



Specifications-Tender N°VT/2008/002

Training of Stakeholders on consultations on standardisation

1) TITLE OF THE CONTRACT: – TRAINING OF STAKEHOLDERS ON CONSULTATIONS ON STANDARDISATION - VC/2008/094

2) BACKGROUND

2.1 Objectives of 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.

Until now, the implementation of the open methods of coordination in the employment and social inclusion/social protection fields relied on two distinct Community programmes. Equally the promotion of gender equality and of the non-discrimination principle was at the core of two distinct Community programmes. And lastly promotion of labour law including health and safety regulations were dealt with by separate interventions.

With the view of fostering greater coherence and simplification in the way Community programmes are delivered, the Commission proposed that all these separate programmes be now integrated into one framework programme, PROGRESS.

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 2006 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:

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

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

2.2. The European Disability Strategy

The present call is also to be placed in the framework of the EU disability strategy built on three pillars: (1) EU anti-discrimination legislation and measures, which provide access to individual rights; (2) eliminating barriers in the environment that prevent disabled people from exercising their abilities, and (3) mainstreaming disability issues in the broad range of Community policies which facilitate the active inclusion of people with disabilities.

In order to provide a dynamic framework for the EU disability strategy a rolling multi-annual series of EU Disability Action Plans (DAP) are established by the European Commission to ensure a coherent long term policy follow-up to the European Year of Disabled People in the enlarged Europe.

The EU Disability Strategy is spelled out in three Commission Communications¹:

- Communication from the European Commission on establishing equal opportunities for people with disabilities: a European Action plan. (COM/2003/650)
- Communication from the European Commission on the situation of disabled people in the enlarged European Union: the European Action plan 2006 – 2007 (com/2005/604).
- Communication from the European Commission on the situation of disabled people in the European Union: the European Action Plan 2008-2009 (COM/2007/738)

The present third phase of the EU Disability Action Plan for 2008-2009 determines five priorities:

1. fostering accessibility of the labour market;

¹ These and other relevant documents can be found at: http://ec.europa.eu/employment_social/index/7003_en.html

2. boosting accessibility of goods, services and infrastructures;
3. consolidating the Commission's analytical capacity to support accessibility;
4. facilitating the implementation of the UN Convention;
5. and completing the Community legislative framework of protection against discrimination.

The Commission considers that disability is an issue of human rights and thus not a matter of discretion. The disability strategy is therefore directed at the elimination of discrimination and towards the purpose of providing that people with disabilities have the same rights as non-disabled people, not only in theory but also in practice. This in turn requires adequate policies, legislation and actions aiming at equal opportunities and defined together with disabled people themselves.

The EU perceives disability essentially as the result of the dynamic interaction between a person with impairment and his or her environment; this means ensuring that social constructions which lead to discrimination and stigmatisation are eliminated. Very often it is the environment that is disabling rather than the nature of the disability itself. The European Commission approach is an inclusive one, not identifying separate categories of persons with disabilities but instead focusing on the needs of the individuals. This is a natural evolution from the social model of disability in which there has been a gradual move away from disability-specific programmes, towards a more mainstreamed and inclusive approach.

As a result, the Commission strongly supports the mainstreaming of disability issues in Community programmes and policies because this is a much more inclusive approach and a better way to achieve full equality of opportunity for disabled people – a principle that is at the very heart of the Commission disability strategy.

3) SUBJECT OF THE CONTRACT

3.1 Background

People with disabilities have the same rights to contribute to society and economy as people without disabilities and so equal access to goods and services by people with disabilities is essential for their participation in society without discrimination.

Furthermore, the European Community and almost all Member States have signed the UN Convention on the Rights of Persons with Disabilities. The State Parties and the Community must reply to the obligations of the Convention to the extent of their competences. In particular article 9 of the UN Convention that concerns accessibility provides that State Parties shall take appropriate measures to develop, promulgate and monitor the implementation of minimum standards and guidelines for the accessibility of facilities and services open or provided to the public and mentions the issues of training stakeholders on accessibility. Furthermore, in its article 4, General obligations, it mentions that State Parties undertake among others to promote universal design in the development of standards and guidelines.

Many goods and services in Europe fall under internal market regulations. The internal market comprises an area without internal frontiers in which free movement of goods, services, persons and capital is ensured. (art 14 of the EC Treaty). The Declaration 22 annexed to the final Act of the Amsterdam Treaty provides that the Institutions of the Community shall take account of the needs of persons with a disability in drawing up measures under Article 95 of the Treaty.

The European Commission is working on reviewing the single market policy to ensure that all consumers and business can reap benefits from the free movement of goods, services, persons and capital. The Communication "A Single Market for 21st century Europe"², sets out the new approach for the future single market policy and some concrete actions which will be carried out in the months to come. The Communication puts consumers and business at the heart of the single market and focuses on areas where the single market does not yet work well and where consumers can expect concrete benefits. It states that consumers need to feel confident and empowered to make full use of their rights. In this context, it explicitly mentions that a central goal of the consumer policy strategy is *"empowering consumers, including more vulnerable consumers with special needs or **disabilities**, setting rights and **accessibility standards**, and protecting them against risks and threats that they can not tackle as individuals."*

To achieve those goals it is important that standards describing the characteristics of goods and services in the internal market would include adequate accessibility provisions and that other provisions in those standards would not introduce accessibility barriers.

Standards play an important role in the creation of the single market.

3.1.1 Standardisation

Standardisation is primarily a voluntary and market driven process. It is mainly carried out by independent standardization bodies, acting at national, European and international level. But standards are also an important tool for public authorities to support the implementation of policy actions. Since the mid-eighties, the European Commission has made increasing use of standards in the fields of technical harmonization, environment, transport, energy, competitiveness, consumer protection, etc.

Standards are documented voluntary agreements, which establish important criteria for products, services and processes. Standards, therefore, help to make sure that products and services are fit for their purpose and are comparable and compatible. European standards are also developed to help people comply with European legislation on policies such as the single market.

European standards are developed in one of the three European standards organisations.

CEN (European Committee for Standardisation) deals with all sectors except the electrotechnology and telecommunication sectors.

Cenelec (European Committee for Electrotechnical Standardisation) deals with standards in the electrotechnical field.

ETSI (European Telecommunications Standards Institute) covers the telecommunications field and some aspects of broadcasting.

The Commission works with all recognised standards bodies to pursue common goals such as openness, transparency and efficiency in their systems. It also helps the European standards organisations to interpret Community and international policies, such as those governing trade, where these are relevant to their work.

The Commission gives financial support to the secretariats of the European standards organisations and can also fund special groups to take part in standardisation to

² COM (2007) 724 final

represent, for example, consumer, SME and environmental views. Where necessary, the Commission contributes towards the costs of developing some specific standards and often helps to fund related research projects

Other deliverables produced by the European standardisation organisations besides standards are CEN workshop agreements, guidelines and technical specifications also produced by ETSI and CENELEC. CEN workshop agreements represent the consensus of identified stakeholders in a public process with simple rules. Also the European standardisation organisations can produce technical specifications when agreement on a standard can not be reached quickly enough or where technology is not sufficiently mature.

Standards and related deliverables concern many areas of daily life: building, information and communication technologies, healthcare, environment, transport and packaging, household goods, sport and leisure. All these areas are of course relevant for people with disabilities and older persons with accessibility aspects being of special importance.

While ETSI's rules allow direct participation of enterprises and other stakeholders in the standardisation process, participation in the work of CEN and CENELEC with voting rights is only possible via national delegations despite the fact that some organisations can be granted observer status at European level.

One of the key aims of the European Standardisation Organisations is that the experts participating in their work should be representative and come from a variety of backgrounds. This helps to ensure that standards are commonly accepted and used. In practice, experts come indeed from a wide range of backgrounds including industry, government, academic and special interest groups such as consumers' and disability organisations.

It is recognised that among the main challenges in the standardisation process are:

- the development of standards within acceptable time frames according to the market needs;
- the availability of expertise within the standardisation process;
- the access to information on the results of standardisation for standardisation users;
- the use of standards.

The Commission already launched a study on the "Access to Standardisation"³ addressing the four previous issues. This study identifies that the *"obstacle to active participation may include difficulty of access to information, lack of the resources and expertise needed to have an effective influence on to the standardisation process, or insufficient knowledge of the arcane working of a system that tends to be described, rightly or wrongly as bureaucratic"*.

All these issues are of utmost importance for people with disabilities.

The ongoing study addresses in particular to what extent the European standardisation system guarantees appropriate access for all interested parties. The study will produce

³ Call for tender No ENTR/07/12

recommendations for improving the conditions of access to standardisation. The results of this study will be used as a starting point for the work requested in this tender.

3.1.2 Accessibility Training

In the environment standardisation field, similar challenges have been identified in relation to participation of some stakeholders, specifically for certain groups of users and consumers⁴.

Training of stakeholders was identified as a key tool to ensure that those stakeholders can effectively voice their views in the European Standardisation process. An agreement was signed between CEN and the European Commission that led to a pilot project to implement a training programme to deliver two courses: one addressed to members of CEN Technical Committees and one addressed to the representatives of stakeholders involved in the European standardisation process. This approach seems relevant also for the disability-accessibility field as there are similar concerns on users and experts participation. It is important to explore its feasibility for the disability field.

A guide for standardisers to address the needs of older persons and persons with disabilities (CEN/CENELEC Guide 6), has been developed and is available since 2003 but its use is not widespread. The use of Guide 6 in a more systematic way can certainly help to address the needs of people with disabilities and older persons from a "design for all" perspective. ANEC⁵ in their updated policy statement on Design for all "*asks the European standardisation organisations and the European Commission to take an initiative aimed at providing technical committees with the specialist knowledge needed to meet the requirements of older and disabled people*".

There is an apparent need for training the traditional stakeholders that participate in the standardisation process in the use of this guide (i.e. on accessibility matters). On the other hand there is a need to train users and consumers with disabilities on the standardisation process, including in the use of the same guide.

3.1.3 CEN Guide 6

Furthermore, the CEN Board has accepted the creation of a CEN BT WG on Accessibility for All to elaborate a Business Plan on how to encourage and show CEN Technical Committees to implement CEN/CENELEC Guide 6 *Guidelines for standards developers to address the needs of older persons and persons with disabilities*.. The Business Plan will have to be approved by the BT in September 2008 before the real work can start.

A research project has been financed under the 6th Framework programme⁶ addressing user empowerment in standardisation in the ICT domain. The project will design a curriculum for the training of end users with disabilities and will provide some pilot training in order to facilitate the participation of users with disabilities and older persons in on going standardisation work particularly in the area of ICT. The project started in April 2007 and will last for 30 months.

⁴ COM (2004) 130 final

⁵ European Association for the Coordination of consumer representation in standardisation

⁶ FP6-2004-SSP-4 USEM

3.2 Purpose of this tender

Purpose

The main purpose of this tender is to develop and implement training courses for persons with disabilities to increase their effective participation in the standardisation process and for experts in standardisation to become familiar with disability accessibility issues. The long term aim is to ensure that accessibility requirements and disability issues are included in the standardisation deliverables for relevant products and services.

3.2.1 Collection of Information

In this context the respondents to this call for tenders should investigate the following relevant issues in their bids:

Goal 1- the availability of expertise on disability and accessibility matters within the standardisation process;

Goal 2- the access to the standardisation process by people with disabilities and their organisations and also by disability and accessibility experts.

The bidder is expected to build on the results of the "Access to Standardisation" study mentioned above and should analyse its results and their adequacy and relevance for people with disabilities, for their organisations and for disability and accessibility experts.

3.2.2 Accessibility Training

The bidder should follow the ongoing work in CEN on implementing the use of "Guide 6" in practice and propose a methodology of work within the current practices and working methods of the European Standardisation organisations. The bidders should also propose a methodology of work that would be adequate for ETSI and CENELEC.

Goal 3- develop two training courses:

-one addressed to members of CEN/CENELEC/ETSI Technical Committees on disability and accessibility aspects relevant to standardisation. This training should consider and build on the Guide 6, the mechanisms identified by CEN and the preliminary training work developed by USEM

-and one on standardisation matters, addressed to persons with disabilities and their organisations as well as disability and accessibility experts. The course would also be relevant for other groups like consumer's organisations and older person's organisations who are also interested in accessibility and disability matters. This course should build on the same guide and material as above and also fit into the above mentioned mechanisms.

The training courses developed within the contract should remain available after the end of the contract for further use.

Goal 4- The bidder should identify ongoing or planned work by the European standardisation organisations related to accessibility standards (in particular Mandates 376 and Mandate 420) as well as other standardisation work relevant for the needs and

interest of people with disabilities where mainstreaming of disability/accessibility aspects following a "*design for all*" approach would be relevant.

Goal 5- The bidder should organise and give the first above mentioned training course to a meaningful number of experts, at least 20, of technical committees to improve their coverage of disability / accessibility issues.

The bidder should also give the second above mentioned training courses to a meaningful number of persons with disabilities, at least 30, from representative organisations and disability / accessibility experts in order to facilitate their effective and efficient participation in the standardisation work.

If possible, the training course should seek a certification (“reconnaissance”). The organisations (professional bodies, public services...) that are competent to award a certificate should be identified and approached. The certification should cover the various training courses and the certification procedure should be based on full (proper, exhaustive, sufficient) documentation.

The bidder should provide information on the best timing for the promotion, methods and media to be used, the distribution channels for promotional material and training products.

4) PARTICIPATION

Please note that:

- The competition 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.

5) TASKS TO BE CARRIED OUT BY THE CONTRACTOR

The tasks will make use of the results of the study ENTR/07/12 as they become available. (See 3.1.1)

5.1 Description of the Tasks

<i>Task 1: Collection of information and good practices</i>
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The contractor should carry out desk and field research in order to collect and analyse relevant policy and legislative documentation as well as results of relevant studies and

practices in the area in order to identify and document barriers for participation in the standardisation process and access to the standardisation results by people with disabilities, their organisations and disability and accessibility experts and to propose specific solutions. The work should also investigate the availability of expertise on disability and accessibility matters within the standardisation process. A report with the main findings and recommendations should be made within 5 months of the start of the contract.

The work should also identify and analyse good practices and existing practical training activities in the standardisation field related to disability and accessibility and relevant to the purpose of this call for tenders.

The report should also identify ongoing or planned work by the European standardisation organisations relevant for the objectives of this tender as described in 3.2.2. and organise the training activities of Task 3 around that ongoing work.

The outcome of this task should be delivered at the end of month 5 of the contract.

Task 2: Training preparation

The contractors should build on the findings of Task 1 and develop training modules for both the courses mentioned in 3.2.2 for persons with disabilities and the related relevant organisations to improve their participation in standardisation processes and for standardisation experts to gain competences in disability and accessibility matters following the above-mentioned existing European processes.

The training work should follow well-established steps in the development of training programmes:

- Market analysis and training needs analysis that result in a training specification with a high level of detail. The market analysis should address the end users of the training, their qualifications, professional experience, where they come from, what are their needs and expectations...)
- Detailed definition of training objectives including the training approach and the training outputs needed. These details might need to be adapted in the course of the training process.
- Training design and development – based on the training objectives, this phase consists of defining the type of training, the learning delivery approach, content profile and development, didactic approach, role of the trainer and trainees, test and evaluation, training improvement, etc. The training design forms the basis for the course development: number of modules to be developed, verification on which parts exist already, who will provide each part, training content, selection of trainers. The bidder should identify training developers and trainers with the necessary competence for the training activity.
- Identification and development of training output and material – that means any type of tangible support for the training process (training course, independent learning...) decided during the training design process (e.g. written documents, slides, books, audiocassettes, training software as expert systems, simulation programmes, interactive video, CD ROM, etc.). The choice of dissemination mechanisms requires special attention: the choice of media (local training with tutors, training with distance support, computer conferencing, etc), the integration of various training approaches, the access to necessary equipment and facilities...

A report describing all these elements together with all training output, material and content should be provided at the end of month 9 of the contract.

Task 3: *Delivering the training*

The bidders should deliver two sets of training courses:

- one addressed to CEN/CENELEC/ETSI Technical Committees on disability and accessibility aspects relevant to standardisation.

This course should be provided at least 2 times to 10 different members of those committees. The participants should come from at least 5 different Member States and the course should be provided in English. At least one of the training sessions should be provided in Brussels. The other one can be done in any Member State to be proposed by the bidder.

- and one on standardisation matters addressed to persons with disabilities and their organisations as well as disability and accessibility experts. The attendees of the course could also include representatives of other groups like consumer's organisations and older person's organisations who are also involved in accessibility and disability matters

This course should be provided at least 3 times to 10 persons each time from different organisations (no more than 1 person from the same organisation). The participants should come from at least 10 different Member States in total. At least one of the courses should be provided in English. The bidder will choose the languages of the other 2 courses on the basis of the market analysis and training needs analysis. At least one of the training sessions should be provided in Brussels. The other two can be done in two different Member States to be proposed by the bidder.

Both trainings should consider and build on the Guide 6 and the mechanisms identified by CEN. In the case of addressing ETSI or CENELEC, the training should consider their work practices.

A description of the certification proposed should be included.

A complete schedule and detailed planning including logistic aspects for the training sessions related to the ongoing standardisation work identified in task 1 should be provided. The bidder would cover travel and accommodation for the participants but no fees for participation are allowed.

The Courses should be delivered before the end of month 15 after the start of the work.

A report describing the experience and the improved training output and material should be provided by the end of month 15 after the start of the work.

Task 4: *Evaluating the training*

Evaluation -test and feedback –. A close monitoring of such changes is needed. The use of a formal test session for the training product is required. The test phase and feedback have to be part of the project development strategy in two ways. Firstly, done by the end-user: general impression on the quality of the training materials and the delivery process

and on the development of knowledge and skills gaps. Secondly, done by the bidders, in order to verify problems that have been identified by the end-users and areas for improvement.

A report describing all these elements should be included in the final report.

Task 5: Workshops

Before the end of the 15th month after the start of the contract, the contractor should organise a workshop to present the results in Brussels (ca. 50 participants: experts, Commission, standardisation experts and umbrella organizations of civil society). All the organisational costs and work will be under the responsibility of the bidder (venue, accessibility, interpretation, documentation including conference proceedings, scientific programme, and travel and subsistence max 50 persons, accompanying assistant for people with disabilities ...).

In this task also marketing and promotion of the activity is to be included.

Task 6 : Dissemination and publication

During the execution of the work, the contractor might develop and use a website that needs to be accessible in content, architecture and organisation conformant with WAI/WCAG 1.0 level AA or WCAG 2.0 if available. The purpose of this site is to be an operational tool for the execution of the project. The target audience is to be determined in the response to this tender depending on the needs of the work, experts, disability NGOs or others.

At the end of the work, the Contractor should in any case provide all relevant information and results of the study in an accessible form that can be published online. The purpose of this site is to make the results of the work available to the public including persons with disabilities and experts in the field. All pages and their content have to be submitted in 3 languages: German, English and French.

The contractor should ensure that the content, organisation and architecture of the web site, including the pages and their content would be accessible in conform to WAI/WCAG 1.0 level AA or WCAG 2.0 if available and to the Information Providers Guide of Europa IPG as described in http://ec.europa.eu/ipg/index_en.htm.

The contractor will produce this site using static pages. In the case other technology is being needed to build or update the site the contractor will consult the Commission and will need formal written approval by the Commission on the technology to use before starting this work.

The Commission reserves the right to decide at the end of the contract if the contractor will build the site themselves or if they would provide all necessary content and architecture for a website run or to be built by another entity.

5.2. Guide and details on how the tasks are to be carried out

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, conference, issues publications or develops dedicated websites, people with disabilities have equal access to the facilities or the services provided.

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.

6) PROFESSIONAL QUALIFICATIONS REQUIRED

See Annex IV of the draft contract.

Any replacement of experts during the period covered by the contract has to be submitted as a preliminary proposal to the European Commission for agreement.

7) TIME SCHEDULE AND REPORTING

See Article I.2. of the draft contract.

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 the 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 II the overview of *PROGRESS* performance measurement framework. For more information on the strategic framework, please visit *PROGRESS* website.

The Commission will in that context monitors the effect of *PROGRESS* supported or commissioned initiatives and considers how these initiatives contributes 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 and/or persons authorised by it 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 and/or persons authorised by it. In addition, the Contractor will make available to the Commission and/or persons authorised by it all documents or information that will allow PROGRESS performance measurement to be successfully completed and to give them the rights of access.

7.1. General conditions

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 for under 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.

7.2. Calendar

The Contract shall enter into force on the date on which it is signed by the last contracting party. The date of signature of the present Contract is that of the date stamp applied by the postal services of Employment, Social Affairs and Equal Opportunities DG on the title page of the present Contract after it has been signed by both parties.

7.3. Reports

The Contractor should provide the Commission with:

a. Inception note

An inception note in English - including the methodological and structural part of the work - indicating the scope of research should be delivered **within 1 month** after the starting date of the contract. The report will be discussed with the Commission and adjustments will be made if needed.

b. Two interim technical reports

A first interim report containing - an executive summary of maximum 2 pages, a comprehensive report of the work carried with the main research findings and recommendations resulting from task 1, should be delivered **within 5 months** after the starting date of the contract.

A second interim report with an executive summary of maximum 2 pages and describing all the elements of the training work together with all training output material and content, should be delivered **within 9 months** after the starting date of the contract.

c. Draft final report

A draft final report containing - a comprehensive report of the work carried out including the research carried, the training material, description of the training courses delivered and the evaluation of those courses as well as any conclusions and recommendations in English, **within 14 months** after the starting date of the contract.

d. Final report

A final report containing - a comprehensive report of the work carried out in English, research carried, the training material, description of the training courses delivered and the evaluation of those courses as well as any conclusions and recommendations. The final report should be delivered **within 15 months** after the starting date of the contract taking into account the comments of the Commission on the draft final report.

All material collected and produced during the previous tasks should be provided to the Commission as an annex to the final report. The Commission will decide the key relevant data and results to be published by the contractor online.

8) PAYMENTS AND STANDARD CONTRACT

In drawing up the bid, the tenderer should take into account the provisions of the standard contract comprising the "General terms and conditions applicable to service contracts". In particular, as mentioned in the section on "Guide and details on how the tasks are to be carried out" (point 5.2 of this document), the Contractor is required to detail in its final activity report its achievements in meeting the described equal opportunities provisions.

Payments will be made on receipt of the corresponding invoices, according to the following schedule:

a) Pre-financing

Following signature of the Contract by the last contracting party, within 30 days of the receipt by the Commission of a request for pre-financing with a relevant invoice, a pre-financing payment equal to 20% of the total amount referred to in Article I.3.1 of the contract shall be made.

b) 2 Interim Payments

Request for a first interim payment by the Contractor shall be admissible if accompanied by :

- the first interim technical report in accordance with the instructions laid down in Annex I of the draft contract,
- the relevant invoices, provided the report has been approved by the Commission.

The Commission shall have 60 days from receipt to approve or reject the report, and the Contractor shall 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, the first interim payment corresponding to the relevant invoices, up to maximum 30% of the total amount referred to in Article I.3.1 of the contract, shall be made.

Request for a second interim payment by the Contractor shall be admissible if accompanied by

- the second interim technical report in accordance with the instructions laid down in Annex I of the draft contract,
- the relevant invoices, provided the report has been approved by the Commission.

The Commission shall have 60 days from receipt to approve or reject the report, and the Contractor shall 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, the first interim payment corresponding to the relevant invoices, up to maximum 30% of the total amount referred to in Article I.3.1 of the draft contract, shall be made.

c) Payment of the balance

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

- the final technical report in accordance with the instructions laid down in Annex I of the draft contract,
- the relevant invoices,
- provided that the report has been approved by the Commission.

The Commission shall have 60 days from receipt to approve or reject the report, and the Contractor shall 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 draft contract shall be made.

9) 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 draft contract.

Prices must be fixed amounts, and will be firm and final. No price revisions will be accepted during the full duration of the contract.

The maximum amount available for this contract is **€500.000**. Tenderers should note that any bids exceeding this limit will not be considered.

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.

- any translation expenses
- Travel expenses (other than local transports costs)

- Subsistence expenses of the contractor and his staff or other people involved in the work (covering the expenditure incurred by experts on short-term trips outside their normal place of work).
- Expenses for the shipment of equipment or unaccompanied luggage directly connected with performance of the tasks specified in Article I.1 of this draft contract.

Other direct costs (please specify in detail)

The total price (Maximum € 500.000)

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 contract⁷. 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 11 and 12 must be supplied by every member of the grouping.**

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

11) EXCLUSION CRITERIA AND SUPPORTING DOCUMENTS

11.1. Exclusion criteria

Bidders must provide a declaration on their honour (ANNEX I – C), 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 (reference to the document).

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

⁷ 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.

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)8.

(...)

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
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.

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.

⁸ "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.

(...)"

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.

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 who the contract will be awarded.

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.

12) SELECTION CRITERIA

12.1 Economic and financial capacity to carry out the study demonstrated as follows:

- (a) the tenderer must provide (and identify) proof of turnover in the last financial year at least equivalent to 100% of the proposed price of the contract;
- (b) balance sheets from the last two financial years, where publication of the balance sheets is required under company law in the country in which the service provider is established;
- (c) if the tenderer cannot provide these documents, his bid must be accompanied by evidence that there is no legal obligation to annually publish the turnover and/or the balance sheet. In this case, a bank declaration providing evidence of good financial standing of the tenderer may be accepted by the contracting authority.

12.2. Technical and professional capacity for carrying out the project:

- a) A list of the main works carried out by the tenderer in relation to the subject of this call for tender over the past 3 years proving merits and experience in **standardisation, accessibility-disability and training**. In the case of tenders

from consortia this list must be provided by each member of the consortium but the members may have complementary experiences to cover the full area. Where the work was undertaken for the European Commission, the candidate must also indicate the reference number of the Commission contract and the department for which the contract was performed.

- b) Good experience in specific areas of **standardisation, accessibility-disability and training**, as attested by the CVs and related documentation of experts proposed. The details of educational and professional qualifications of all the persons providing the services have to be included.
- c) the coordinator must certify his team's ability to work in several Community languages covering at least the 3 working languages of the Commission (English, French, German) and should ensure that the project contains provision for interpretation and translation if this is considered necessary by the contractor.
- d) Proof of enrolment in one of the professional trade registers or a declaration or certificate, as prescribed in the legislation of the country in which the tenderer is located.
- e) In the case of tenders from consortia: clear identification of the co-ordinator of the work who will also be responsible for signing the contract, and written confirmation from each member of the consortium that they would be ready and willing to participate in the work, and briefly describing their role.

13) AWARD CRITERIA

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

- 1) Understanding of the objectives and tasks required 30 %
 - A. *Quality of the understanding of the nature of the assignment, its context and the results to be achieved*
 - B. *Relevance and consistency of the analytical approach to the European policies for people with disabilities and standardisation policies*

- 2) Methodology 40 %
 - C. *Clarity, credibility, quality and feasibility of the proposal and completeness of the methodology to cover all aspects of the work*
 - D. *Soundness and appropriateness of the proposed practical approach*
 - E. *Potential impact of the work*
 - F. *Clear identification of the training content, material and description of the implementation of the training.*

- 3) Project management: 30 %
 - G. *Work plan and organisation of the work, including the administrative and logistical tasks involved as well as the feasibility of the time schedule proposed*
 - H. *Adequate assignation of work and responsibilities*

Minimum attainment per criterion

Offers scoring **less than 50%** for any criterion will be deemed to be of insufficient quality and eliminated from further consideration.

Minimum attainment overall

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

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

Since assessment of the tenders will focus on the quality of the proposed solution, tenders should elaborate on all points addressed by tender 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 the tender does not expressly cover certain essential points of these specifications, this weakness will also result in a very low score.

14) CONTENT AND PRESENTATION OF BIDS

14.1. Content of the bids

Tenders must include:

- a signed and dated letter of introduction;
- The tenderer's name, full address, telephone and fax numbers and e-mail address;
- The name and function of the Contractor's legal representative (person authorised to act on behalf of the Contractor in any legal dealings with third parties);
- all information and documents necessary to enable the Commission to appraise the bid on the basis of the selection and award criteria (see points 12 and 13 above) and taking into account the exclusion criteria (see point 11 above), and taking account of the requirements for any Groupings of economic operators or consortia; (see point 10 above)

- Detailed information on the work programme as described in points 3 and 5 above;
- a "legal entity" form duly completed;
- The full statutes, which must also demonstrate proof of eligibility; tenderers must indicate the State in which they have their headquarters and must provide the evidence required under their national law;
- VAT number or proof of exemption;
- a bank ID form duly completed and signed by the bank;
- The details of the price proposed, presented in accordance with point 9 above
- Documents demonstrating economic and financial capacity as specified in point 12 above

14.2 Presentation of the bids

- Bids must be submitted in triplicate (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.