a lower value.

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

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

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



Full name

Date

Signature

PROGRESS Ultimate Outcome

Member States implement laws, policies and practices in a manner that contributes to the desired outcomes of the Social Agenda

PROGRESS works toward its ultimate outcome by helping strengthen the EU's support for Member States' efforts to create more and better jobs and to build a more cohesive society. PROGRESS seeks to contribute to (i) an effective legal regime in the EU in relation to the Social Agenda; (ii) shared understanding across the EU with regard to Social Agenda objectives; and (iii) strong partnerships working toward Social Agenda objectives.

In operational terms, support provided by PROGRESS facilitates (i) provision of analysis and policy advice; (ii) monitoring and reporting on the implementation of EU legislation and policies; (iii) policy transfer, learning and support among Member States; and (iv) relaying to decision-makers the views of the stakeholders and society at large.

Legal Regime

Outcome:

Compliance in Member States with EU law related to PROGRESS areas.

Performance Indicators

1. Transposition rate of EU law on matters related to PROGRESS policy areas
2. Effectiveness of application in Member States of EU law on matters related to PROGRESS policy areas.
3. EU policies and legislation are grounded in thorough analysis of situation and responsive to conditions, needs and expectations in Member States in PROGRESS areas
4. Extent to which PROGRESS-supported policy advice feeds into the development and implementation of EU legislation and policies
5. Cross-cutting issues are addressed in PROGRESS policy sections
6. EU policies and legislation display a common underlying logic of intervention in relation to PROGRESS issues
7. Gender mainstreaming is systematically promoted in PROGRESS

Shared Understanding

Outcome:

Shared understanding and ownership among policy/decision-makers and stakeholders in Member States, and the Commission, of objectives related to PROGRESS policy areas.

Performance Indicators

1. Attitudes of decision-makers, key stakeholders and general public regarding EU objectives in PROGRESS policy areas
2. Extent to which national policy discourses or priorities reflect EU objectives
3. Extent to which principles of good governance (including minimum standards on consultation) are respected in policy debate
4. Extent to which the outcomes of policy debates feed into the development of EU law and policy.
5. Greater awareness of policy-and decision-makers, social partners, NGOs, networks regarding their rights/obligations in relation to PROGRESS policy areas
6. Greater awareness of policy-and decision-makers, social partners, NGOs, networks regarding EU objectives and policies in relation to PROGRESS policy areas

Strong Partnerships

Outcome:

Effective partnerships with national and pan-European stakeholders in support of outcomes related to PROGRESS policy areas.

Performance Indicators

1. Existence of common ground/consensus among policy and decision-makers and stakeholders on EU objectives and policies
2. Identification and involvement by the EU of key actors in a position to exert influence or change at EU and national levels
3. Effectiveness of partnerships in relation to outcomes related to PROGRESS policy areas.
4. Number of individuals served or reached by networks supported by PROGRESS.
5. Extent to which advocacy skills of PROGRESS-supported networks have improved
6. Satisfaction of EU and national authorities with the contribution of networks
7. Extent to which PROGRESS-supported networks take a cross-cutting approach