TENDER SPECIFICATIONS
ATTACHED TO THE INVITATION TO TENDER

Invitation to tender No. MOVE/C2/2012-489-1 concerning the study:
To develop and validate a European passenger transport information and booking interface across transport modes
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I. SPECIFICATIONS

Task Specification

To develop and validate a concept of a European passenger transport information and booking interface across transport modes

I.1 INTRODUCTION

DG MOVE is seeking external expertise 'To develop and validate the feasibility of a multi-modal, passenger transport information and booking service that could be applied on a pan-European basis". This is an initiative that arises from a Preparatory Action\(^1\) from the European Parliament to DG MOVE.

This preparatory action aims to support, if and where necessary in addition to market actions and developments, the connection of existing local, regional, national and international traveller information systems as well as to offer the international public information and the possibility of purchasing tickets through a single, multilingual interface. This initiative should aim at supporting:

— The creation of a European transport information interface which would be easy to access and provide passengers with real-time data for any trip in Europe and for any transport mode; this interface could also provide some information on passenger rights and the environmental footprint of each trip (CO\(_2\) emissions, fuel consumption, etc.) so as to allow a comparison between transport modes,

— The creation of an online booking tool which would facilitate travelling through Europe, as well as a journey planner, a journey pricing tool, an availability requests management tool and a ticket integration tool,

— The connection of international traveller information systems.

The preparatory action should be based on the Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem ‘telematics applications for passenger services’ of the trans-European rail system (OJ L 123, 12.5.2011, p. 11). In a first stage, the preparatory action should be limited to a limited number of countries, to a limited number of languages and to a limited set of data. It should be based on different scenarios presenting different combination of modes. Particular attention should be paid to the reservation of assistance for people with reduced mobility (PRM).

This initiative is in line with the contention in the White Paper on Transport "Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system" - that when abroad the travel experience should be as easy as for local travellers. Towards this aim, one of

\(^{1}\) Article 06 02 14 — Preparatory action — European transport information and booking interface across transport modes.

Legal basis

the ten goals of the White Paper is to establish, by 2020, the framework for a European multimodal transport information, management and payment system. Passengers should be delivered a coherent end-to-end service with simplified interchanges, on-the-spot/on-the-go information and hassle-free ticketing. This implies integrated provision of travel information and booking opportunities regardless of travel mode. From this point, there would be the possibility to offer tickets for the whole journey. The achievement of the latter will facilitate the further integration of different passenger transport modes to provide seamless multimodal door-to-door travel.

The creation of framework conditions to promote the development and use of intelligent systems for interoperable and multimodal scheduling, information, online reservation systems and smart ticketing will be pivotal in this context. Where appropriate, the inclusion of legislative proposals to overcome market failures in aspects such as ensuring access of private service providers to travel and real time traffic information could be contemplated.

The over-arching objective is also compliant with article 39(d) of the Regulation of the European Parliament and of the Council on Union guidelines for the development of the Trans-European Transport Network, which under 'New technologies and innovation' states that in order for the comprehensive network to keep up with innovative technological developments and deployments, improving the operation, accessibility, interoperability, multimodality and efficiency of the network including multimodal ticketing is necessary.

Multimodal information and integrated ticketing across an economic area have been shown to heighten the use of public transport and thus reduce congestion, through decrease of boarding times, increases in service reliability and operational performance, which are often allied to improved service economics – via fraud reduction. Hence, greater ticketing integration and improved links between ticketing and information provision will make public transport use easier, more flexible, and more attractive for passengers.

New ticketing strategies and enabling technologies – e.g. smartcard systems, contactless bank cards, and mobile ticketing - are being introduced into the marketplace to fulfil ever changing service and consumer needs as well as to respond to the increasing pressure from government bodies for the modernisation and improvement of public services.

While some of these schemes have already installed components that conform to international norms, and have adopted business and operational models that comply with best practice, they are nowadays generally insufficient for scale-up beyond limited boundaries thus preventing nation-wide and international services.

The work of the Preparatory Action shall assess the need for public support and for intervention in the implementation of EU-wide multi-modal traveller information and ticketing services and notably those key bottlenecks that would hinder such an implementation. Particular emphasis has to be given to the delineation of innovative business models and system approaches that, on one hand, ensure the long-term economic and social sustainability of such services and, on the other hand, cater for the increasing pace of technological innovation. This would include consideration of the following four major aspects:

- A comprehensive study of the traveller information and ticketing services markets providing a blueprint of the relevant market structure and business segmentation, including the identification of the key drivers and barriers that shape their current development and the trends that might condition their expected evolution;
• The delineation of potential scenarios that could facilitate the emergence and support the subsequent consolidation of market-sustainable pan-European traveller information and ticketing services – cf. "how to deliver the vision". These could include notably the extension of local or regional services towards a nation-wide or cross-border-scale, the aggregation under a common branding or service of disparate modal-oriented services … as components of a step-wise process that ultimately would lead to the fulfilment of the stated EU-wide goals;

• The consideration of other value-added services – e.g. inclusion of retail or marketing content, of comparative environmental footprint indicators (GHG emissions, fuel consumption), or of content of a regulatory nature (e.g. passenger rights and obligations) - that could eventually add towards guaranteeing the overall economic soundness of such concepts;

• Finally, the trialling and validation of 'proof-of-concepts' in terms of business models, operations and/or specific technologies that are considered as critical for market delivery and successful penetration.

The final aim will be to provide the Commission with the necessary pointers of the needs for public action and of the scope, time-scale and required resources of the latter in case this is justified.

The parties involved in the development, implementation and operation of multimodal travel information services and integrated smart ticketing can be broadly categorised according to the following headings:

• The travelling public;
• Transport Authorities;
• Transport Operators;
• Providers of journey planners (be it public or private);
• Financial Institutions, in particular, the banks;
• Telecom Industry, notably, the telecom operators;
• Standards Bodies;
• Equipment Suppliers;
• ITS Service Suppliers.

Overall, the work should identify the framework conditions that need to be created to make every actor in the chain, and especially the travelling public, feel comfortable enough to engage in cross-border activity and trust the market.

The contract will be split into two phases, a comprehensive study as outlined above that will include the establishment of the framework conditions, the functioning of the market within these conditions, the potential roll, if any, of the public sector in supporting these developments and the specific requirements for rolling out of the aforementioned services: multimodal scheduling, information, online reservation systems and smart ticketing, and, if warranted, a pilot trial whose work will be encompassed within the second phase.

I.2 PURPOSE OF THE CONTRACT

The purpose of the tender is to invite a consortium to apply to undertake work on a comprehensive study and pilot trial.

The aim of the work, in line with the aforementioned goal of the White Paper, is many fold:

- To assess the economic and social impact of the provision of interoperable and multimodal transport scheduling, information, online reservation and ticketing services on a EU-wide scale;
- To survey the current market developments and expected trends that will concur towards the fulfilment of the White Papers' vision;

- To identify potential barriers to the implementation of the above mentioned services (building on the already identified issues of difficulty of data availability, accessibility, quality and standards of its exchange). In particular, this should include those market failures that might justify public intervention;

- To outline potential strategies to deliver the required solutions to the identified barriers, notably by better capitalising on the possible synergies of the public and private sectors, and by notably promoting and relying on extended partnerships between the transport and the information and telecommunication sectors as well as a wide range of transport services retailers;

- To trial and validate 'proof-of-concepts' of service, operational and technological solutions that are credited as pivotal for the delivery of such a vision;

- To draft recommendations, determining the conditions that would overcome the observed obstacles, addressing, in particular, those aspects where additional EU action would be deemed necessary, and notably the possible measures in the context of ITS Action Plan and Directive, priority action (a).

Fulfilment of these various objectives requires addressing, in particular, the evolving European travel sector where a stream of new partnerships and service approaches are being trialled and/or embraced aiming at improving the end-to-end customer experience.

*The scope of the Study (first phase)*

The scope of the study (the first phase) should extend well beyond a purely technology-driven perspective of the issues involved and provide a comprehensive snapshot of the relevant market structure and business segmentation, including the identification of the key drivers and barriers\(^2\) that shape its current development and the trends that might condition its expected evolution.

The study would advise on the future role that the EU takes to facilitate the White Paper's vision and test out the 'Subsidiarity', 'Proportionality' and 'European Added Value' for Commission involvement in the roll out of integrated, multimodal travel information, journey planning and smart ticketing services across the European Union. The study would fully assess how the market is evolving and identify whether a 'business as usual' strategy would result in the market delivering integrated travel information and ticketing and by when.

This should include aspects such as:

- Issues linked to data availability, accessibility and quality, notably those associated with a continent-wide scaling-up of services – including e.g. data formatting, promotion of existing information standards, need for new standards including world-wide-web developments such as with Web 2.0 information issues;

- Customer segmentation and associated requirements and expectations;

- Evolution of business models underpinning the provision of services, including the analysis of the potential for new entrants and the roles that they might play in revamping current market status-quo;

- The role of technology and, notably, how to deal with the ever-increasing pace of its evolution;

\(^2\) building on evidence drawn from previous studies and projects
- Governance and legal schemes either those existing or otherwise those that might be deemed necessary to regulate the provision of extended services;

- Intellectual property rights;

- Taxation and customer protection aspects;

- Cyber-security.

The study shall be conducted by a consortium with legal, technical, economical and "hands-on" expertise, responsible for assessing the socio/economic implications for the roll-out of integrated and smart information and ticketing services across the EU and focusing on the measures and conditions able to enable such services. The work would establish the conditions for a positive business case(s) for both integrated journey planning and ticketing, including for the 'first/last mile'. The work would also develop the terms of reference for the second lot. The indicative cost of the first phase would be up to 300k Euro.

*The aim of the trial (second phase)*

The second phase is conditional on positive approval being given by the Commission of the work done and recommendations made in the first phase.

The second phase will address the trialling and validation of 'proof-of-concepts' in terms of business models, operations and/or specific technologies that were identified by the work carried out in the first lot as critical for market delivery and successful penetration.

To reduce the lead-time to tangible results, whereas minimising the need for public funding, the trial is to make use of existing or emerging but "state-of-art" scheduling/information/reservation/ticketing systems services as well as the new initiatives that are being made in the air, rail and urban sectors that support the view that integrated journey planning and ticketing could progressively become a reality for long distance transport. The aim will be to extend such "state-of-art" references in terms of breadth/coverage and/or scope/functionality to provide a vision of the potential EU-wide services while developing a knowledge-base and guidance of how to best achieve such a goal - an example could be a pilot demonstrating how a NFC-based mobile transport ticketing service provided in one country/region could be extended to another region/country.

The pilot action would focus on:

- **Goals**: establishing the objectives for the trial based on a robust business case(s) approach;

- **Partnership**: encouraging partnerships between the relevant public and private players sponsoring and implementing the trial initiative;

- **Yardsticks**: defining a logical set of metrics and indicators for the application of the vision as stated above;

- **Testing**: performing the required "proof-of-concept" activities to ascertain their feasibility and performance from a business, operational or technical perspective;

- **Dissemination**: using the trial as a "show-case" for awareness and best practice dissemination activities towards established or potential new entrants in the travel information and ticketing markets.

The cost would be up to 1,2 million Euros.

Hence the total maximum cost of the Preparatory Action would be 1.5 million Euros. The overall time duration would be 24 months from placement of the contract.
Relevant work

The work should take full account of the Commission Regulation (EU) No 454/2011 of 5 May 2011 on the technical specification for interoperability relating to the subsystem ‘telematics applications for passenger services’ of the trans-European rail system (OJ L 123, 12.5.2011, p. 11); the Directive 2010/40/EU of 7 July 2010 on the framework for deployment of Intelligent Transport Systems in the field of road transport and for interfaces with other modes of transport.

A number of specific actions undertaken by the Commission will influence the preparatory action:

1. The EC published in 2008 an extensive Consultation Paper ‘Development on Integrated Ticketing for Air & Rail Transport’ which was a push towards a voluntary agreement (cross-sector), supported by the EU.
4. 1st Smart Mobility Challenge for multimodal journey planners, launched by Vice President Siim Kallas in June 2011, and the results of which were announced on 12 March 2012, www.eujourneyplanner.eu.

This work would also be mindful of the results and recommendations of European research projects in the domain of multimodal journey planning, such as EU-Spirit (5FP project), eMOTION (6FP project), WISETRIP (7FP project), i-Travel (7FP project), LINK, ITISS, In-Time, and of the results of European projects in the domain of ticketing, such as IFM project (7FP project), as well as the work done, world-wide on travel information and smart ticketing.

When it comes to the question of urban areas, the work of the Commission's Expert Group on Intelligent Transport Systems for urban areas, whose work is coordinated by DG MOVE, should be taken into account, and especially the Guideline documents for policy-makers on the topic of 'multimodal information' and 'smart ticketing'.

1.3 Reports and documents to produce - Timetable to observe

Execution of the tasks begins after the date on which the Contract enters into force.

In principle, the deadlines set out below cannot be extended. The Contractor is deemed solely responsible for delays occasioned by subcontractors or other third parties (except for rare cases of force majeure). Adequate resources and appropriate organisation of the work including management of potential delays should be put in place in order to observe the timetable below.

A kick-off meeting will take place in Brussels, at the latest 20 days following the signature of the contract, in order to settle all the details of the study, report, etc… to be undertaken.

The contractor will consult with DG MOVE C2 every month in order to report on progress of the study and trial and ensure a common understanding of that process.

1.3.1 Progress reports

The contractor will present two sets of reports, one set for each phase. Each will require:
1) an inception report outlining the problem to be analysed, the objectives of the initiative, the policy options to be assessed and the key stakeholders affected. The report will list all the reports and papers that are to be considered in the study. This report shall be submitted within 2 months of the commencement of each phase. The inception report from the first phase will outline the operational framework for the second phase.

2) an intermediate report that details the technical provisions considered and summarises the results and conclusions. The intermediate report shall be submitted within 6 months of the commencement of each phase. The intermediate report from the first phase will include the establishment of the framework conditions and the specific requirements for the second phase. The Commission shall have twenty days from receipt to approve or reject the report. Within 20 days of receiving the Commission’s observations, the Contractor will submit additional information or another report.

### 1.3.2 Final report

A final report for phase 1 will be submitted 9 months after signature of the contract. Should the Commission give its assent to the implementation of phase 2, a single consolidated final report will include (in addition to the above elements), the results of both the study and trial. The draft final report shall be submitted within 22 months after signature of the contract. The Commission shall have forty-five days from receipt to approve or reject the report. Within 20 days of receiving the Commission’s observations, the Contractor will submit additional information or another report.

### 1.3.3 Report format and publication

All deliverables should be submitted in English, in three copies, together with electronic format either in MS Word or in HTML format.

The Commission may publish the results of the study. For this purpose, the tenderer must ensure that the study is not subject to any restrictions deriving from intellectual property rights of third parties. Should he intend to use data in the study, which cannot be published, this must be explicitly mentioned in the offer.

### 1.4 Duration of the tasks

The duration of the tasks shall not exceed 9 months for phase 1 and 15 months for phase 2, giving an overall maximum duration for the completion of both phases as 24 months. This period is calculated in calendar days.

### 1.5 Place of performance

The tasks will be performed on the Contractor's premises. However, meetings between the contractor and the Commission may be held on Commission premises in Brussels.

### 1.6 Estimate of the amount of work involved

The total value of the contract has been estimated at 300,000 EUR for phase 1 and 1,200,000 EUR for phase 2.
II. TERMS OF CONTRACT

In drawing up his offer, the tenderer should bear in mind the provisions of the draft contract attached to this invitation to tender (Annex 5). Any limitation, amendment or denial of the terms of contract will lead to automatic exclusion from the procurement procedure.

The Commission may, before the contract is signed, either abandon the procurement procedure or cancel the award procedure without the tenderers being entitled to claim any compensation.

II.1. Terms of payment

Payments shall be made in accordance with the provisions specified in Annex 6, the draft service contract.

II.2. Subcontracting

If the tenderer intends to subcontract part of the service, he shall indicate in his offer which part will be subcontracted and to what extent (% of the total contract value).

Tenderers must ensure that Article II.20 of the contract (Annex 6) can be applied to subcontractors. Once the contract has been signed, Article II.6 of the above-mentioned contract shall govern the subcontracting.

II.3. Joint tenders

In case of a joint tender submitted by a group of tenderers, these latter will be regarded as partners. If awarded the contract, they will have an equal standing towards the contracting authority in the execution of the contract.

The tenderers should indicate in their offer whether the partnership takes the form of:

a) a new or existing legal entity which will sign the contract with the Commission in case of award

or

b) a group of partners not constituting a new legal entity, who via a power of attorney, signed by an authorised representative of each partner (except the lead partner), designate one of the partners as lead partner, and mandate him as lead contractor to sign the contract with the Commission in case of award.

If the contractor is a grouping or consortium of two or more persons, all such persons shall be jointly and severally liable to the Commission for the fulfilment of the terms and conditions of the contract. Such persons shall designate one of them to act as leader with full authority to bind the grouping or the consortium and each of its members. It shall be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration and for coordination. The composition and constitution of the grouping or consortium, and the allocation of the scope of tasks amongst the members, shall not be altered without the prior written consent of the Commission which can be withheld at discretion.
II.4. Financial guarantees

Guarantee on pre-financing

For any pre-financing higher than 150,000 EUR, a financial guarantee equivalent to the amount of the pre-financing will be requested.

Depending on the financial situation of the tenderer, the Commission may ask for the financial guarantee for amounts lower than 150,000 EUR.

Performance guarantee:

A performance guarantee corresponding to 10% of the total value of the Contract shall be constituted by deduction from the interim payment. Release of the guarantee implies final acceptance of the services.

III. FORM AND CONTENT OF THE TENDER

III.1. General

Tenders must be written in one of the official languages of the European Union and submitted in triplicate (one clearly marked "original" and two copies) as well as a copy of the offer on a CD-Rom. The attention of the tenderers is drawn to the fact that the majority of the deliverables requested under Specific Contracts will have to be submitted in English.

Tenders must be clear and concise, with continuous page numbering, and assembled in a coherent fashion (e.g. bound or stapled). Since tenderers will be judged on the content of their written bids, they must make it clear that they are able to meet the requirements of the specifications.

The original signature of the single tenderer's or lead partner's authorised representative) (preferably in blue ink) on the administrative identification form (Annex 1) shall be considered as the signature of the tender, binding the single tenderer or the group of partners to the terms included in the tender.

III.2. Structure of the tender

All tenders must include three sections i.e. an administrative, a technical and a financial proposal.

III.2.1. Section One: administrative proposal

This section must provide the following information, set out in the standard identification forms attached to these tender specifications (Annexes 1, 2, 3, 4 and 5 as well other evidence required):

- Tenderers’ identification (Annex 1)
  - All tenderers must provide proof of registration, as prescribed in their country of establishment, on one of the professional or trade registers or provide a declaration or certificate.
If the tenderer is a natural person, he/she must provide a copy of the identity card/passport or driving licence and proof that he/she is covered by a social security scheme as a self-employed person.

Each tenderer (including subcontractor(s) or any member of a consortium or grouping) must complete and sign the identification forms in Annex 1 and also provide above-mentioned documents. However, the subcontractor(s) shall not be required to fill in or provide those documents when the services represent less than 20% of the contract.

- Financial identification (Annex 2)

The bank identification form must be filled in and signed by an authorised representative of the tenderer and his/her banker. A standard form is attached in Annex 2 and a specific form for each Member State is available at the following Internet address:

http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm

In the case of a grouping, this form must only be provided by the person heading the project only.

If the corresponding bank account of economic operators is already registered in the Commission's files they are not obliged to provide a new form on the condition that they confirm that no change in the information already provided as occurred. In case of doubt, we recommend submitting a new form.

- Legal entities (Annex 3)

The legal entity form in Annex 3 must be filled in and should be accompanied by a number of supporting documents, available on the Web site:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

In the case of a grouping, this form must be provided by all partners.

Economic operators already registered as a legal entity in the Commission's files (i.e. they are or have been contractors of the Commission) are not obliged to provide a new form on the condition that they confirm that no change in the information already provided as occurred. In case of doubt, we recommend submitting a new form.

- Declaration of honour with respect to the Exclusion criteria and absence of conflict of interest (Annex 4)

An original should be filled and signed by (an) authorised representative(s) of all partners. Only sub-contractors with a part of the contract above 20% should the sign the form.

- Power of attorney (Annex 5) – in case of grouping only

An original should be filled and signed by (an) authorised representative(s) of each partner.
• All the supporting documentation for the purpose of checking the selection criteria (IV.2) should also be submitted under this section

The Commission reserves the right, however, to request clarification or additional evidence in relation to the bid submitted for evaluation or verification purposes within a time-limit stipulated in its request.

III.2.2. Section Two: Technical proposal

This section is of great importance in the assessment of the bids, the award of the contract and the future execution of any resulting contract.

The award criteria as set out in chapter IV.3 define those parts of the technical proposal to which the tenderers should pay particular attention as they will be the ground for the evaluation of the quality of the proposal.

The technical proposal should address all matters laid down in the specifications and should include models, examples and technical solutions to problems raised in the specifications. The level of detail of the tender will be extremely important for the evaluation of the tender. Tenderers must present in their bids a proposal on the methodology and the organisation of the work to carry out in the framework of the study.

III.2.3. Section Three: Financial proposal

All tenders must contain a financial proposal. The tenderer's attention is drawn to the following points:

- Prices must be quoted in euros, including the countries which are not in the euro-area. As far as the tenderers of those countries are concerned, they cannot change the amount of the bid because of the evolution of the exchange rate. The tenderers choose the exchange rate and assume all risks or opportunities relating to the rate fluctuation.

- Prices must be fixed amounts and include all expenses, such as travel expenses and daily allowances.

- Prices must be quoted free of all duties, taxes and other charges, i.e. also free of VAT, as the European Union is exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities annexed to the Treaty on the Functioning of the European Union. Exemption is granted to the Commission by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption. For those countries where national legislation provides an exemption by means of a reimbursement, the amount of VAT is to be shown separately. In case of doubt about the applicable VAT system, it is the tenderer's responsibility to contact his or her national authorities to clarify the way in which the European Union is exempt from VAT;

- Prices shall be fixed and not subject to revision during the performance of the contract;

- For each category of staff involved in the project, the tenderer must specify:
  • the total labour costs;
  • the daily rates and total number of days (man/days) each member of staff will contribute to the project;
  • other categories of costs, indicating the nature of the cost, the total amount, the unit price and the quantity.
Bids involving more than one service provider (consortium) must specify the amounts indicated above for each provider.

IV. ASSESSMENT AND AWARD OF THE CONTRACT

Participation in tendering procedures is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons in a third country which has a special agreement with the Union in the field of public procurement, under the conditions laid down 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 which have ratified this Agreement, under the conditions provided for therein.

The procedure for the award of the contract, which will concern only admissible bids (see requirements in the invitation to tender, in particular, regarding the deadline for submission and the presentation of the offers and packaging), will be carried out in three successive stages.

The aim of each of these stages is:

1) to check on the basis of the exclusion criteria, whether tenderers can take part in the tendering procedure;

2) to check on the basis of the selection criteria, the technical and professional capacity and economic and financial capacity of each tenderer;

3) to assess on the basis of the award criteria each bid which has passed the exclusion and selection stages.

The assessment will be based on each tenderer's bid. All the information will be assessed in the light of the criteria set out in these specifications.

IV.1. Exclusion criteria (exclusion of tenderers)

IV.1.1. Exclusion criteria (Article 93 Financial Regulation)

1. To be eligible for participating in this contract award procedure, tenderers must not be in any of the following situations:

   (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;

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(d) they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;

(e) they have been the subject of a 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) of the Financial Regulation for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a contract procurement procedure or by the authorising officer as a condition of participation in a grant award procedure, for failing to supply this information or for having been declared to be in serious breach of their obligations under contracts or grants covered by the Union budget.

2. The cases referred to in point IV.1.1. e) above shall be the following:

a) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests established by the Council Act of 26 July 1995 (OJ/C 316 of 27.11.1995, p. 48);

b) cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, established by the Council Act of 26 May 1997 (OJ/C 195 of 25.6.1997, p. 1);

c) cases of involvement in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council (OJ/L 315 of 29.12.1998, p. 1);


IV.1.2. Other cases of exclusion

1. In accordance with Article 94 Financial Regulation, contracts will not be awarded to tenderers who, during the procurement procedure:

a) are subject to a conflict of interest;

Tenderers must declare:

- that they do not have any 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;

- that they will inform the contracting authority, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest;

- that they have not made and will not make any offer of any type whatsoever from which an unjustified advantage can be derived under the contract;

- that 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, where such advantage constitutes an illegal practice or involves corruption, either directly or indirectly, inasmuch as it is an incentive or reward relating to performance of the Contract.

The Commission reserves the right to check the above information.

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

c) find themselves in one of the **situations of exclusion**, referred to in paragraph IV.1.1. above for this procurement procedure.

2. As mentioned under section III.2.1., the tenderers must provide proof of **registration**, as prescribed in their country of establishment, on one of the professional or trade registers or provide a declaration or certificate.

**IV.1.3. Evidence to be provided by the tenderers**

1. When submitting their bids, each tenderer (including subcontractor(s) or any member of a consortium or grouping) shall provide a declaration on their honour, duly signed and dated, stating that they are not in one of the situations mentioned above (cf. IV.1.1 and VI.1.2). For that purpose, they must complete and sign the form attached in Annex 4. Where the tenderer is a legal entity, they shall, whenever requested by the Commission, provide information on the ownership or on the management, control and power of representation of the legal entity.

2. The tenderer to whom the contract is to be awarded shall provide, within 15 calendar days after notification of the results of the procurement procedure and in any case before the signature of the contract, the following evidence, confirming the declaration referred to above:

   The Commission shall accept, as satisfactory evidence that the tenderer is not in one of the situations described in point IV.1.1 (a), (b) or (e) above, 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 Commission accepts, as satisfactory evidence that the tenderer is not in the situation described in point IV.1.1 (d) above, a recent certificate issued by the competent authority of the State concerned.

   Where no such document or certificate is issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

3. Depending on the national legislation of the country in which the candidate or tenderer is established, the documents referred to in paragraph 1 and 2 above shall relate to legal and/or natural persons including, if applicable with regard to points b) and e), company directors or any person with powers of representation, decision-making or control in relation to the tenderer.

4. When the subcontracted part is above 20% of the contract value, the subcontractor(s) must also provide the above-mentioned declaration on honour. In case of doubt on this declaration on the honour, the contracting authority may also request the evidence referred to in paragraphs 2 and 3 above.
5. The Commission reserves the right to request any other document relating to the proposed tender for evaluation and verification purpose, within a delay determined in its request.

**Remark:**

The tenderers will be waived of the obligation to submit the documentary evidence above mentioned if such evidence has already been submitted for the purposes of another procurement procedure launched by the Directorates General in charge of Energy or Transport and provided that the documents are not more than one year old starting from their issuing date and that they are still valid. In such a case, the tenderer shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure, specifying the reference of the call for tender for which the documents have been provided, and confirm that no changes in his situation have occurred.

**IV.1.4. Administrative and financial penalties**

Without prejudice to the application of penalties laid down in the contract, candidates or tenderers and contractors who have been found guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or have failed to supply this information or have been declared to be in serious breach of their obligations under contracts covered by the Union budget may be subject to administrative or financial penalties, in accordance with Article 96 of the Financial Regulation and Articles 134b and 133a of the Implementing Rules.

**IV.2. SELECTION CRITERIA (SELECTION OF TENDERERS)**

To be eligible, the tenderers must have the economic and financial capacity as well as the technical and professional capacity to perform the tasks required in this call for tender.

**IV.2.1. Economic and financial capacity – References required**

Tenderers must provide proof of their financial and economic capacity to carry out reliably the activities under the contract. The tenderers must have positive cash and cash equivalents at the end of the last 3 financial years. Evidence of this capacity shall be furnished on the basis of the following documents: the balance sheets or extracts from balance sheets for the last three financial years for which accounts have been closed, and a statement of overall turnover and turnover relating to the relevant services for the last three financial years.

This rule applies to all service providers, regardless of the percentage of tasks they intend to execute, once they have chosen to submit a tender. However, if the tender includes subcontractors whose tasks represent less than 20% of the contract, those subcontractors are not obliged to provide evidence of their economic and financial capacity.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the

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resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

Under the same conditions, a consortium of economic operators may rely on the capacities of members of the consortium or of other entities.

**IV.2.2. Technical and professional capacity – References required**

The tenderers who will carry out the work, collectively shall demonstrate that they have worked successfully on similar projects with a budget of at least that of this contract in fields related to this contract in the past five years. Individual consortium members must have at least three years experience in at least one of following fields associated with the development and provision of travel information, journey planning and smart and integrated ticketing;

i. Socio/economic evaluation of the travelling public's responses and trends;
ii. Transport Authorities--business cases, social, technical and operational issues;
iii. Transport Operators (from all relevant modes)--business cases, social, technical and operational issues;
iv. Service providers (be they public or private), equipment suppliers, the banks, telecom operators--business cases, technical and operational issues;
v. Current and developing standards;
vii. The EU legislative process and the 'stakeholders' associated with passenger transport travel information and ticketing.

Tenderers should provide with their offer a description of the working team involved, its operating procedures and detailed curriculum vitae of each staff member responsible for carrying out the work, including his or her educational background, degrees and diplomas, professional experience, research work, publications and linguistic skills. These CV should highlight the experience and knowledge of the staff for the project. For each person involved, his or her responsibilities in the work team should be detailed.

The CV’s shall be presented, preferably, in accordance to the Commission Recommendation on a common European format for curricula vitae, published in OJ L79 of 22 March 2002, p. 66.

If several service providers/subcontractors are involved in the bid, each of them must have and show that they have the professional and technical capacity to perform the tasks assigned to them.

**IV.3. EVALUATION OF TENDERS – AWARD CRITERIA**

The contract will be awarded according to the criteria given below, on the basis of the economically most advantageous tender.

Only bids that have reached a total score of a minimum of 70% and a minimum score of 60 % for each criterion will be taken into consideration for awarding the contract.

a) Technical evaluation criteria in their order of importance as weighted by percentage:
<table>
<thead>
<tr>
<th>Nº</th>
<th>Award Criteria</th>
<th>Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Quality of the overall methodology and of the proposed working method, including organisation of the staff working on both tiers of the project. Proposed timetable for completing the work broken down to the principal project objectives including detailed timetable for completion of the work.</td>
<td>35%</td>
</tr>
<tr>
<td>2</td>
<td>Full understanding of the pertinence of the project in terms of the Community's effort to develop and validate the feasibility of a multi-modal, passenger transport information, journey planning, booking and ticketing service that could be applied on a pan-European basis.</td>
<td>30%</td>
</tr>
<tr>
<td>3</td>
<td>The quality of the team selected, their experience in the field of service provision and their ability for obtaining pertinent information needed to satisfy the objectives of each task.</td>
<td>25%</td>
</tr>
<tr>
<td>4</td>
<td>Overall quality, completeness and presentation of the offer.</td>
<td>10%</td>
</tr>
<tr>
<td></td>
<td><strong>Total number of points</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

b) Total price
The contract will be awarded to the tender that offers the best ratio quality/price.

**IV.4. INFORMATION FOR TENDERERS**

The Commission will inform tenderers of decisions reached concerning the award of the contract, including the grounds for any decision not to award a contract or to recommence the procedure.

Upon written request, the Commission will inform the rejected tenderers of the reasons for their rejection and the tenderers having submitted an admissible tender of the characteristics and relative advantages of the selected tender and the name of the successful tenderer.

However, certain information may be withheld where its release would impede law enforcement or otherwise be contrary to the public interest, or would prejudice the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

**V.  ANNEXES**

1. Identification of the Tenderer
2. Financial Identification
3. Legal Entity Form
4. Declaration by the Tenderer (relating to the exclusion criteria and absence of conflict of interest)
5. Power of Attorney (mandate in case of joint tender)
6. Draft Contract
## ANNEX 1

### IDENTIFICATION OF THE TENDERER

(Each service provider, including subcontractor(s) or any member of a consortium or grouping, must complete and sign this identification form)

**Call for tender No. MOVE/C2/2012-489-1**

<table>
<thead>
<tr>
<th>Identity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of the tenderer</td>
</tr>
<tr>
<td>Legal status of the tenderer</td>
</tr>
<tr>
<td>Date of registration</td>
</tr>
<tr>
<td>Country of registration</td>
</tr>
<tr>
<td>Registration number</td>
</tr>
<tr>
<td>VAT number</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description of statutory social security cover (at the level of the Member State of origin) and non-statutory cover (supplementary professional indemnity insurance)⁶</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
</tr>
<tr>
<td>Address of registered office of tenderer</td>
</tr>
<tr>
<td>Where appropriate, administrative address of tenderer for the purposes of this invitation to tender</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contact Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>Surname:</td>
</tr>
<tr>
<td>First name:</td>
</tr>
<tr>
<td>Title (e.g. Dr, Mr, Ms):</td>
</tr>
<tr>
<td>Position (e.g. manager):</td>
</tr>
<tr>
<td>Telephone number:</td>
</tr>
<tr>
<td>Fax number:</td>
</tr>
<tr>
<td>E-mail address:</td>
</tr>
</tbody>
</table>

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⁶ For natural persons
Legal Representatives

Names and function of legal representatives
and of other representatives of the tenderer who
are authorised to sign contracts with third
parties

Declaration by an authorised representative of the organisation\(^7\)

I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.

Surname: 
First name: 
Signature:

\(^7\) This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.
ANNEX 2

Financial identification form

(to be completed by the tenderer and his or her financial institution)

A specific form for each Member State is available at the following Internet address:
http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm

In the case of a grouping, this form must only be provided by the person heading the project.
ANNEX 3

Legal entity form

Complete the legal entity form, which should be accompanied by a number of supporting documents, available on the Web site:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

Please note that we can only accept either original documents or certified copies, which must be less than 6 months old.
ANNEX 4

Declaration of honour with respect to the Exclusion Criteria and absence of conflict of interest

Each service provider, including subcontractor(s) or any member of a consortium or grouping, must sign this declaration.

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 operator[^8])
  - 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;

[^8]: 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).
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 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.

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<table>
<thead>
<tr>
<th>Full name</th>
<th>Date</th>
<th>Signature</th>
</tr>
</thead>
</table>

6
ANNEX 5

POWER OF ATTORNEY

mandating one of the parties in a joint tender as lead partner and lead contractor

The undersigned:

– Signatory (Name, Function, Company, Registered address, VAT Number)

having the legal capacity required to act on behalf of his/her company,

HEREBY AGREES TO THE FOLLOWING:

1) To submit a tender as a partner in the group of partners constituted by Company 1, Company 2, Company N, and led by Company X, in accordance with the conditions specified in the tender specifications and the terms specified in the tender to which this power of attorney is attached.

2) If the European Commission awards the Contract to the group of partners constituted by Company 1, Company 2, Company N, and led by Company X on the basis of the joint tender to which this power of attorney is attached, all the partners shall be co-signatories of the Contract in accordance with the following conditions:
   (a) All partners shall be jointly and severally liable towards the European Commission for the performance of the Contract.
   (b) All partners shall comply with the terms and conditions of the Contract and ensure the proper delivery of their respective share of the services and/or supplies subject to the Contract.

1) Payments by the European Commission related to the services and/or supplies subject to the Contract shall be made through the lead partner’s bank account: [Provide details on bank, address, account number].

2) The partners grant to the lead partner all the necessary powers to act on their behalf in the submission of the tender and conclusion of the Contract, including:
   (a) The lead partner shall submit the tender on behalf of the group of partners.
   (b) The lead partner shall sign any contractual documents — including the Contract, and Amendments thereto — and issue any invoices related to the Services on behalf of the group of partners.
   (c) The lead partner shall act as a single contact point with the European Commission in the delivery of the services and/or supplies subject to the Contract. It shall co-ordinate the delivery of the services and/or supplies by the group of partners to the European Commission, and shall see to a proper administration of the Contract.

Any modification to the present power of attorney shall be subject to the European Commission’s express approval. This power of attorney shall expire when all the contractual obligations of the group of partners towards the European Commission for the delivery of the services and/or supplies subject to the Contract have ceased to exist. The parties cannot terminate it before that date without the Commission’s consent.

Signed in …………………………… on [dd/mm/yyyy]

Place and date:
Name (in capital letters), function, company and signature:

9 To be filled in and signed by each of the partners in a joint tender, except the lead partner;