



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT  
DIRECTORATE E - Aviation and international transport affairs  
The Director

## **CALL FOR TENDERS**

N° MOVE/E1/2014-56

**Supply of electronic data related to air transport**

# **TENDER SPECIFICATIONS**

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## **1. INFORMATION ON TENDERING**

### **1.1. Participation**

Participation in this tender procedure 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 on the conditions laid down in that agreement. Where the Multilateral Agreement on Government Procurement<sup>1</sup> concluded within the WTO applies, the participation to the call for tender is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down.

### **1.2. Contractual conditions**

The tenderer should bear in mind the provisions of the draft contract which specifies the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, and checks and audits.

### **1.3. Joint tenders**

A joint tender is a situation where a tender is submitted by a group of economic operators (consortium). Joint tenders may include subcontractors in addition to the joint tenderers.

In case of joint tender, all economic operators in a joint tender assume joint and several liability towards the Contracting Authority for the performance of the contract as a whole.

These economic operators 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.

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.

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<sup>1</sup> See [http://www.wto.org/english/tratop\\_E/gproc\\_e/gp\\_gpa\\_e.htm](http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm)

## 1.4. Subcontracting

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

Tenderers must give an indication of the part of the services and proportion of the contract that they intend to subcontract.

Tenderers are required to identify subcontractors whose share of the contract is above 20%.

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

## 1.5. Content of the tender

The tenders must be presented as follows:

Part A: Identification of the tenderer (see section 1.6)

Part B: Evidence for exclusion criteria (see section 2.2)

Part C: Evidence for selection criteria (see section 2.3)

Part D: Technical offer (see section 2.5)

Part E: Financial offer (see section 2.6)

Part F: Power of attorney (for consortia only)

## 1.6. Identification of the tenderer: legal capacity and status

- The tenderer's identification form in **Annex 1** shall be filled in and signed by:
  - The tenderer (including any member of a consortium or grouping)
  - subcontractor(s) whose share of the work represent more than 20% of the contract.
- In order to prove their legal capacity and their status, all tenderers (including any member of a consortium of grouping) must provide a signed **Legal Entity Form with its supporting evidence**. The form is available on:  
[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/legal\\_entities/legal\\_entities\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm)

Tenderers that are already registered in the Contracting Authority's accounting system (i.e. they have already been direct contractors) must provide the form but are not obliged to provide the supporting evidence.

- If it has not been included with the Legal Entity Form, tenderers must provide the following information
  - For legal persons, a legible copy of the notice of appointment of the **persons authorised to represent the tenderer** in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation which applies to the legal entity concerned requires such publication. Any

delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.

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

- The tenderer (only the leader in case of joint tender) must provide a **Financial Identification Form and supporting** documents. The form is available on: [http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/index\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm)

## **2. EVALUATION AND AWARD**

### **2.1. Evaluation steps**

The evaluation is based on the information provided in the submitted tender. It takes place in three steps:

- (1) Verification of non-exclusion of tenderers on the basis of the exclusion criteria
- (2) Selection of tenderers on the basis of selection criteria
- (3) Evaluation of tenders on the basis of the award criteria (technical and financial evaluation)

Only tenders meeting the requirements of one step will pass on to the next step.

### **2.2. Exclusion criteria**

All tenderers shall provide a declaration on their honour (see Annex 2), duly signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in the Annex 2.

The declaration on honour is also required for identified subcontractors whose intended share of the contract is above 20%.

The successful tenderer shall provide the documents mentioned as supporting evidence in Annex 2 before signature of the contract and within a deadline given by the contracting authority. This requirement applies to all members of the consortium in case of joint tender. In case of doubt on this declaration on the honour, the contracting authority may also request the evidence for subcontractors whose intended share of the contract is above 20%.

### **2.3. Selection criteria**

Tenderers must prove their economic, financial, technical and professional capacity to carry out the work subject to this call for tender.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for

example by producing an undertaking on the part of those entities to place those resources at its disposal.

### **Economic and financial capacity criteria and evidence**

In order to prove their economic and financial capacity, the tenderer (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

- The annual turnover of the last two financial years above €100.000;

The following evidence should be provided:

- Copy of the profit & loss account for the last two years for which accounts have been closed,
- Failing that, appropriate statements from banks,
- If applicable, evidence of professional risk indemnity insurance;

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

### **Technical and professional capacity criteria and evidence**

#### **a. Criteria relating to tenderers**

Tenderers (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

- service/product concerning the services covered by the contract has been provided and supported at least during the last five years
- service/product has been widely deployed to and used by minimum of 10 beneficiaries during the last five years
- The tenderer must prove experience of working in English

#### **b. Criteria relating to the team delivering the service:**

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

Team for data dissemination/support: collectively the team should have a proven experience of three years in data dissemination/support of the data related to field of air transport.

**c. Evidence:**

The following evidence should be provided to fulfil the above criteria:

- list of the main services and tasks delivered related to the requested services during the last five years with dates and beneficiaries;
- The educational and professional qualifications of the persons who will provide the service for this tender (CVs) including the management staff. Each CV provided should indicate the intended function in the delivery of the service.

**2.4. Award criteria**

The tender will be awarded according to the best-value-for -money procedure. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

**Award criteria – Lot1 - A service for aircraft fleets**

N°	Award Criteria	Weighting
1	Completeness of required data in terms of <ul style="list-style-type: none"> <li>→ Geographical coverage</li> <li>→ Accident details and narratives</li> <li>→ Aircraft types and their technical details</li> <li>→ Availability of historical and future events (years covered, ability to make trend analysis, year-on-year comparisons)</li> <li>→ Profiles and details of airline companies</li> </ul> Note: See 3.3 for full details	40
2	Methodology used to secure the accuracy of the data <p><i>This criterion will assess how the methodology used assists in securing the accuracy of the data related to elements mentioned in the award criteria no 1 above. The description of the methodology should mention the source of the data (manufacturer, airline, a public or a commercial database, etc) explain the update procedure and what quality checks are applied.</i></p>	30
3	Product design features: <ul style="list-style-type: none"> <li>→ User interface – easiness to use and features</li> <li>→ Suitability with regard to aggregating statistical data by a country, region or group of operators</li> <li>→ Database interoperability (ability to share information with</li> </ul>	30

	other applications)	
<b>Total number of points</b>		<b>100</b>

**Award criteria – Lot2 - Web-based service related to air transport industry**

N°	Award Criteria	Weighting
1	Completeness of required data in terms of → Geographical and historical (annual, quarterly) coverage → On-line news coverage supported by archive for worldwide news, articles and surveys (nbr of words) → Facts on airlines and airports (traffic, financials, ownership, ownership, etc) → Airport charges Note: See 3.4 for full details	40
2	Methodology used to secure the accuracy of the data  <i>This criterion will assess how the methodology used assists in securing the accuracy of the data related to elements mentioned in the award criteria no 1 above. The description of the methodology should mention the source of the data (airline, airport, a public or a commercial database, etc), explain the update procedure and what quality checks are applied.</i>	30
3	Design features of the service: → User interface – easiness to use and features (availability of geographical user interface, etc.) → Suitability with regard to aggregating statistical data by a country, region or group of operators → Database interoperability (ability to share information with other applications)	30
<b>Total number of points</b>		<b>100</b>

Tenders must score above 60% for each criterion and above 70% in total. Tenders that do not reach the minimum quality thresholds will be rejected and will not be ranked.

After evaluation of the quality of the tender, the tenders are ranked using the formula below to determine the tender offering best value for money. A weight of 70/30 is given to quality and price using the following formula:

$$\text{Score for tender } x = \frac{\text{total quality score for award criteria for tender } x}{100} \text{ multiplied by } 70$$



+  $\frac{\text{cheapest price}}{\text{price of tender } x}$  multiplied by 30

## **2.5. Technical offer**

The technical offer must cover all aspects and tasks required in the technical specification and provide all the information needed to apply the award criteria. Offers deviating from the requirements or not covering all requirements may be excluded on the basis of non-conformity with the tender specifications and will not be evaluated.

## **2.6. Financial offer**

The price for the tender must be quoted in euro. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to assume the risks or the benefits deriving from any variation.

Prices must be quoted free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union. The amount of VAT may be shown separately.

The quoted price must be a fixed amount which includes all charges (including travel and subsistence). Travel and subsistence expenses are not refundable separately.

# **3. TECHNICAL SPECIFICATIONS**

## **3.1 General background**

The air transport sector is undoubtedly one of the success stories of the European single market. The legal and regulatory framework for air transport in Europe is increasingly being shaped at European level.

In order to support this work the Commission is seeking electronic data related to air transport to complement and update the data sets and data sources currently in use.

This data would assist the air transport directorate of the Commission in wide range of policy areas like monitoring policy and industry developments in external and internal EU markets, assessing safety and security, as well as providing a reliable news service.

## **3.2 General and specific objectives**

The contract shall provide data services related to air transport industry; namely supply information on aircraft fleets and provide on-line news & industry data to support the Commission in knowledge-based decision making across wide range of policy areas. To this

end, the service should enable easy aggregation of statistical data (where appropriate) by a country, region or group of airline/airport operators.

The services forming the subject of this invitation to tender are divided into the following Lots and estimated budget availability for three years:

Lot 1: A service for aircraft fleets

Lot 2: Web-based service related to air transport industry

Each lot is the subject of a separate contract. Tenderers may bid for any number of lots, but not for parts of lots.

For evaluation purposes a trial system/period should be offered (minimum evaluation period of 2 weeks from the moment of the opening of the tenders should be included).

### **3.3 Lot 1 - A service for aircraft fleets**

The Commission is after a database/web-based service that holds information on aircraft fleets, accidents and company contact details for a contractual period of one year, automatically renewable up to two times. The service should enable customised queries and data exports from the database. Ideally the database should have as a minimum monthly updates covering, but not limited to, worldwide data on:

- Current and historic fleets about commercial jets, props and business jets.
- Full histories and individual aircraft information.
- Comprehensive accident details and narratives for all known total and major losses.
- Delivery schedules for all firm orders and options together with storage, retirements, market shares and trends.
- Information for all new and used aircraft orders, deliveries, deferrals, sales, leases and lease expires.
- Airframe and engine conversion details including freight modifications, hush kitting, re-engining, engine upgrades and aircraft usage changes.
- Technical data for all jets and props including seating total and configuration, weights and capacities, together with an indicator for noise classification (chapters 2, 3 and 4).
- Company addresses, telephone and fax numbers, websites and principal contacts for operators and owners.
- Airline profile data - current structure and future fleet and route plans for all existing and new carriers including operations, ownership, shareholdings, alliances and number of employees.

For evaluation purposes a trial system/period should be offered (minimum evaluation period of 2 weeks from the moment of the opening of the tenders should be included).

### **3.4 Lot 2 - Web-based service related to air transport industry**

The Commission is interested in a subscription to a web-based service that enables effective monitoring of the developments in the air transport industry for a contractual period of one year, automatically renewable up to two times. The service should provide:

- real-time/searchable archive for worldwide news, articles and surveys

and allow access (enabling electronic downloads) to historic & most recent data including at least, but not limited to, following areas with worldwide geographical coverage:

- Airlines (ownership, fleets, financial and traffic results, schedules, load factors, alliance details, personnel)
- Airports (airport charges, ownership, financials, traffic figures, schedules, technical information, personnel)

### **3.5 Tasks**

The contractor should:

**Lot1)** Provide (access to) a solid (database/web-based) solution for an electronic information on aircraft fleets, accidents and company contact details for a contractual period of one year, automatically renewable up to two times. The service must be capable (at least but not limited) in:

- covering the worldwide aircraft fleets
- analysing historical data of an aircraft
- supporting one concurrent user by the Commission services as a minimum

**and/or**

**Lot2)** Provide access to a well-designed web-based service for a contractual period of one year, automatically renewable up to two times. The service must be capable (at least but not limited) in:

- supporting unlimited number of users within the Commission services when
  - providing real-time/searchable archive for worldwide news
  - providing recent and historical information on airlines and airports
- supporting two concurrent users when
  - providing details on airport charges

For evaluation purposes a trial system/period should be provided for both Lots (minimum evaluation period of 2 weeks from the day of the opening of the tenders should be included).

### **3.6 Final output and deliverable**

All services shall be provided in English.

Access to the service/application (execution of the tasks) shall be granted to the Commission at:

- Lot 1: date of the signature of the contract, but not before 12/06/2015
  
- Lot 2: date of the signature of the contract, but not before 16/12/2014

The Commission shall have forty five days from granting the access to the service to approve or reject the service and the Contractor shall have 20 days in which to propose a revised service.

### **3.7 Duration of the contract**

**The duration of the tasks shall not exceed 12 months**, automatically renewable up to two times according to Annex IV. This period is calculated in calendar days.

In principle, the deadlines set out above 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.

## **4. ANNEXES**

1. Tenderer 's Identification Form
2. Declaration related to the exclusion criteria and absence of conflict of interest
3. Power of Attorney (mandate in case of joint tender)
4. Draft Contract

# ANNEX 1

## IDENTIFICATION OF THE TENDERER

(Each service provider , including any member of a consortium or grouping and subcontractor(s) whose share of the work is more than 20% of the contract must complete and sign this identification form)

Call for tender **MOVE/ENER/SRD** xx/xxxx-xx

Identity	
Name of the tenderer	
Legal status of the tenderer	
Date of registration	
Country of registration	
Registration number	
VAT number	
Description of statutory social security cover (at the level of the Member State of origin) and non-statutory cover (supplementary professional indemnity insurance) <sup>2</sup>	
Address	
Address of registered office of tenderer	
Where appropriate, administrative address of tenderer for the purposes of this invitation to tender	
Contact Person	
Surname:	
First name:	
Title (e.g. Dr, Mr, Ms) :	
Position (e.g. manager):	

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<sup>2</sup> For natural persons

Telephone number: Fax number: E-mail address:	
<b>Legal Representatives</b>	
<b>Names and function of legal representatives</b> and of other representatives of the tenderer who are authorised to sign contracts with third parties	
<b>Declaration by an authorised representative of the organisation<sup>3</sup></b>	
I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.	
Surname: First name:	Signature:

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<sup>3</sup> This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.

## ANNEX 2

### Declaration of honour on exclusion criteria and absence of conflict of interest

*(Complete or delete the parts in grey italics in parentheses)*

*[Choose options for parts in grey between square brackets]*

The undersigned (*insert name of the signatory of this form*):

in *[his][her]* own name (*for a natural person*)

or

representing the following legal person: (*only if the economic operator is a legal person*)

full official name:

official legal form:

full official address:

VAT registration number:

➤ declares that *[the above-mentioned legal person][he][she]* is not in one of the following situations:

- a) is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) has been convicted of an offence concerning professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
- c) has been guilty of grave professional misconduct proven by any means which the contracting authorities can justify including by decisions of the European Investment Bank and international organisations;
- d) is not in compliance with 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 performed;
- e) has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such activity is detrimental to the Union's financial interests;
- f) is a subject of an administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a procurement procedure or failing to supply this information, or having been declared to be in serious breach of its obligations under contracts covered by the Union's budget.

- (Only for legal persons other than Member States and local authorities, otherwise delete) declares that the natural persons with power of representation, decision-making or control<sup>4</sup> over the above-mentioned legal entity are not in the situations referred to in b) and e) above;
  - declares that [the above-mentioned legal person][he][she]:
- g) has 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 affinity, family, emotional life or any other shared interest;
  - h) 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) has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has 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 award of the contract;
  - j) provided accurate, sincere and complete information to the contracting authority within the context of this procurement procedure ;
- acknowledges that [the above-mentioned legal person][he][she] may be subject to administrative and financial penalties<sup>5</sup> if any of the declarations or information provided prove to be false.

In case of award of contract, the following evidence shall be provided upon request and within the time limit set by the contracting authority:

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.

If the tenderer is a legal person, information on the natural persons with power of representation, decision making or control over the legal person shall be provided only upon request by the contracting authority.

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<sup>4</sup> This covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares.

<sup>5</sup> As provided for in Article 109 of the Financial Regulation (EU, Euratom) 966/2012 and Article 145 of the Rules of Application of the Financial Regulation



Full name

Date

Signature

## ANNEX 3

### POWER OF ATTORNEY

#### mandating one of the partners in a joint tender as lead partner and lead contractor <sup>6</sup>

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:

<sup>6</sup> To be filled in and signed by each of the partners in a joint tender, except the lead partner;

ANNEX 4  
**DRAFT CONTRACT**