CALL FOR TENDERS
N°MOVE/D2/2015-372 V1.0

STUDY ON
The possible introduction of an electronic tag as a supplement or a replacement of the wheel mark in marine equipment

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\(^1\) 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 liabilities 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.

\(^1\) 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:
  

  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

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 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.

2.3.1. 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:

**Criterion 1** - Annual turnover of the last three financial years above € 500,000, with at least 50% of it in activities relative to the subject of the tender.

The following evidence should also be provided:

**Evidence 1** - Copy of the profit & loss account for the last two years for which accounts have been closed. Failing that, appropriate statements from banks,

**Evidence 2** - If applicable, evidence of professional risk indemnity insurance;

*Note*: 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.

2.3.2. 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:

**Criterion 2** - The tenderer must prove experience in the field of product identification and traceability, as well as in design and/or deployment and management of electronic tagging systems with at least 2 projects delivered in this field in the last three years. Projects should be listed.

**Criterion 3** - The tenderer must prove capacity to draft reports in English, through a staff member who is a native speaker or through a service contract for proof reading.

**Criterion 4** - The tenderer must prove experience in survey techniques, data collection, statistical and economic analyses, drafting reports and recommendations.

Criteria relating to the team delivering the service:

The team delivering the study should include, as a minimum, the following profiles:
Criterion 5 – Education and Professional Qualification (Managerial) – Project Manager: At least 5 years' experience in project management (including the management of prototype design projects (Pilot Projects)), including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in project of a similar size and coverage.

Criterion 6 – At least 1 Expert in implementation of Product Identification and Traceability systems with at least 2 years' professional experience that will be part of team.

Criterion 7 – At least 1 Expert in marine equipment verification process (Type Approval, Type Examination) with at least 2 years' professional experience that will be part of team.

Criterion 8 – At least 1 Expert on standards, standardization procedures applicable to electronic product identification practices, with at least 2 years' professional experience and specific expertise in implementation projects on the field, as well as evidence of access to relevant technical equipment.

Criterion 9 – At least 1 Expert on economic analysis with particular regard to the cost/benefit analysis, with at least 2 years' professional experience.

b. Evidence:

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

Evidence 3 - List of relevant projects provided in the past 3 years, of similar size, nature and complexity, with sums, dates and recipients, public or private. The most important projects shall be accompanied by certificates of satisfactory execution, specifying that they have been carried out in a professional manner and have been fully completed. These certificates can be issued under own name of the contractor (self-certification);

Evidence 4– Technical Equipment: Statement from the contractor regarding the tools or other technical equipment that would be available to the contractor for carrying out the activities foreseen during the implementation of the pilot project.

Evidence 5- 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.

1 Quality of the proposed methodology (70 points – minimum threshold 40)

Sub-Criterion 1.1 Quality of the Study including Cost/Benefit Analysis (35 points - minimum threshold 20):
Under this Sub-Group will be evaluated the intended work carried out in the following Tasks as a whole:

**Respect to Task A - Problem definition and Objectives**
The completeness of mapping of the existing situation and quality of the baseline scenario will be evaluated.

**Respect to Task B - Technical and implementation options**
The quality of the analysis of the technical and policy options considering the aspects as laid down in the Specific Tasks section will be evaluated:

- **Task B.1 – Identification of the Data Carrier (Electronic Tag - Labels)**
  The analysis of the data carrier in terms types, information carrying capability, standards will be evaluated.

- **Task B.2 – Tags' Interrogators (Readers), Interface Protocols and Registrations of the Reading Events**
  The completeness of the options analysed in terms of types of readers, their availability on the market, pros and cons of the specific communication protocols, costs and quality and number of the manufacturers present on the market will be evaluated.

- **Task B.3 – Data Exchange Methodologies**
  The possible designs of the data exchange systems and their characteristics, the options analysed in terms of information carried, the analysis of the costs associated will be evaluated.

- **Task B.4 – Traceability Requirements and Product Recall Practices**
  The quality of the comparisons amongst the several systems and methodologies for traceability, recall practices and the flexibility to interface with European Commission systems such as ICSMS, RAPEX, MarED will be evaluated.

- **Task B.5 – Building the Implementation Options**
  The intended initial structure of the policy options will be evaluated.

**Respect to Task C – Consultation of interested party - Stakeholders Consultation**

To be evaluated:
- the intended method to involve the stakeholders and in particular the involvement of the marine equipment manufacturers;
- the methodology, intended quality and time plan of the consultation with the stakeholders
- the quality, completeness and robustness of the selection criteria;
Task D – Analysis of the Impacts

**Analysis of impacts**: identification and qualitative and quantitative analysis of the most significant economic, impacts in terms of market surveillance and counterfeit prevention; considering the risks and uncertainties for each of the technological choices including obstacles to compliance and costs for the administrations, including training. Particular attention will be given to the intended methodology to assess the costs (including training for users).

Task E – Comparisons and Evaluation

The structure of the comparison and evaluation matrix, criteria, methodology for costs calculation and to assess the burden on the administration (including training needs) will be evaluated.

Sub-Criteria 1.2 Quality of the Pilot Project (35 points, - minimum threshold 20):

Under this Sub-Group the intended work carried out to perform the Pilot Project will be evaluated.

**Refers to Task F – Pilot Project**

Under this criterion the intended implementation of the pilot project in terms of:
- number and typology of items considered in the testing phase,
- number of marine equipment manufacturers involved,
- conditions and loci of the simulation and in particular intended number of ships, ports, manufacturing sites where to demonstrate the functioning of the procedure,
- intended design of the interfaces and initial protocols for alignment with existing databases.

will be evaluated.

.2 **Organisation of the work (20 points – minimum threshold 12)**

This criterion will assess how the roles and responsibilities of the proposed team and of the economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task. It also assesses the global allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the work. The tender should provide details on the allocation of time and resources and the rationale behind the choice of this allocation.

.3 **Quality control measures (10 points – minimum threshold 6)**

This criterion will assess the quality control system applied to the service foreseen in this tender specification concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality
system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.

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Tenders must score minimum 60% for each criterion and minimum 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.

The contract will be awarded to the tender who scores the highest ratio according to the following formula:

\[ 0.75 \times \text{Quality} + 0.25 \times \frac{\text{Lowest Price}}{\text{Price}} \]

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.

Maximum price: 250,000 €
3. TECHNICAL SPECIFICATIONS

The basis for this study is Article 11 (2) (Electronic tag) of the revised Marine Equipment Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment repealing Council Directive 96/98/EC (hereinafter the "New Marine Equipment Directive") which provides that "The Commission shall carry out a cost / benefit analysis concerning the use of the electronic tag as a supplement to, or a replacement of, the wheel mark."

General Background

The global dimension of shipping calls for the Union to support and implement the international regulatory framework for maritime safety. The international maritime safety conventions require flag States to ensure that the equipment carried on board ships complies with certain safety requirements as regards design, construction and performance, and to issue the relevant certificates. To that end, detailed performance and testing standards for certain types of marine equipment have been developed by the International Maritime Organization (IMO) and by the international and European standardisation bodies.

However, the international instruments leave a significant margin of discretion to the flag states. In the absence of harmonisation, this leads to varying levels of safety for products which the competent national authorities have certified as complying with those conventions and standards; as a result, the smooth functioning of the internal market is affected.

Harmonisation by the Union resolves these problems. Council Directive 96/98/EC thus laid down common rules to eliminate differences in the implementation of international standards by means of a clearly identified set of requirements and uniform certification procedures.

In order to provide market surveillance authorities with additional, specific means to facilitate their task and to prevent the counterfeiting of specific items of marine equipment an electronic tag could supplement or replace the wheel mark (refer to Chapter 2, Art. 9, 10 and 11 of the MED 2014/90/EC).

The time window to agree on a broadly accepted and recognized standard for electronic tags supplementing or replacing the wheel mark is relatively short as industry maybe already in the process of applying such technology. The risk exists that manufacturers will apply in isolation different technologies that possibly will not be interoperable.

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2 OJ L 257/146

The maritime industry operates constantly, in a complex environment which makes difficult envisaging all future possible uses of the electronic tagging, however added value is expected to be created in relation to prevention of counterfeiting, to market surveillance enhanced capabilities, to traceability to better logistic information.

Implementation of electronic labelling of marine equipment products may introduce a new approach to the users and better information to market surveillance, creating a continuous information flow between manufacturers, notified bodies and authorities. Among the benefits could be:

- Manufacturers should benefit of the improved notification mechanism to fight counterfeiting; this in turn, should facilitate the uptake of the electronic labelling;
- Shipowners/operators should be able to carry out stock control more easily;
- Notified bodies should benefit of the seamless notification capabilities embedded in the system with electronic tags pointing to an information repository where all the relevant information of the product are contained (such as type approval certificates);
- Authorities and notified bodies should benefit of the enhanced and smooth market surveillance mechanism which should ease the day-by-day survey operations, encouraging the rapid uptake of the electronic labelling.

Objective of the Study

The scope of this study is to carry out an assessment of the possible impacts including a cost/benefit analysis to explore the uptake of electronic tag and to demonstrate its potential through a pilot project, on the use of the electronic tag for marine equipment products as set out in Article 11 of the New Marine Equipment Directive. The expected outcome of the study is to assist the Commission in making consistent and optimal parameter choices in all dimensions of options, while taking into account related costs and benefits.

Specific Tasks

Task A – Mapping and Problem definition

The Tenderer(s) will carry out a detailed mapping at least considering the following aspects:

- Stakeholders involvement: inter alia Manufacturers, Port State Control, Notified Bodies, Recognized Organizations, Maritime Administrations exploring roles, competences, rights and duties of each actor and their interactions;
- Existing tools for type approval, market surveillance, product compliance, such as ICSMS, RAPEX, MarED, NANDO exploring potential and interactions in relation with the electronic tag management system;
- Assessment of current implementation of electronic tagging in the market;
- Market related aspects such as (1) identification of the market with quantification of the potential market affected (2) imperfect information flow in the value chain, (3) split incentives.
- Regulatory related aspects such as (1) potential of electronic tagging in fighting counterfeiting (2) potential for market surveillance, (3) availability of biased information (3) unintended consequences of the electronic tagging.
- Best Practices: investigation on best practices for Electronic Tagging in other sectors.
- Commission initiatives on e-market surveillance.
- Existing legal requirement (e.g. EMC Directive).

Based on the mapping exercise, the Tenderer(s) will develop the following:

- A problem definition, including a problem tree illustrating how problems and their elements are interrelated, a thorough analysis of problems, drivers and root causes, a sound quantitative (only where it is not possible, qualitative assessment should be provided) substantiation of the above analysis.
- Identification of policy objectives based on the problem definition and ensuring consistency with other EU policies, tools and strategies.
- A base line (no-change) scenario, which will analyse the actual situation and its possible evolution up until 2030, in absence of the adoption of a electronic tagging policy.

**Task B - Technical and implementation options**

**Technical and policy options**: identification of technical implementation options and most appropriate delivery mechanisms; measuring against criteria of effectiveness, efficiency and consistency.

This Task is structured along three main operative phases:

PHASE I - IDENTIFICATION
PHASE II - CAPTURING
PHASE III - EXCHANGE

For each of the three phases, solutions will be analyzed taking into account available standards internationally available such as the ones developed by ISO, IEC, EPC Global (GS1) and ETSI for electromagnetic compatibility where appropriate. Each technical option will be considered against its consequences on implementation strategy (policy options).

**PHASE I - IDENTIFICATION**

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4 See DG ENTR Study on Marine Equipment:
Task B.1 – Identification of the Data Carrier (Electronic Tag - Labels)

In this task the Tenderer(s) should primarily identify the type of electronic tag that best suits the marine equipment market.

Tenderer(s) will consider aspects such as, but not limited to:

.1 Marine environment conditions and its effects on long term performances of the electronic tag,
.2 Accessibility for control and periodic inspections;
.3 Size of the electronic tag and possible limitations in relations to particular equipment and readers' capabilities;

Several types of Electronic Tags will have to be considered in the analysis,

.A Use of Bar Codes such as EAN/UPC, GS1 Databar, Gs1-128, ITF-14, Data Matrix, QR Code.
.B RFID:
   .B.1 Passive and/or Active RFID;
   .B.2 Frequency Ranges in the ISM bands (Industrial Scientific and Medical bands):
      - Low (LF: 125–134.2 kHz and 140–148.5 kHz) (Low-FID) and
      - High frequency (HF: 13.56 MHz) (High-FID) or
      - Ultra High Frequency (UHF: 868–928 MHz) (Ultra-High-FID or UHFID)
   .C Tags based on Near Field Communication technology (NFC) passive and active (HF frequency)
   .D Composite Electronic Tags Composite RFID or NFC Integrated Nameplate provides identifying information not only in text and bar-code form, but also by means of its passive RFID or NFC tag.
   .E Other methods for Electronic Tagging.

PHASE II - CAPTURING

Task B.2 – Tag Interrogators (Readers), Interface Protocols and Registrations of the Reading Events

Under this task the Tenderers(s) will analyse the most common solution for Tags' Interrogators used on the market in relation with the data carrier analysed in Task B.1., considering all solutions available on the market ranging from professional readers, handheld readers to personal devices such as smartphones.

http://ec.europa.eu/enterprise/sectors/maritime/documents/index_en.htm#h2-1
In this Task standard interface protocols will be analysed and compared. If the Data Carrier is a RFID then the interface between the RFID Readers and the Client has to be taken into account.

In this Task main issues, related with the Interrogators management and operations will be also analysed.

In this Task the Tenderer(s) will analyse relevant standards such as ISO/IEC 18000/63, to register and filter the events enabling interaction between client applications and a consolidated database. In this task read and write RFIDs or NFC protocols will also be compared and analysed.

PHASE III - EXCHANGE

Task B.3 – Data Exchange Methodologies

Under this task the Tenderer(s) will analyze most common standards in use, comparing and assessing them against criteria such as:

- global use in terms of industrial applications implemented under such standard;
- neutrality respect to products;
- sources of identification that can be encoded in the methodology under investigation (passive/active RFID, NFC, Barcodes, Human readable data);
- security (authentication and authorization levels), data property and policy of data treatment;
- query capabilities (to be used in identification of counterfeit products);
- interoperability including interfaces with existing tools such as ICSMS, RAPEX, MarED, NANDO;
- overall chain of custody capabilities.

Data management strategies should be investigated analyzing possible models and scenarios, such as:

- Centralized data management: in this model a central data management system is created, hosted and managed by an organization. Data are fed in by industry, notified bodies, administrations that will hold access rights. Elements such as standards or multi-standards protocols, flexibility of the interface, etc., will be taken into account;

- De-centralized data management: in this model distributed data storage and management system is considered. In principle each manufacturer can create or maintain its own data storage system ensuring however: (1) access to the administration at any time and (2) at the same time aligning the interface protocol to an agreed standard maintaining flexibility and compatibility

- Other models
At this stage information contained in the electronic tag should be identified, such as, but not limited to:

- Identification Number of the product,
- Country and production site,
- Name/Code of the Notified Body,
- Identification of the Certificate,
- Expiring Date of the Certificate,
- Batch Number,

Methods and tools to supplement and cross reference information contained in the e-Tag with any further documentation deemed necessary (such as copy of the Type Approval certificate) will be analyzed and assessed.

**Task B.4 – Traceability Requirements and Product Recall Practices**

In this task investigation on the most used traceability standards and systems will be carried out. Standards such as ISO (likewise ISO22005-2007) and GS1 Standards (GS1 – GTS) or NFC ISO IEC Standards will be analyzed identifying benefit and cost when implementing traceability standards.

Technical and cost/benefit consideration should be given in this task on the opportunity of having single product or batches traceability capabilities.

As a consequence of the traceability methods, withdraw, recall and warnings practices will also be analyzed and assessed taking examination means and tools for integration with the Rapid Alert System for non-food dangerous product (RAPEX).

**Task B.5 – Building the Implementation Options**

Options will build on the technical alternatives analyzed in the previous task. Options, wherever possible will incorporate a specific technology solution analyzing the consequences of it.

Options which may be considered, compared to the baseline are:

1. Self-regulated application;
2. Application Guidelines;
3. Legislation and standards

Options will be assessed against the results of the technical analysis. Each policy option will also analyze the replacement of the wheel mark or its complementarity with respect to the electronic tag.

**Selection Criteria for Technical Options**

The Tenderer will lay down, taking into account the knowledge gained in the previous tasks, criteria against which the final selection of one (or more than one) standard will be used for the future implementation of electronic tagging for marine equipment.
Such criteria should be inspired by the following overall principles:

- Reliability of the technology;
- Availability of the technology and Number of providers;
- Interoperability of the solutions;
- User-friendliness (including reading and data management);
- Cost for marine equipment manufacturers and concerned administrations;

Task C – Consultation of interested parties - Stakeholder Consultation

Consultation of interested parties: establishment and implementation of a consultation plan covering the technical implementation process; determining the objective of the consultation, relevant target groups; appropriate consultation tool(s); consultation time(s) and consultation document(s). The consultation must be carried out according to the Commission's general principles and minimum standards for consultation.

A Targeted Consultation drafted accordingly to the EC guidelines will be carried out. (Ref. to COM(2002) 704 - Commission Communication: Towards a reinforced culture of consultation and dialogue – General principles and minimum standards for consultation of interested parties by the Commission).

The aim of the consultation is the validation of the technical and of the policy implementation options.

The consultation will be structured along the main technical and policy options analyzed in previous tasks.

- Interim Report N.2 (see Deliverable and Milestones table) will be disseminated to the stakeholders.

- The Targeted Consultation will be addressed to the Targeted Experts Group and it will be also open (upon release of credential) on [EC website (Interactive Policy-Making (IPM) website OR on the Tenderer(s) website].

- A series of two dedicated workshops will be organized (possibly back to back each other) by the Tenderer(s) including one dedicated to experts from the administrations and one for experts from the industry.

The results of the consultation will be contained in a specific section of the Interim Report.

Task D – Analysis of the Impacts

Analysis of impacts: qualitative and quantitative analysis of the most significant economic impacts in terms of market surveillance and counterfeit prevention; considering the risks and uncertainties for each of the technological choices including obstacles to compliance and costs for the administrations, including training needs.
Taking into account the following, this task will deliver:

- For each implementation option, the analysis will consider economic and social impacts through a qualitative and as far as possible quantitative assessment which will take into consideration aspects such as:

<table>
<thead>
<tr>
<th>Economic Impacts</th>
<th>Social Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Costs for the public authorities and industry (with particular focus on SMEs)</td>
<td>Access to services for market surveillance (increased/decreased product safety and information to citizens)</td>
</tr>
<tr>
<td>Administrative burden</td>
<td>Technological and non-technological innovation potential (more innovative products, branding of electronic wheel mark).</td>
</tr>
<tr>
<td>Protection of the intellectual property and efficacy in fighting counterfeiting</td>
<td></td>
</tr>
<tr>
<td>Effect on international competitiveness</td>
<td></td>
</tr>
</tbody>
</table>

Each impact will be considered in its likelihood to happen and against its possible positive and negative magnitude.

- Comparison with electronic tagging best practices of other sectors will be carried out at this stage (sectors to be identified at the inception of the project).

- An interim report will be issued containing the results of the analysis with the different options examined.

**Task E – Comparison and Evaluation**

**Comparison** amongst technical and policy implementation options weighing positive and negative impacts, ranking and setting out the best one. Indicate also the added value of the options.

**Evaluation** of the costs/benefits of technical solutions with particular focus on measurement of administrative burden and the efficiency of market surveillance.

In this task the Tenderer(s), by using the baseline scenario developed in Task A.1, will compare the implementation/policy options taking into account the results of the consultation with the stakeholders.

Comparison and evaluation will include a cost-benefit analysis which will thoroughly compare advantages and disadvantages against the impacts, providing a ranking amongst the options along the following main lines:

- List all expected benefits and costs, and calculate (or estimate) their expected magnitude, taking in consideration factors such as density of RFID tag reads and price of the asset labelled and criticality of its usage.
- List the expected time-path of the impacts.
- Express the value of the impacts in monetary terms, using the standard discount rate (4%) for impacts that occur in the future.
- Add up all the expected benefits and costs, and calculate the net benefits (= the value of the policy option in terms of cost-benefit analysis).
- Indicate which margins of error or uncertainty need to be taken into account.

**Task F – Implementation - Pilot Project**

**Implementation:** Design, implementation and analysis of results of a pilot project using the most promising technical option (or a combination of the most promising options). The pilot project shall be implemented on a subset of marine equipment products currently subject to wheel-marking and in close collaboration with industry and administrations. Volunteering public administration (port State) may be identified.

**Minimal Technical Requirements:**

The Pilot Project will be carried out in real operational conditions implementing the best technical solution(s) assessed in the previous tasks.

The objective of the testing is to demonstrate the potential of the methodology chosen. The main functional components of the system will be deployed and tested in real operative conditions.

The electronic tags will be affixed on the products according to the method identified.

Products will be placed on board, or in alternative, electronic tags can be affixed on products which are already on board.

Adequate number of readers will be made available to the volunteering public administration, to perform their tasks.

All the interfaces amongst the data carrier, the readers and the on-shore data management system will have to be implemented and operative at least in their basic functionalities.

Database(s) will have to demonstrate functions capable of exchanging information with systems already operational such as ICSMS, RAPEX, MarED.


It will have to be carried out on at least 3 different Items of the Annex I.

To ensure a meaningful size of the sample the Items under test will have to be at least 50 per ship and it will have to be carried out on at least 1 ship.

The testing phase will be carried out in at least 2 ports called in 2 Member States.
Minimal Requirements

<table>
<thead>
<tr>
<th>Annex I Items</th>
<th>Products labelled per Ship</th>
<th>Number of Ships</th>
<th>Ports Called (not in the same Member State)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>50</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

**Timeline for the Pilot Project:** Tenderer(s) will submit a first draft of the timeline for the implementation of the pilot project as detailed as possible. The Timeline will be revised after completion of Task E (*i.e.* when the technology to pilot has been identified) and it will be subject to the Commission’s approval.

*****

**Input by the Contracting Authority**

One of the qualifying elements in the study is the involvement of the administrations. To this end EC will facilitate the involvement of the European Maritime Safety Agency (EMSA), in particular regarding the assessment of the needs for the national administrations for training, data management requirements, costs and benefits.

Nonetheless involvement of EMSA is not exclusive and possibly other administration should be involved (in particular for the pilot project).

The Contracting Authority will facilitate the contractor the access to the interfaces for RAPEX, ICSMS, MarED databases systems.

**Deliverables and milestones**

The following outputs are expected:
<table>
<thead>
<tr>
<th>N.</th>
<th>Deliverable Title</th>
<th>Deliverable Type</th>
<th>Short Description of the Content</th>
<th>Timeline (Month)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Kick off Meeting</td>
<td>Meeting</td>
<td>General presentation of the timeline and actions.</td>
<td>M0 (within 10 days after the signature of the contract)</td>
</tr>
<tr>
<td>2</td>
<td>Inception Report</td>
<td>Report</td>
<td>Contains the detailed work programme and planning of the study in order to complete the tasks as listed above. It should describe in detail the proposed methodological approaches and working assumptions, and note any areas where there is need for additional assistance. It should also present the intervention logic. A detailed work plan including the allocation of experts per task per number or working-days should also be provided. It shall not exceed 30 pages (annexes excluded).</td>
<td>M0 (It should be delivered at the time of the Kick-Off meeting)</td>
</tr>
<tr>
<td>3</td>
<td>Electronic Tagging State of the Art - SoA</td>
<td>Interim Report N.1</td>
<td>Contains first analysis of the different methods, tools and standards available for electronic tagging with some best practices from other sectors.</td>
<td>M2</td>
</tr>
<tr>
<td>4</td>
<td>Presentation of the Technical Analysis</td>
<td>Steering Committee Meeting</td>
<td>Review and presentation of the Interim Report N.1 focussed on the technical findings</td>
<td>M3</td>
</tr>
<tr>
<td>5</td>
<td>Criteria and Targeted Consultation</td>
<td>Milestone</td>
<td>Agreement on Criteria and Targeted Consultation</td>
<td>M7</td>
</tr>
<tr>
<td>6</td>
<td>Interim Report</td>
<td>Interim Report N.2</td>
<td>Contains the final results of Interim Report N.1 and includes impacts, costs/ benefits, criteria and description of a targeted consultation frame. This Deliverable relates to Task B to C</td>
<td>M8</td>
</tr>
<tr>
<td></td>
<td>Stakeholders Workshops</td>
<td>Meeting (Workshop)</td>
<td>Building on the results of the Targeted Consultation, Workshops help to prepare the cost/benefit analysis</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>------------------------</td>
<td>-------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>---</td>
</tr>
<tr>
<td>8</td>
<td>Pilot Project start</td>
<td>Milestone</td>
<td>Launch of the Pilot Project</td>
<td>M10</td>
</tr>
<tr>
<td>9</td>
<td>Interim Report</td>
<td>Interim Report N. 3</td>
<td>Includes the results of the Targeted consultation and the preliminary results of the Pilot Project This deliverable relates to Task D, E and F</td>
<td>M14</td>
</tr>
<tr>
<td>10</td>
<td>Review Meeting</td>
<td>Steering Committee Meeting</td>
<td>EC and Tenderer(s) to meet to analyse the Draft Final report for observations and comments</td>
<td>M.14</td>
</tr>
<tr>
<td>11</td>
<td>Stakeholders Workshop</td>
<td>Meeting (Workshop)</td>
<td>Main focus: Presentation of the Pilot Project results</td>
<td>M14</td>
</tr>
<tr>
<td>13</td>
<td>Final report and Executive Summary</td>
<td>Report</td>
<td>Final Report with conclusions and recommendations</td>
<td>M16</td>
</tr>
</tbody>
</table>
Meetings, presentations, workshops and final conference will all be held in Brussels.

Costs for contractors travelling expenses are part of the contract.

In particular, experts from the administrations and from industry will travel on their own costs; the tenderer(s) however may want to foresee some funds in their budget planning to cover the travelling cost of some key experts.

Steering Committee: A Steering Committee will be set up at the beginning of the project and it will be composed by the Project Manager (PM), Technical Manager (if different from the PM), Manager of the Pilot Project (if different from the PM) and the European Commission.

Details on deliverables

Deliverables will be made available in English in electronic and printed format (5 copies each at least).

General guidance on methodology and Quality Requirement

It is believed crucial for a successful project to secure participation of equipment manufacturers, electronic tagging technology providers (codes generators, readers, data management, etc.), administrations that will be in charge of the use of the identified method and experts in standardization. Ideally all these competences should be part of the consortium responding to the tender or a clear plan to secure the involvement of such expertise should be presented by the Tenderer(s).

Particular attention has to be paid to the estimation of the costs for the implementation of the chosen technologies. Costs will have to be assessed in a holistic perspective taking into consideration the whole chain and life cycle from the first implementation to the day by day management and maintenance of the equipment (readers, database, etc.).

Furthermore specific consideration will have to be given to training for administrations which will be in charge of daily use of the systems.

General delivery time

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

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.

The ownership of the results shall be fully and irrevocably acquired by the Union, as stipulated in Art. I.8 and II.10 of the contract.
4. CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE FINAL DELIVERABLES

All studies produced for the European Commission and Executive Agencies shall conform to the corporate visual identity of the European Commission by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo. The Commission is committed to making online information as accessible as possible to the largest possible number of users including those with visual, auditory, cognitive or physical disabilities, and those not having the latest technologies. The Commission supports the Web Content Accessibility Guidelines 2.0 of the W3C.

For full details on Commission policy on accessibility for information providers, see: http://ec.europa.eu/ipg/standards/accessibility/index_en.htm

Pdf versions of studies destined for online publication should respect W3C guidelines for accessible pdf documents. See: http://www.w3.org/WAI/

4.1. Content

4.1.1. Final study report

The final study report shall include:

- an abstract of no more than 200 words and an executive summary of maximum 6 pages, in English;
- the following standard disclaimer:

   "The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission's behalf may be held responsible for the use which may be made of the information contained therein."

- specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

4.1.2. Publishable Executive Summary

The publishable executive summary shall be provided in English and shall include:

- The following standard disclaimer:

5 The Visual Identity Manual of the European Commission is available upon request. Requests should be made to the following e-mail address: comm-visual-identity@ec.europa.eu
"The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission's behalf may be held responsible for the use which may be made of the information contained therein."

- Specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

It also should a) present a summary of the problem description and the objectives; b) present the analysis of subsidiarity; c) list the range of options identified and the options assessed in detail; d) present the main economic, social and environmental impacts of each option and, where relevant, e) the result of the comparison of the options, indicating the criteria for comparison. Where appropriate the executive summary should contain a clear presentation of any quantified benefits and costs of the various options. This should cover administrative costs for businesses and citizens, other compliance costs, and costs for administrations.

4.2. Structure

Structure of the final Report should preferably follow the one given in Section 3 - General and specific objectives and Specific Tasks.

Final Report should contain at least the following sections:

- Abstract
- Executive Summary
- Section 1 Problem definition and Objectives
- Section 2 Technical and policy options
- Section 3 Traceability Requirements and Product Recall Practices
- Section 4 Comparisons, Evaluation
- Section 5 Consultation Results
- Section 6 Analysis of the Impacts
- Section 7 Comparison and Evaluation
- Section 8 Pilot Project Implementation
- Annexes

The report must be a self-standing document which presents the analysis and all relevant results of the work, including summaries of information that are presented in annexes.

4.3. Graphic requirements

For graphic requirements please refer to the template provided in the annex 4. The cover page shall be filled in by the contractor in accordance with the instructions provided in the template. For further details you may also contact comm-visual-identity@ec.europa.eu.

The logo of the author of the study (i.e. the contractor) may be added.
5. 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. Standard Word template for studies
5. 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 Νο MOVE/D2/2015-372 V1.0

<table>
<thead>
<tr>
<th>Identity</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of the tenderer</td>
<td></td>
</tr>
<tr>
<td>Legal status of the tenderer</td>
<td></td>
</tr>
<tr>
<td>Date of registration</td>
<td></td>
</tr>
<tr>
<td>Country of registration</td>
<td></td>
</tr>
<tr>
<td>Registration number</td>
<td></td>
</tr>
<tr>
<td>VAT number</td>
<td></td>
</tr>
<tr>
<td>Description of statutory social security cover (at the level of the Member State of origin) and non-statutory cover (supplementary professional indemnity insurance)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Address</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address of registered office of tenderer</td>
<td></td>
</tr>
<tr>
<td>Where appropriate, administrative address of tenderer for the purposes of this invitation to tender</td>
<td></td>
</tr>
</tbody>
</table>

| Contact Person                               |                |
| Surname:                                     |                |


---

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

<table>
<thead>
<tr>
<th>Legal Representatives</th>
</tr>
</thead>
</table>

**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**

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

<table>
<thead>
<tr>
<th>Surname:</th>
<th>Signature:</th>
</tr>
</thead>
<tbody>
<tr>
<td>First name:</td>
<td></td>
</tr>
</tbody>
</table>

---

7 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

(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 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 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.

Full name Date Signature

8 This covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares.

ANNEX 3

POWER OF ATTORNEY

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

The undersigned:

[Signature] (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:

10 To be filled in and signed by each of the partners in a joint tender, except the lead partner;
ANNEX 4
Standard Word template for studies

See the specific file
ANNEX 5

DRAFT CONTRACT

See the specific file