

Specifications-Invitation to tender N° VT/2012/024

Call for Tender for Multiple Framework Contracts for the provision of services related to evaluation, evaluative studies, analysis and research work, including support for impact assessment activities

PART I – THE CONTRACT

1. TITLE OF THE CONTRACT

Provision of services related to evaluation, evaluative studies, analysis and research work, including support for impact assessment activities

Contract reference VC/2012/0507

2. CONTEXT TO THE CONTRACT

DG Employment, Social Affairs and Inclusion pursues policy, legislative and financial initiatives in order to create more and better jobs, combat poverty and social exclusion, promote social justice and protection, enable the free movement of workers, ensure labour mobility, promote workers' rights and solidarity between generations and contribute to the better functioning of labour markets, achievement of full employment, social progress and a highly competitive social market economy in the European Union within the context of the Europe 2020 Strategy. DG Employment, Social Affairs and Inclusion systematically carries out evaluations, impact assessments and research in order to feed into its policy development and collect the necessary evidence to this end.

The role of evaluation and impact assessment is to support policy development and implementation and the continuous improvement of decision-making on priorities and resource allocation. Together impact assessments and evaluation provide essential input in the policy cycle by assessing on-going/previous achievements and the effects that future action will generate. Both instruments are key elements of the Commission commitment to evidence-based policy making and smart regulation as set out in the Communication on Smart Regulation¹.

¹ "Smart Regulation in the European Union", SEC (2010) 543, 8.10.2010

The Financial Regulation² and the 2007 Communication on Evaluation³ provide the basis for the evaluation in the Commission. Article 27 of the Financial Regulation requires all programmes and activities involving significant spending to be evaluated both ex ante and ex post. The Communication on evaluation requires all Commission activities addressed to external parties (e.g. spending programmes and legislation) to be periodically evaluated. In addition, the Commission has committed to base any new policy proposals on an evaluation of existing instruments.⁴

Studies are commissioned virtually in all fields falling within DG EMPL competence and serve an array of purposes, i.a.: collecting evidence to support impact assessments, following up developments in a given field, explore methodologies and models, collect good practices, etc.. Thereby they contribute to the provision of evidence to steer policymaking.

3. OBJECTIVE OF THE CONTRACT

The purpose of the multiple framework contracts is to provide quick access to high quality services related to evaluation and studies, including support for impact assessments

- primarily to DG EMPL in the field of its activities (see section 4 for more detailed description)
- to other Commission services and agencies when they assess the employment and social impacts of their policies

4. SCOPE OF THE CONTRACT AND DIVISION INTO LOTS

This call for tender comprises two lots:

Lot 1 Evaluation and evaluative studies

Lot 2 Analysis and research work, including studies for Impact Assessment

Each lot will result in a maximum of five separate contracts. The total maximum budget per year is 3 million € for Lot 1 and 5 million € for Lot 2.

4.1. THEMATIC COVERAGE

Please note that the following list of themes is not exhaustive. The requests for services will include different, additional or more specific questions, also related to the evolving policy agenda. The bidders should consult DG EMPL webpage [What we do - Employment, Social](#)

² http://ec.europa.eu/dgs/secretariat_general/evaluation/docs/syn_pub_rf_modex_en.pdf

³ "Responding to Strategic Needs: Reinforcing the use of evaluation", SEC (2007) 213, 21.02.2007

⁴ President Barroso's Political Guidelines (2009); Working Methods of the European Commission 2010-2014 – C(2010)1100

[Affairs & Inclusion - European Commission](#)⁵ for a more comprehensive and detailed overview of DG EMPL activities.

- European Social Fund, Progress/European Union Programme for Social Change and Innovation, European Globalisation Fund, EURES, Microfinance Facility, IPA;
- Europe 2020, European Employment Strategy, open method of coordination on social protection and social inclusion, European Social Dialogue;
- labour law, working conditions and information and consultation of workers;
- policies and legislation concerning health and safety at work;
- policies and legislation concerning free movement of workers and coordination of social security schemes;
- as well as cross cutting issues such as gender equality and non-discrimination

Programmes, policies and legislation of other Commission services are in the scope of the Framework Contract as far as their employment and social impacts are concerned.

4.2. TASKS

The assignments covered by lot 1 will consist of assisting the European Commission with developing evaluation strategies and methodologies, designing and carrying out evaluations (ex-ante, on-going and ex-post) and other evaluation related services.

The assignments covered by lot 2 will consist of conducting different types of analysis and research work, including studies for impact assessments.

Work concerning communication, audits and controls are excluded from the scope of the framework contract. Activities related to the provision of methodological tools/databases are covered.

All assignments must be conducted in a systematic manner to provide a rigorous evidence base to inform decision making and must take into account the latest developments in the scientific knowledge in the field. This concerns also the adaptation of qualitative and quantitative tools and methods which are under development in the scientific community (relevant fields are e.g. economics, socio-economics, sociology, anthropology, political sciences, comparative laws).

The tasks will include desk research (provision of literature and documents reviews, synthesis and overviews as well as meta-evaluations, etc.), field work (planning and carrying out surveys, interviews, case studies, workshops and focus groups, etc.), data analysis (multi-criteria analysis, statistical/econometric modelling, cost-benefit analysis, etc.) and quality assurance. In addition to the analysis as documented in written reports these tasks may

⁵ <http://ec.europa.eu/social/main.jsp?langId=en&catId=1>

involve the presentation and dissemination of results or training activities on issues analysed. Other related tasks may be decided by the Commission in the course of the framework contract.

Exemplary tasks for Lot 1:

Evaluation of policies, programmes and legislations at EU and MS level, establishing causal links or intervention logics, collection of data from the beneficiaries, counterfactual analysis, analysis of governance and delivery systems, analysis of transposition, compliance and effectiveness of EU Directives.

Exemplary tasks for Lot 2:

Socio-economic studies, data analysis, application of statistical and econometric methods, reviews of existing researches, application of interview techniques and survey analysis, analysis of specific issues, as well as studies to analyse potential impact, policy assessment, formulation and costing of options, formulating questions for stakeholder consultations and analysing/synthesising results of such consultations, calculation of administrative burden, costs and benefits analysis, use of labour market model.

In order to promote high quality of deliverables and the involvement of academic experts the Commission reserves the right to insert into specific requests for services and service orders an invitation for the selected contractor to produce one or more publishable academic papers in relation to the tasks conducted under the assignment and subject to the Commission approval.

5. DURATION AND PLACE OF PERFORMANCE OF THE FRAMEWORK CONTRACTS

The duration of each Framework Contract will be two years from the date of signature. The Contract may be renewed once with the express written agreement of the parties under the same conditions for a further period of two years. The impact assessment and evaluation unit of DG EMPL expressly reserves the right not to renew the contract. The total maximum duration of the Contract is 4 years. The signature of the contract is planned for April 2013.

As a general rule, the services requested from the contractors under this procedure will, by their nature, be carried out mainly on the contractor's premises and on the Commission's premises in Brussels and Luxembourg. Depending on the service request, visits and interviews may take place in the premises of the institutions of the Member States, of social partners and other relevant stakeholders, or of EU agencies. They may also take place in third countries, for example in the framework of IPA programmes.

6. IMPLEMENTATION OF THE CONTRACT

6.1. NATURE OF THE CONTRACT

This contract is based on the system of **multiple Framework Contractors in competition**. One Framework Contract will be concluded with each contractor, up to a maximum of five contractors per lot, setting out the general contractual terms (legal, financial, technical, administrative, etc.) that apply during their period of validity and govern commercial relations between the Commission and the contractors.

The model Framework Contract applicable is provided in the tender documents. Bidders must declare their acceptance of it and must take it into account in drawing up their tender.

Bidders' attention is drawn to the fact that the Framework Contract does not constitute the placement of an order but is merely designed to set the legal, financial, technical and administrative terms governing relations between the contracting parties during the contract term. Orders can only be placed by the Commission using the service order form contained in Annex III to the Framework Contract.

The signature of the Framework Contracts does not commit the Commission to placing orders and does not give the contractor any exclusive rights to the services covered by the Framework Contracts. In any case, the Commission reserves the right, at any time during the Framework Contract, to cease placing orders without the contractor thereby having the right to any compensation.

6.2. ADMINISTRATIVE ARRANGEMENTS FOR THE MANAGEMENT OF THE CONTRACT

The impact assessment and evaluation unit of DG EMPL will be the only contact point as regards the overall management of the Framework Contract. It will draft and handle the indicative work plan for each lot and will decide on the renewal of the contracts. It will also provide assistance to the units of DG EMPL and other DGs and services of the Commission.

The contractor will designate a project leader for the framework contract. The project leader must provide the Commission with answers and solutions, both as regards the subject of the orders and organisational or administrative matters (including problems related to invoicing and payment), and implement them subject to the Commission's agreement.

The contractor will provide the Commission with an email address dedicated to the reception of requests for services and other relevant operational information and will ensure the continuity of service of this contact point.

6.2.1. ACTIVITY REPORTS

The following reports must be produced on all the work carried out in performance of the Framework Contract by the contractor, who shall supply the Commission with one copy by electronic mail.

Interim activity reports

Every six months each contractor must submit an interim activity report.

This report must describe the work performed and the results obtained during the previous six months. In particular, it must contain information on:

- the requests for services applied for;
- reasons for not applying;
- the orders ongoing;
- the orders completed;
- the problems encountered;
- the availability of resources, including a description of the human resources, for the next six-month period.

The reports must be sent to the Commission within 30 days of the end of the reference period.

Final activity report

One month before the end of the overall duration of each Framework Contract at the latest, each contractor must also submit a final activity report containing, in consolidated form, all the elements that have to appear in each interim activity report.

The cost of producing the above reports must be borne exclusively by the contractor. The Commission will not participate in any way in the expenditure incurred, whether it relates to the drafting, production or distribution — this list not being exhaustive — of the reports required.

6.2.2. PROGRESS MEETINGS

The impact assessment and evaluation unit of DG EMPL may convene meetings between the project leaders of the framework contracts and the Commission services to discuss the quality of the services provided under these contracts. The number of meetings should not exceed 2 per year. They should be held in the Commission's premises in Brussels

These meetings would provide an opportunity to ensure that the following contractual commitments are being met:

- compliance with the Commission quality standards;
- quality of the services provided;

- quality and timing of the deliverables;
- speed and quality of response to the requests for service;
- compliance with deadlines;
- quality of contract administration;
- adequate coordination.

The cost of participation in these meetings must be borne exclusively by the contractor. The Commission will not participate in any way in the expenditure incurred (transport, accommodation, etc.).

7. PROFILE OF THE CONTRACTORS

The contractors will dispose of different pools of experts. The tenderers are asked not to present the CVs of the experts (except those required to fulfil the selection criteria in point 11.3.2) in the bid for the Framework Contract.

- **Core team experts** will ensure coordination and management of the service order as well as the relevant experience in evaluation (for Lot 1) and analysis and research work (for Lot 2). The core team should represent a good mix of experience in labour market and social policies analysis and economic and legal analysis of EU employment and social legislation. The core team will consist of maximum 8 experts who will be at least of category II and will be proficient in English. It is expected that there will be a certain level of stability in the composition of this team and that the involvement of these experts in assignments under the framework contract will be guaranteed.
- **Thematic experts** will be involved in the service orders on the basis of their specific expertise relevant for the service order. They will be experts category I - III working for academia or research institutes or being highly experienced practitioners. They will be involved at least in the inception phase and quality control of deliverables of the service orders.
- **Member State experts'** pool will consist of experts having wide and extensive knowledge of the implementation of the DG EMPL policies, programmes and/or laws in a particular MS. They will be experts category I-II. The coverage of the whole EU must be guaranteed.
- **Other experts** (of categories I-IV) might support the ad-hoc teams in their work on the assignments.

The categories of experts are defined in Annex IV to the draft contract.

For **core and other experts** "professional field concerned" is to be interpreted as evaluation of employment and social policies, programmes or legislation (lot 1) and as analysis and impact assessment of employment and social policies, programmes or legislation (lot 2) of DG EMPL.

For **thematic experts** "professional field concerned" is to be interpreted as the field relevant for the specific request for services.

For **MS experts** professional field concerned is to be interpreted as employment and social policies, programmes or legislation in the MS of their expertise.

8. PRICE SCHEDULE

The tenderer has to fill in the Price Schedule (Table of Unit Prices below). It will constitute the future contractual basis for the pricing for the service orders and will be used for identifying the most economically advantageous tender for the requests for services. The financial offers for the service orders will use only the categories of cost presented in the Price Schedule and the unit costs will not go above the maxima set in the table.

In this regard, the Price Schedule is an integral part of the Annex II (Contractor's Tender) of the Framework Contract. It must be completed in full and signed by a person able to engage the bidder financially.

Part A.1 Fees for members of personnel

Bidders must provide the fees for each professional category as defined in Annex IV to the draft contract. These personnel fees are maximum unit prices and must include all costs (project management, quality control, training of the contractor's staff, support resources such as printing of reports etc.) and all expenditure (management of the firm, secretariat, social security, salaries, communication etc.) incurred directly and indirectly by the contractor in performance of the tasks which may be entrusted to him. In particular, the personnel fees must also include the travel and subsistence costs for services provided on the contractor's premises and in the Commission's offices in Brussels and Luxembourg (typically steering groups meetings).

A "w.d." is considered to be 1 working day for 1 member of Contractor's personnel. For a given w.d., the hours worked beyond normal daily work time shall not be payable. Normal work time is understood as respecting the law and regulations in force in the country where the evaluation services are to be performed.

Part A.2 - Mission Expense and other costs

Mission expenses are the costs of return travel for one member of staff from the contractor's location to the field work place required in the corresponding request for service. This excludes travel and subsistence costs for services provided in the contractor's premises and in the Commission's offices in Brussels and Luxembourg. The costs of travel to countries outside the EU shall be determined by the contractor in its proposal for each request for service. Journeys should be carried out by the most direct and economic route. The fee for the time of the member of personnel at such missions will be determined in accordance with Part A.1.

Daily Subsistence Allowance covers all the subsistence costs (hotel/meals/local transport/etc.) for one member of personnel on mission for one day of field work. The rates for daily subsistence allowances in countries listed in Annex III of the draft framework contract are fixed for the Commission and cannot be exceeded. Rates for daily subsistence allowances for countries not listed in Annex III of the draft framework contract shall be determined by the contractor in its proposal for each request for service.

The bidders should provide a lump-sum fee for staging a seminar for 50 participants in Brussels (e.g. for disseminating the results of an evaluation). This fee should include all costs, such as the rental of a conference room, interpretation in the three working languages of the Commission (FR, EN, DE), lunch, coffee breaks, printing of material, rental of equipment, etc. The lump-sum is a maximum price corresponding to 50 participants and can be adapted as a function of the requested number of participants and services requested.

The bidder should provide a lump-sum fee for the translation of 10-pages documents (for example an evaluation report summary from EN into DE). The lump-sum is a maximum price corresponding to 10 pages and can be adapted as a function of the number of pages foreseen for translation.

Reimbursable expenses are not applicable.

Prices for service orders will be presented as a lump-sum on the basis of the expert fees and travel, subsistence, seminar, and/or translation costs established according to the Price Schedule. No separate expenses will be accepted.

Tenderers must leave the presentation of this Price Schedule unchanged. If the table is reproduced using word-processing facilities, one must ensure that all the fields from the original schedule are included in this reproduction. Omissions or changes to the original table may lead to elimination.

Price Schedule (Table of Prices) to be filled:

Maximum Unit Prices to be used under the Framework Contract

A.	Costs	Unit price in EUR (€)	Type of unit
A.1	Fees for members of personnel (to be specified for each category)		
	Category I	.....	w.d.
	Category II	.....	w.d.
	Category III	.....	w.d.
	Category IV	.....	w.d.
A.2	Missions and other costs		
A.2.1	Missions - cost of return travel for one member of contractor's staff from contractor's location to the field work place		
	-Austria	.....	Per trip
	-Belgium	.....	Per trip
	-Bulgaria	.....	Per trip
	-Croatia	.....	Per trip
	-Cyprus	.....	Per trip
	-Czech Republic	.....	Per trip
	-Denmark	.....	Per trip
	-Estonia	.....	Per trip
	-Finland	.....	Per trip
	-France	.....	Per trip
	-Germany	.....	Per trip
	-Greece	.....	Per trip
	-Hungary	.....	Per trip
	-Ireland	.....	Per trip
	-Italy	.....	Per trip
	-Latvia	.....	Per trip
	-Lithuania	.....	Per trip
	-Luxemburg	.....	Per trip
	-Malta	.....	Per trip
	-Poland	.....	Per trip
	-Portugal	.....	Per trip
	-Slovakia	.....	Per trip
	-Slovenia	.....	Per trip
	-Romania	.....	Per trip
	-Spain	.....	Per trip
	-Sweden	.....	Per trip
	-The Netherlands	.....	Per trip
	-United Kingdom	.....	Per trip
A.2.2	Daily subsistence allowance (as in annex III of draft framework contract)		
	-Austria	.....	Per day
	-Belgium	.....	Per day
	-Bulgaria	.....	Per day
	-Croatia	.....	Per day
	-Cyprus	.....	Per day
	-Czech Republic	.....	Per day
	-Denmark	.....	Per day
	-Estonia	.....	Per day
	-Finland	.....	Per day
	-France	.....	Per day
	-Germany	.....	Per day
	-Greece	.....	Per day
	-Hungary	.....	Per day
	-Ireland	.....	Per day
	-Italy	.....	Per day
	-Latvia	.....	Per day

-Lithuania	.....	Per day
-Luxemburg	.....	Per day
-Malta	.....	Per day
-Poland	.....	Per day
-Portugal	.....	Per day
-Romania	.....	Per day
-Slovakia	.....	Per day
-Slovenia	.....	Per day
-Spain	.....	Per day
-Sweden	.....	Per day
-The Netherlands	.....	Per day
-United Kingdom	.....	Per day
A.2.3 Seminar costs		
Lump sum	.....	1day, 50 participants
A.2.4 Translation costs		
Lump sum	.....	10 pages

9. SERVICE ORDERS

9.1. PROCEDURE FOR AWARDING SERVICE ORDERS AND REQUIREMENTS CONCERNING THE OFFERS FOR REQUESTS FOR SERVICES

When the Commission (or an EU agency) wishes to procure services under the Multiple Framework Contracts, it will send all the contractors under the Lot concerned a request for services. The request will set out the terms of reference for the task, including the estimated maximum price covering all expenses and the performance deadlines. The request will also include an identity number provided by the impact assessment and evaluation unit of DG EMPL. This request will be sent to the email address of the contract point designated by the contractor. The contractors shall confirm the receipt of the mail.

Within 5 working days, the contractors shall express in writing by e-mail their availability to carry out the services required.

Within the time limit specified in the request for services the contractors will provide the Commission with a written proposal by post for the tasks required, including an outline of the methodologies proposed, a work programme, CVs of the experts and a lump-sum price for the service order. The deadline for submission of the offers will be at minimum 10 working days after the date of sending the request for services.

The Commission services concerned will examine the proposals received. The CVs of the experts will be examined by the contracting service in view of their conformity with the provisions of the Framework Contract (see points 7 and 9.2). The bids will be assessed on the basis of the award criteria formulated in point 9.3. The financial offers will be checked by the contracting services against their conformity with the Price Schedule (see point 8). The service order will be awarded to the proposal that scores highest on the formula defined in point 9.3.

With the exception of the receipt of offers and the signature of the service order, documents shall be exchanged by electronic mail.

In order to avoid possible conflicts of interests between experts/institutions having participated in the design/implementation of policies/programmes/legislation and experts/institutions called to evaluate them, each service order will entail a specific clause preventing such conflicts of interests.

The Commission may use a negotiated procedure for new services or works consisting in the repetition of similar services or works entrusted to the contractor awarded the initial service order up to maximum 50% of the initial amount, provided that these services or works conform to a basic project, and to the conditions of article 126.1.f of the implementing rules of the financial regulation. This may e.g. be required for recalculating new scenarios in the framework of impact assessment studies.

9.2. AD-HOC TEAMS AND SUB-CONTRACTING

The teams proposed in the bids for the requests for services will consist of at least two member of the core team, one of them as the project manager, at least one thematic expert with academic/research background or practical experience in the field concerned by the request for services and MS experts as relevant. The CVs of experts will be submitted using the template in Annex 1 to this ToR. The contracting services will verify if the experts' categories proposed in the bid comply with the requirements set in Annex IV to the draft Contract.

Any change of expert involved in the service order will be notified to the Commission by the contractor and agreed with the contracting service.

If a contractor wants to subcontract part of the work under a specific service order because of:

- a need for highly specialised methodologies or very restricted field of expertise,
- special linguistic needs, organisation of special events related to the lots

this intention must be clearly stated in the tender. Tenderers must indicate the maximum percentage of the service order they intend to subcontract and the identity of the partners they intend to work with, and clearly state the nature of their links to those partners. The subcontracting should not exceed 50% of the price of the service order and must not involve the tasks of the project leader.

9.3. AWARD CRITERIA FOR THE SERVICE ORDERS

The bids for the individual service orders will be assessed on the basis of the following criteria. Contracting services are free to formulate more detailed subcriteria but the distribution of point among the main criteria must remain unchanged.

Quality criteria

QC.1, max 35 points: Understanding of the services and general approach to the work to be performed

QC.2, max 45 points: Proposed methodology and tools

QC.3, max 20 points: Approach proposed for the management of the work

Tenders which do not obtain at least 50% of the maximum score for each award criterion and at least 60% of the overall score for all criteria, will not be admitted to the next stage of the evaluation procedure.

Financial criteria

Each offer will be assessed in terms of the total price for the proposal on the basis of the specific unit prices set in the Framework Contract, broken down by categories of experts and travel and mission expenses.

Service order award

The service order will be awarded to the bid which scores highest on the following formula:

$$\text{Final score}_{(i)} = 0,6 * Q_{(i)}/100 + 0,4 * P_{(1)}/P_{(i)}$$

Where:

$Q_{(i)}$ – points received by the bid i on the quality criteria

$P_{(1)}$ – the lowest price among the bids that made it to this stage

$P_{(i)}$ – the price of the bid i

9.4. IMPLEMENTATION OF THE SERVICE ORDERS

When preparing their tenders, bidders' attention is particularly drawn to the provisions of the Framework Contract applicable to service orders, particularly those on prices (Article I.3), payments (Article I.5), conflict of interests (Article II.3) and confidentiality (Article II.9).

Performance of the service orders will not involve any pre-financing.

In particular, the contractor must perform his work to the highest professional standards. If the contractor fails to do so, the Commission may terminate the contract, in accordance with Article II.15.1 of the Framework Contract.

When relevant and in accordance with the Commission's evaluation standards, the final output of each service order (evaluation reports, assistance tasks, methodological support, etc.) will be subject to a written quality assessment according to a grid in Annex II of these Terms of References.

The Contractor will have sole responsibility for complying with all legal obligations incumbent on him, notably those arising from employment law, tax law and social legislation.

The Contractor may neither represent the Commission nor behave in any way that would give such an impression. The Contractor must inform third parties that he does not belong to the European public service, but is exercising the tasks on behalf of the European Union.

The Contractor will be solely responsible for the staff carrying out the work, which may not be placed in a position of dependency in relation to the Commission.

Rights concerning the reports and those relating to their reproduction and publication will remain the property of the European Commission. No document based in part or in whole upon the work performed under the framework contract may be published, except with the prior formal written approval of the European Commission.

PART II – THE TENDERING PROCEDURE

10. PARTICIPATION IN THE TENDERING PROCEDURE, CONSORTIA OR GROUPS OF SERVICE PROVIDERS

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 Union 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.

10.1. CONSORTIA OR GROUPS OF SERVICE PROVIDERS AND SUBCONTRACTORS

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 contract⁶. 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 points 11.2 and 11.3.1 must be supplied by every member of the grouping.

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

11. PROCEDURE FOR EVALUATING THE TENDERS FOR THE FRAMEWORK CONTRACT

Bidders may submit a tender for one or both lots (see also provisions relating to consortiums in chapter 10.1).

Any economic operator can access and download the complete tender dossier which is located at a specific internet website of the Contracting authority:

<http://ec.europa.eu/social/main.jsp?catId=624&langId=en>

This dossier defines in detail the content of the Framework Contract, its terms and conditions and the selection and award criteria, and invites tenders on that basis.

Tenders must meet the requirements of each step in order to be admitted to the next step of the evaluation procedure.

11.1. ADMINISTRATIVE INFORMATION

The administrative information included in the technical dossier must include:

1. a legal entity form, dependent on the type of organisation of the tenderer. This requirement applies to all members of a consortium;
2. a completed Financial Identification Form, duly signed by both the tendering party (or its duly authorised agent) and the bank.

11.2. EVALUATION OF THE BIDDERS - EXCLUSION CRITERIA

⁶ 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.

1) Bidders must provide a declaration on their honour, duly signed and dated, that they are not in one of the situation 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 Union's financial interests;*
- f) they are currently subject to an administrative penalty referred to in Article 96(1)⁷.*

(...)

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 Implementing Rules – Evidence

⁷ "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 shall accept as satisfactory evidence that the candidate or tenderer to whom the contract is to be awarded is not in one of the situations described in point (a), (b) or (e) of Article 93(1) of the Financial Regulation, a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. 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(1) of the Financial Regulation, a recent certificate issued by the competent authority of the State concerned.

Where the document or certificate 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.

§4. Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraph 3 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.

Annex 3 contains a list of supporting documents accepted by the European Commission to be provided by applicants, tenderers or tenderers to whom 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.

11.3. EVALUATION OF BIDDERS - SELECTION CRITERIA

The selection of bidders is intended to assess their financial, economic, technical, and professional capacity. Tendering parties' capacity will be assessed in the light of the criteria below, on the basis of the documents provided by the tenderers.

11.3.1. ECONOMIC AND FINANCIAL SITUATION

(SC.1) Tendering parties must demonstrate their economic and financial capacity to carry out the tasks set out in the tender specifications.

In order that their position in relation to the selection criteria can be verified, tendering parties should enclose documents with their application enabling an assessment to be made. This information requirement applies to all members of a consortium.

1) the tenderer (or all partners of the consortium together) must provide proof of at least one annual turnover in the last two financial years for which accounts have been closed at least equivalent to 1 million €;

2) balance sheets from the last two financial years that have been closed, where publication of the balance sheets is required under company law in the country in which the service provider is established; in the case of tenders from consortia, this balance sheet must be provided by each member of the consortium;

3) a bank declaration providing evidence of good financial standing; in the case of tenders from consortia, this declaration must be provided by each member of the consortium.

Where a company has been operating for less than two years, proof must be provided for items 1), 2), and 3) on the longest period available.

11.3.2. TECHNICAL CAPACITIES

SC.2) The bidders must possess the resources and experience to manage big and complex assignments covering the whole EU.

As evidence the bidders will submit a list of at least 5 assignments completed in the last 5 years demonstrating that they fulfil SC.2 using the following template

Title	Commissioned by	Year of final report	Link to publication

SC.3) For lot 1 the bidders must have experience in evaluation⁸ of employment and social policies, programmes (especially ESF) and legislation. For lot 2 the bidders must have experience in analysis⁹ and preparatory studies for Commission's Impact Assessments of employment and social policies, programmes and legislation.

As evidence the bidders will submit a list of at least 5 assignments completed in the last 5 years (separately per lot) demonstrating that they fulfil SC.3. using the following template. For Lot 1 at least one of the assignments will be an ESF evaluation conducted at national level.

Title	Commissioned by	Year of final report	Link to publication

⁸ Ex-ante, mid-term, ongoing, ex-post evaluations and evaluative studies

⁹ Studies, research papers

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SC.4) The bidders must designate a senior manager with experience in managing evaluation (Lot1) or study/research projects (Lot 2) as the project director who will be the contact point for DG EMPL representatives in all issues concerning the Framework Contract.

The CV of the project director should be submitted using the template in Annex 1.

SC.5) The bidders must demonstrate that they dispose of a core team as described in section 7. The project director does not have to but can be a member of the core team.

The bidders will present the list of members of the core team together with their CVs¹⁰.

SC.6) The bidders must demonstrate the capacity of setting up a network of MS experts covering the whole EU.

SC.7) The bidders must demonstrate their capacity to work in a significant number of EU official languages (at least 15 official languages of the European Union) and, in any case, English, French and German. In addition, bidders should explain how they will ensure their capacity to work in any of the other official languages of the European Union, if it were required for a service order.

As evidence for SC.6 and SC.7 the bidders will submit a list of national experts specifying the languages and assignments carried out with the bidder. The CVs of the national experts are not required.

Expert	MS covered	Languages covered	Title	Commissioned by	Year of final report	Link to publication

11.4. EVALUATION OF THE TENDERS - AWARD CRITERIA

The Commission will assess the quality of the tenders according to the following award criteria (AC):

AC.1 Approach to management of the framework contract (max 30 points)

AC.1.1 Procedures related to the management of human resources and to the building of the ad hoc teams for requests for services (max 10 points)

AC.1.2 Organisation of the management of the contract and procedures to guarantee continuity of service (max 10 points)

AC.1.3 Procedures for quality control and assurance (max 10 points)

¹⁰ Maximum 8 CVs will be accepted and included in a list of core team experts.

AC.2 Methodological approach (max 70 points)

AC.2.1 Familiarity with the current political context and state of knowledge (max 15 points)

AC.2.2 Range and appropriateness of methods for data collection and data sources proposed (max 15 points)

AC.2.3 Range and appropriateness of methods for data analysis (max 20 points)

AC.2.4 Composition of the team in relation to the tasks (max 20 points)

For the assessment of the first criterion (AC.1) the contractor will describe in maximum 3 pages:

- a) How the availability and involvement of adequate expertise in the service orders will be ensured (AC.1.1)
- b) How the daily management of the contract (vis-à-vis DG EMPL Evaluation and Impact Assessment Unit) and the service orders (vis-à-vis the contracting services) will be organised and how the readiness to reply to requests for services at a short notice will be ensured (AC.1.2)
- c) How the quality of processes (for example timeliness) and of deliverables will be guaranteed. Names and profiles of persons in charge should be provided. (AC.1.3)

The second criterion (AC.2) will be judged on the basis of the following case studies.

For each lot 3 exemplary themes for which a request for services could be issued are presented. Their purpose is to give the opportunity to the bidders to present their understanding of the field and the range of methods and tools they could use for different aspects of this kind of assignments. The duration of the assignments and their maximum budget is given in brackets.

Lot 1

1. Ex-post evaluation of ESF support to unemployed (10 months, 500 000 euro)
2. An evaluation of the Directive 2008/104/EC on Temporary Agency work (10 months, 400 000 euro)
3. Impact Evaluation of the Microfinance Facility (12 months, 300 000 euro)

Lot 2

1. Study on social impacts of the EU Recovery Plan (6 months, 200 000 euro)
2. Comparative study of the social and economic impacts of the health and safety legislation on the health sector in EU27¹¹. (6 months, 200 000 euro)

¹¹ understood as section Q Human health and social work activities of the NACE rev. 2 classification

3. Preparatory study for an IA on a revision of the Regulation 883/2004 on the coordination of social security systems concerning sickness benefits of pensioners and members of their families. (8 months, 300 000 euro)

For each of the case studies the bidders should discuss:

- a) current political context and state of academic knowledge (AC.2.1)

The bidder should demonstrate that he is aware of the latest initiatives adopted at the EU (and if relevant also at the national) level. He is also expected to be familiar with the economic theory and with the recent academic papers/discussions which might be relevant for the assignment. Finally, knowledge of the results of recent evaluations related to the theme would be considered a plus.

- b) data sources they would refer to and a potential range of methods and tools for data collection the bidder can offer for this kind of assignments (AC.2.2)

The bidder should provide a list of documents, databases, networks, etc he would consult when conducting the assignment. The bidder should provide a short description of methods he finds appropriate and feasible to collect the relevant data.

- c) a potential range of methods and tools for data analysis the bidder can offer for this kind of assignments (AC.2.3)

The bidder should discuss which methods could be used to analyse the collected information and which evaluation/study questions they could answer (or contribute to answering).

- d) composition of the team that could be proposed for this assignment (AC.2.4)

The bidder should specify the approximate number and profiles of the experts involved. It should be explained which tasks will be dealt by which profile and category of experts. It is expected that the ability of involvement of thematic experts (by providing their names) will be demonstrated.

Each case study must not exceed 10 pages.

In order to participate in the award procedure, the assessment for each of the subcriteria should at least be 50% of the maximum points for each subcriterion.

The overall assessment (sum of points for all criteria) should be at least 70 points out of 100. The offers which will not receive this minimum overall scoring shall be rejected, even if they received the minimum scoring for each individual criterion.

11.5. FINANCIAL CRITERIA

The value of the tender for the Framework Contract taken into account in order to determine the most economically advantageous tender will be the total price of the hypothetical

simulation presented below. The bidders are requested to fill in empty cells using the maximum unit prices submitted in the Price Schedule (section 8)

Hypothetical Simulation for Assessment of the Financial Criterion

Expert Fees	Work days		Maximum Unit Price	Total
Category I	20			
Category II	30			
Category III	30			
Category IV	20			
Subtotal	100			
Other costs (if required)				
Missions	Travel Expenses	Days	Daily subsistence allowance	Total
Average EU 27 + Croatia		1		
Subtotal		1		
Number				
	Number		Maximum Unit price	Total
Seminar	1			
Translations	100 pages			
Total				
Total				

Bidders' attention is drawn to the fact that the sole objective of each hypothetical simulation is to provide a fair, non-discriminatory basis for comparing the financial offers.

Consequently, these simulations cannot under any circumstances be considered to constitute a commitment on the part of the Commission to conclude specific contracts for the related services and quantities, and cannot give rise to any right or legitimate expectation on the part of the bidder.

Prices must be quoted in EUR (€) (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). Prices shall be quoted free of all duties, taxes and other charges, including value added taxes, as the European Community is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Communities; the amount of VAT should be shown separately.

11.6. CONTRACT AWARD

For each lot, the contract will be awarded according to the method of the most economically advantageous tender. This will be determined on the basis of the quality and the price of the tender.

The ranking of tenders for each lot in order to determine their relative economic advantage will be based on the quality/price ratio of each tender, calculated by dividing the total number of points obtained following the quality evaluation (see point 11.4) by the price of the tender (see point 11.5).

12. CONTENT AND PRESENTATION OF BIDS

Content

Tenders must include:

- the name and function of the contractor's legal representative (i.e. the person authorized to act on behalf of the contractor in any legal dealings with third parties);
- Legal entity forms for all the members of the consortium
- Financial Identification Form signed by the consortium leader and the bank
- Declarations of honour signed by all the members of the consortium
- all information and documents necessary to enable Commission to assess the selection criteria (section 11.3)
- the technical proposal (section 11.4)
- the Price Schedule signed by the legal representative (section 8)
- the financial offer signed by the legal representative (section 11.5);

Presentation

- Bids must be submitted by post to the Contracting service address in triplet (i.e. one original and 2 copies).
- They must be clear and concise.
- They must be signed by the legal representative.

13. FINAL PROVISIONS

Variants are not allowed.

Expenditure on preparing and submitting tenders is non-refundable.

Fulfilment of the conditions of the call for tenders imposes no obligation on the Commission to award the contract.

Initiation of a tendering procedure imposes no obligation on the Commission to award the contract, and the Commission reserves the right to award a contract for only a single lot.

The Commission is not liable for any compensation to bidders whose tenders have not been accepted. Nor is it so liable if it decides not to award the contract.

All the documents submitted by bidders become the property of the Commission. These documents will be considered confidential.

ANNEXES TO THE PRESENT TERMS OF REFERENCE

ANNEX 1 MODEL CV FOR THE PRESENTATION OF EXPERTS

ANNEX 2 QUALITY ASSESSMENT CHECKLIST

ANNEX 3 EXCLUSION CRITERIA – SUPPORTING DOCUMENTS REQUIRED

ANNEX 4 DECLARATION OF HONOUR, WITH RESPECT TO THE EXCLUSION CRITERIA AND ABSENCE OF CONFLICT OF INTEREST

ANNEX 1 TO THE TERMS OF REFERENCE

MODEL CV FOR THE PRESENTATION OF EXPERTS

Personal information																					
Surname(s) / First name(s)	Surname(s) First name(s)																				
Nationality	(remove if not relevant)																				
Date of birth	(remove if not relevant)																				
Gender	(remove if not relevant)																				
Relevant professional experience	Add separate entries for each relevant professional experience (specify dates, number of months spent in the project of professional activity, description of tasks and employer/commissioner, starting by the most recent)																				
Education and training																					
Dates	Add separate entries for each relevant training you have completed, starting from the most recent. (remove if not relevant)																				
Title of qualification awarded																					
Principal subjects/occupational skills covered																					
Name and type of organisation providing education and training																					
Personal skills and competences																					
Mother tongue	Specify mother tongue (if relevant add other mother tongue(s))																				
Other language(s)																					
Self-assessment	<table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="2">Understanding</th> <th colspan="2">Speaking</th> <th>Writing</th> </tr> <tr> <th>Listening</th> <th>Reading</th> <th>Spoken interaction</th> <th>Spoken production</th> <th></th> </tr> </thead> <tbody> <tr> <td style="width: 15%;">Language</td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> <tr> <td>Language</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Understanding		Speaking		Writing	Listening	Reading	Spoken interaction	Spoken production		Language					Language				
Understanding		Speaking		Writing																	
Listening	Reading	Spoken interaction	Spoken production																		
Language																					
Language																					
Other relevant skills and competences	Replace this text by a description of these competences and indicate where they were acquired. (Remove if not relevant)																				
Additional information	Include here any other information that may be relevant. (Remove heading if not relevant)																				

ANNEX 2 TO THE TERMS OF REFERENCE

QUALITY ASSESSMENT CHECKLIST

	Poor	Satisfactory	Good	Very good	Excellent
1) Relevance Does the evaluation respond to information needs, in particular as expressed in the terms of references?					
2) Appropriate design Is the design of the evaluation adequate for obtaining the results needed to answer the evaluation questions?					
3) Reliable data Are data collected adequate for their intended use and have their reliability been ascertained?					
4) Sound analysis Are data systematically analysed to answer evaluation questions and cover other information needs in a valid manner?					
5) Credible findings Do findings follow logically from and are justified by, the data/information analysis and interpretations based on pre-established criteria and rational?					
6) Valid conclusions Are conclusions non-biased and fully based on findings?					
7) Helpful recommendations Are areas needing improvements identified in coherence with the conclusions? Are the suggested options realistic and impartial?					
8) Clarity Is the report well structured, balanced and written in an understandable manner?					

NB: This checklist is subject to change, as the Commission may adapt its procedures.

ANNEX 3 - EXCLUSION CRITERIA – Supporting Documents Required

Exclusion criteria (Article 93(1) FR)	Supporting documents to be provided by applicants, tenderers or tenderers to whom the contract will be awarded
	Procurement (Article 93(2) FR; Article 134 IR)
<p>1. Exclusion from a procurement procedure, Article 93(1) FR :</p> <p><i>« Candidates or tenderers shall be excluded from participation in a procurement procedure if:</i></p>	
<p>1.1. (subparagraph a)</p> <p><i>they are bankrupt or being wound up,</i></p> <p><i>are having their affairs administered by the courts,</i></p> <p><i>have entered into an arrangement with creditors have suspended business activities, are the subject of proceedings concerning those matters,</i></p> <p><i>or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations¹²;</i></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>1.2. (subparagraph b)</p> <p><i>they have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata¹³;</i></p>	<p>Cf. supporting documents for Article 93(1)(a) FR above</p>
<p>1.3. (subparagraph c)</p> <p><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)</p> <p><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 performed¹⁴;</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>

¹² See also Article 134(4) IR : Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraphs 1 and 3 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 .

¹³ Cf. footnote n° 12.

¹⁴ Cf. footnote n°12.

<p>1.5. (subparagraph e)</p> <p><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 Union' financial interests¹⁵;</i></p>	<p>Cf. supporting documents for Article 93(1)(a) FR above</p>
<p>1.6. (subparagraph f)</p> <p><i>they are currently subject to an administrative penalty referred to in Article 96(1)¹⁶. »</i></p>	<p>Declaration by the candidate or tenderer that he is not in the situation described</p>

<p>Exclusion criteria (Article 94 FR)</p>	<p>Supporting documents to be provided by applicants, tenderers or tenderers to who the contract will be awarded</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)</p> <p><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)</p> <p><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»¹⁷.</i></p>	<p>No specific supporting documents to be supplied by the applicant, tenderer or bidder</p> <p>It is the responsibility of the authorising officer, represented by the evaluation committee, to check that the information submitted is complete¹⁸ and to identify any misrepresentation</p>	

¹⁵ Cf. footnote n° 12.

¹⁶ 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.

¹⁷ Cf. Article 146(3) of the FR Implementing Rules: « ...the evaluation committee or the contracting authority 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 the time limit it specifies. » and Article 178(2) of the FR Implementing Rules: « The evaluation committee or, where appropriate, the authorising officer responsible may ask an applicant to provide additional information or to clarify the supporting documents submitted in connection with the application, in particular in the case of obvious clerical errors »

¹⁸ Cf. footnote n°12

ANNEX 4

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 operator¹⁹*)
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;
- 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 Union's 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

¹⁹ 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).

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 upon request the evidence that they are not in any of the situations described in points a, b, d, e above.

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

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

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

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