CALL FOR TENDERS
N° MOVE/C4/2016-100

The implementation of Directive 2006/126/EC on driving licences

TENDER SPECIFICATIONS
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1. **INFORMATION ON TENDERING**

1.1. **Participation**

Participation in this procurement procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties, as well as to international organisations. It is also open to all natural and legal persons established 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 World Trade Organisation applies, the participation to this procedure is also open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions it lays down.\(^2\)

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. **Compliance with applicable law**

The tender must comply with applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU\(^3\).

1.4. **Joint tenders**

A joint tender is a situation where a tender is submitted by a group of economic operators (natural or legal persons). Joint tenders may include subcontractors in addition to the members of the group.

In case of joint tender, all members of the group assume joint and several liability towards the Contracting Authority for the performance of the contract as a whole, i.e. both financial and operational liability. Nevertheless, tenderers must designate one of the economic operators as a single point of contact (the leader) for the Contracting Authority for administrative and financial aspects as well as operational management of the contract.

After the award, the Contracting Authority will sign the contract either with all members of the group, or with the leader on behalf of all members of the group, authorised by the other members via powers of attorney.

\(^1\) See [http://www.wto.org/english/tratop_E/ctcutr_E/gpacc_e.htm](http://www.wto.org/english/tratop_E/ctcutr_E/gpacc_e.htm)

\(^2\) For open procedures.

1.5. Subcontracting

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

Tenderers are required to identify subcontractors whose share of the contract is above 20% and those whose capacity is necessary to fulfil the selection criteria.

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

1.6. Structure and content of the tender

The tenders must be presented as follows:

Part A: Identification of the tenderer (see section 1.7)

Part B: Non-exclusion (see section 4.1)

Part C: Selection (see section 4.2)

Part D: Technical offer

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

Part E: 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 bear 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.

Part F: Power of attorney (for consortia only)

1.7. Identification of the tenderer

The tender must include a cover letter signed by an authorised representative presenting the name of the tenderer (including all entities in case of joint tender) and identified subcontractors if applicable, and the name of the single contact point (leader) in relation to this procedure.

In case of joint tender, the cover letter must be signed either by an authorised representative for each member, or by the leader authorised by the other members with powers of attorney. The signed powers of attorney must be included in the tender as well. Subcontractors that are identified in the tender must provide a letter of intent signed by an authorised representative...
stating their willingness to provide the services presented in the tender and in line with the present tender specifications.

All tenderers (including all members of the group in case of joint tender) 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

The tenderer (including each member of the group in case of joint tender) must provide the following information in its tender if it has not been provided with the Legal Entity Form:

- 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 applicable to the legal person requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.

- For natural persons, if required under applicable law, proof of registration in a professional or trade register or any other official document showing the registration number.

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.

The tenderer (or the leader in case of joint tender) must provide a Financial Identification Form with its supporting documents. Only one form per tender should be submitted. No form is needed for subcontractors and other members of the group in case of joint tender. The form is available on: http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm

The tenderer (and each member of the group in case of joint tender) must declare whether it is a Small or Medium Size Enterprise in accordance with Commission Recommendation 2003/361/EC. This information is used for statistical purposes only.

2. TECHNICAL SPECIFICATIONS

a. Background

Directive 2006/126/EC on driving licences⁴ provides harmonised EU wide rules on driving licences with the objective to facilitate greater freedom of movement to EU drivers, reduce the possibility of driving licence fraud and improve road safety in Europe. The directive entered fully into force on 19th January 2013. It introduces, among other things, a Union model driving licence, harmonised validity periods for licences, new driving licence categories and harmonised minimum requirements for driving examiners. Furthermore, it establishes an EU network for the exchange of driving licence information (RESPER – RESeau PERmis de conduire).

The directive introduced a Union model driving licence in the form of a plastic card, with certain harmonised information and security and physical features. The aim of the Union model is to increase transparency for citizens, police forces and national issuing authorities and to reduce the risk

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of falsification of licences. The Directive also gives Member States the possibility to include an optional microchip on licences which can further improve the level of anti-fraud protection.

The directive also introduces harmonised administrative validity periods for all categories with the aim to reduce fraud by allowing regular updates of the security features, improve the freedom of movement by reducing the administrative burden for citizens, and to improve road safety by introducing obligatory medical checks upon renewal for holders of licences in categories C and D and allowing Member States to introduce regular medical checks for licences in categories A and B, as well as other measures.

One of the priorities in the Commission policy orientation on road safety 2011-2020 is the improvement of the safety of vulnerable road users, in particular motorcycles for whom accidents statistics are particularly worrying. In order to improve road safety the directive introduces a new harmonised category for mopeds (AM) and motorcycles (A2). The directive introduces a series of modifications to the existing categories with the aim to improve road safety, e.g. new minimum ages, obligatory C1 and D1 categories, power/weight criterion for light motorcycles, new rules on trailers, etc.

Before the introduction of the directive, there were no set standards on the training and education of driving examiners. They have varied widely throughout the Union. Today minimum requirements are laid down for the qualifications, quality assurance and training of driving examiners, which should ensure together with the harmonised rules on testing that test result are comparable in the EU. The impact of these standards on road safety should be assessed in order to determine the effectiveness of the existing rules and, if possible, provide recommendations on further modifications.

The directive establishes RESPER which acts as an EU-wide hub for the exchange of information between national driving licences issuing authorities. The main objective of RESPER is to enable Member States to exchange in a secure and efficient way information on licences which they have issued in order to ensure that one person holds only one licence. This is necessary to ensure that drivers only drive vehicles in categories for which they are qualified and authorised. RESPER also contributes to combating document fraud by allowing Member States to easily verify if a licence issued in another Member State is indeed valid. All these effects contribute to the achievement of the main objective of the directive.

Taking into account the scope of the changes introduced by Directive 2006/126/EC and their significance for the freedom of movement of citizens and road safety, as well as the fact that all Member States have transposed the directive into national law and that it has entered into full application as of 19 January 2013, it is necessary to assess the impact of the directive, in particular as regards the achievement of its main objectives. The results of this study will also be used as a source for a review of the implementation of the directive to be reported by the Commission to the European Parliament and the Council, as required by Article 14 thereof.

The study should build on and complement but not duplicate the work done in previous studies in the EU or in other non-EU countries. The study will complement the results of existing relevant projects co-financed by the Commission and other studies available in Member States.

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6 Study on driver training, testing and medical fitness, N. MOVE/ENER/C4/2015-166.
b. Objectives

The objective of this study is to get a comprehensive overview and better insight on the different aspects of Directive 2006/126/EC on driving licences, especially the impact on road safety, and in particular the novelties introduced with the directive: the new Union model licence, harmonised administrative validity periods, modifications of driving licence categories (including new categories and changes to existing categories), harmonised rules on driving examiners and the EU driving licence network (RESPER). The study result could serve as a basis for the Commission to assess where possible future EU initiatives could provide an added value.

Furthermore, the study should assess to what extent the information available makes it possible to draw relevant conclusions on the effects of the implementation, or if further information would be necessary in order to assess the effects of the implementation of the directive and propose methods how these types of information could be gathered, either from Member States or other relevant sources.

The following elements should be covered:

- New Union model licence, with an assessment of the existing security and physical features, including the microchip, in particular the effects on freedom of movement of citizens and the combat of driving licence falsification. Potential future developments, e.g. technical developments towards non-physical driving licences should be examined.

- Effects of harmonised rules on administrative validity on the freedom of movement of citizens, the combat of driving licence falsification and road safety (in particular as regards the possibility to conduct regular medical checks upon renewal, especially for categories C and D).

- Modifications of driving licence categories, including the addition of categories AM and A2, new rules on minimum ages, and other changes to existing categories. Potential future initiatives which could contribute to achieving the main objectives of Directive 2006/126/EC should be examined.

- Minimum standards on driving examiners, in particular the new harmonised rules on competences, general conditions, initial qualifications, quality assurance and periodic training, should be assessed for their impact on road safety. Potential future initiatives which could improve the road safety effects of the rules on driving examiners should be examined.

- RESPER, with an assessment of the current status of the network and use by Member States, its contribution to ensuring the "one person one licence" principal and its effects on the combat of driving licence tourism and document fraud. The possibility of additional uses of RESPER should be examined, especially with the view to potentially strengthen the exchange of information between Member States for road safety purposes.

c. Tasks

qualitative data. The study should be as representative as possible for the European Economic Area (EEA). The Commission can provide the contractor with contacts in the Member States, statistics on road fatalities from the CARE database and certain information on the use of RESPER.

The contractor shall assess to what extent there is information available concerning the topics listed below that makes it possible to draw relevant conclusions on the effects of the implementation or if further information would be necessary in order to assess the effects of the implementation of the directive. If the necessary information is concluded not to be available, the contractor shall propose methods on how the information could be collected, either from Member States or other relevant sources.

Within the different subjects, the contractor should look in particular into the following aspects:

1. Union model licence

- Assess the existing features of the Union model licence, in particular the mandatory security features, use of optional security features by Member States, and other physical features of the model, in particular the effects on freedom of movement of citizens and the combat of driving licence falsification.

- Assess the effects of the introduction of the Union model licence on administrative burdens and costs for citizens, and issuing and enforcement authorities.

- Provide an overview of the measures that Member States have introduced or are planning to introduce to phase out driving licences which are not compliant with the Union model licence.

- Provide an overview and assess the use of the microchip on driving licences, as regulated by Directive 2006/126/EC and Commission Regulation No 383/2012. Examine to which extent the microchip is used for applications other than the driving licence application.

- Examine potential future initiatives which could lead towards non-physical driving licences and assess in particular the legal and technical preconditions for such initiatives.

2. Administrative validity and regular medical checks

- Provide an overview of administrative validity periods for different driving licences categories across all Member States.

- Assess the effects of the harmonised administrative validity periods on the facilitation of freedom of movement of citizens, in particular the reduction of administrative burdens and costs for citizens.

- Assess the effects of the harmonised administrative validity periods on the combat of driving licence falsification, in particular as regards the possibility to regularly introduce additional security features, and to update and verify the information on the driving licence (e.g. the photo of the licence holder).

- Assess the effects of the introduction of regular medical checks upon renewal, in particular on road safety, as regards:

  - mandatory checks for holders of licences in categories C and D, and
  - optional checks for holders of licences in categories A and B, with an overview of Member States which require checks for these licence holders upon renewal.
- Examine potential future modifications of the harmonised administrative validity periods which could improve the effects on the facilitation of freedom of movement, anti-fraud protection and/or road safety.

3. Modifications of driving licence categories

- Assess the effects of the introduction of the new categories (AM and A2), in particular on road safety.

- Assess the effects of the mandatory use of categories C1, D1, CE, C1E, DE, D1E in all Member States, in particular on road safety.

- Assess the effects of other modifications of driving licence categories introduced in Directive 2006/126/EC (e.g. changes to definitions, minimum ages, vehicle-trailer combinations), in particular on road safety.

- Assess the effects of the existing driving licence categories on electro-mobility and other forms of alternative propulsions, and examine potential future modifications which could facilitate sustainably mobility.

- Examine potential future modifications of driving licence categories which could contribute to the improvement of road safety.

4. Driving examiners

- Provide an overview of the implementation by Member States of the harmonised rules on driving examiners, as introduced by Directive 2006/126/EC.

- Assess the effects of the existing harmonised rules on driving examiners, in particular on road safety.

- Examine potential future modifications of the rules and initiatives which could contribute to the improvement of road safety.

5. RESPER

- Provide an overview of the status of the network and its implementation by Member States, in particular the use of RESPER by national authorities (e.g. scope of use, number of received requests, number of sent requests, etc.).

- Assess the effects of RESPER on the "one person one licence" principle and the fight against driving licence tourism.

- Assess how RESPER contributes to combating driving licence fraud (e.g. by allowing Member States to efficiently verify the validity of licences issued by other Member States).

- Assess the effect of RESPER on administrative burdens and costs for national authorities and citizens, and the facilitation of freedom of movement.

- Examine the possibility of strengthening the exchange of information between Member States in the future, in particular to improve road safety, and the potential use of RESPER for these purposes, such as: - exchange of available driving licence information for enforcement purposes,
  - exchange of driving licence information as an alternative to physical driving licences,
  - exchange of information on demerit points,
- exchange of other road safety related information.

6. Organise a workshop to gather information from stakeholders

Organise a workshop with stakeholders in order to gather relevant inputs. The subject(s) to be covered in the workshop shall be agreed with the Commission. The Commission will arrange the meeting venue on Commission premises. Dates for the workshops should be settled latest in the inception report. The Commission shall be consulted on the draft list of invitees and draft agenda for the workshops no later than 45 days before the organisation of the workshops. The Commission will participate in the workshops. Reports from the workshops including final agenda, final list of invitees, attendance list and a summary of main outcomes and conclusions shall be submitted to the Commission by the contractor no later than 10 working days after each workshop has been held.

7. Half-time progress report

Preparation of a half-time progress report which shall include a complete bibliography of the literature used, and reporting on the progress and planned continued work of the tasks.

8. Final report

Preparation of a final report covering all tasks indicated in tasks 1 – 6 with results of the study including recommendations for future initiatives where indicated in tasks 1 – 5 based on qualitative analysis supported by quantifiable data. The contractor will submit a final report to the Commission at the latest 12 months after the entry into force of the contract.

d. Deliverables and timelines

The duration of the tasks shall not exceed 12 months. This period is calculated in calendar days. Execution of the tasks begins after the date on which the contract enters into force.

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

A kick-off meeting will take place in Brussels, at the latest 2 weeks following the entry into force of the contract, in order to settle all the details of the work to be undertaken.

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<tr>
<td>Signature of contract (T0)</td>
<td>Starting date</td>
</tr>
<tr>
<td>Kick-off meeting in Brussels (T0+2 weeks)</td>
<td>Kick-off meeting in Brussels</td>
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<tr>
<td>Inception report (T0+4 weeks)</td>
<td>The contractor submits an inception report. Within three weeks the report should be approved or rejected by the Commission.</td>
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<tr>
<td>Half-time progress report (no later than T0+26 weeks)</td>
<td>The contractor submits a half-time report showing progress of the work.</td>
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Within three weeks the report should be approved or rejected by the Commission.

Consultation progress report (no later than T0+40 weeks)
The contractor submits a progress report on the consultation phase. Within three weeks the report should be approved or rejected by the Commission.

Draft final report (T0+46 weeks)
The contractor submits the draft final report.

Comments on the draft final report (2 weeks from the reception of the draft final report)
The Commission will provide the contractor with comments on the draft final report and suggest a meeting date for discussion with the contractor, in Brussels or as otherwise agreed.

Final report (2 weeks from the reception of the Commission comments)
The contractor submits the final report which reflects the Commission's comments.

Approval of the Final Report (10 working days from the reception of the final report)
The Commission approves or rejects the final report.

e. Working methods and quality requirements

The methodology to be applied in the study is to be elaborated by the contractor. In the offer, the contractor will describe the phases of the study together with a presentation of the different methodologies proposed for the different phases and tasks of the work.

Any content of questionnaires and list of stakeholders to be consulted will be agreed with the Commission before the launch of consultations.

The contractor (team leader and other relevant experts) is expected to participate in two meetings in Brussels, the kick-off meeting and a meeting to discuss the final draft report. The kick-off meeting between the contractor and the Commission will serve to settle all the details of the study and to ensure that the contractor has a clear understanding of the terms of the contract and the objectives of the study. At the kick-off meeting, the contractor will be provided with all relevant available documents and be informed of useful information sources for data collection.

If needed, additional meetings may be scheduled. Minutes of the meetings should be drafted by the contractor within 5 working days and should be agreed among the meeting participants and the Commission.

The analysis should be well argued and transparently described, using concrete examples where needed.

The best practice/policy recommendations shall be clear, realistic, concrete and addressed to the appropriate decision-making level (EU, Member State, industry or other).

3. **CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE DELIVERABLES**

The contractor must deliver the study and other deliverables as indicated below.
3.1. Content

All reports should be produced in English and submitted electronically in Microsoft Word format (or Microsoft Excel if appropriate for annexes or similar) per e-mail to the Commission technical officer appointed as contact person in the Contract. In addition, three hard-copies should be sent to the technical officer.

The final report should also be submitted per e-mail in publishable pdf format.

3.1.1. Final study report

The final study report must include:

- an abstract of no more than 200 words and an executive summary of maximum 6 pages, both in English and French;
- specific identifiers which must be incorporated on the cover page provided by the Contracting Authority;
- the following 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.”

3.1.2. Publishable executive summary

The publishable executive summary must be provided in both in English and French and must include:

- specific identifiers which must be incorporated on the cover page provided by the Contracting Authority;
- the following 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.”

3.1.3. Requirements for publication on Internet

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

For the publishable versions of the study, abstract and executive summary, the contractor must respect the W3C guidelines for accessible pdf documents as provided at: http://www.w3.org/WAI/.
3.2. Graphic requirements
The contractor must deliver the study and all publishable deliverables in full compliance with 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 graphic rules, the Manual and further information are available at:

http://ec.europa.eu/dgs/communication/services/visual_identity/index_en.htm

A simple Word template will be provided to the contractor after contract signature. The contractor must fill in the cover page in accordance with the instructions provided in the template. The use of templates for studies is exclusive to European Commission's contractors. No template will be provided to tenderers while preparing their tenders.

4. EVALUATION AND AWARD

The evaluation is based solely on the information provided in the submitted tender. It involves the following:

- Verification of non-exclusion of tenderers on the basis of the exclusion criteria
- Selection of tenderers on the basis of selection criteria
- Verification of compliance with the minimum requirements set out in these tender specifications
- Evaluation of tenders on the basis of the award criteria

The contracting authority may reject abnormally low tenders, in particular if it established that the tenderer or a subcontractor does not comply with applicable obligations in the fields of environmental, social and labour law.

The tenders will be assessed in the order indicated above. Only tenders meeting the requirements of one step will pass on to the next step.

4.1. Verification of non-exclusion

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

In case of joint tender, each member of the group must provide a declaration on honour signed by an authorised representative.

In case of subcontracting, subcontractors whose share of the contract is above 20% and those whose capacity is necessary to fulfil the selection criteria must provide a declaration on honour signed by an authorised representative.

The Contracting Authority reserves the right to verify whether the successful tenderer is in one of the situations of exclusion by requiring the supporting documents listed in the declaration of honour.

The successful tenderer must provide the documents mentioned as supporting evidence in the declaration on honour before signature of the contract and within a deadline given by the
contracting authority. This requirement applies to each member of the group in case of joint tender, to subcontractors whose share of the contract is above 20% and to subcontractors whose capacity is necessary to fulfil the selection criteria.

The obligation to submit supporting evidence does not apply to international organisations.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the contracting authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that that there has been no change in its situation.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the contracting authority can access the document in question on a national database free of charge.

4.2. Selection criteria

Tenderers must prove their legal, regulatory, economic, financial, technical and professional capacity to carry out the work subject to this procurement procedure.

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.

The tender must include the proportion of the contract that the tenderer intends to subcontract.

4.2.1. Declaration and evidence

The tenderers (and each member of the group in case of joint tender) and subcontractors whose capacity is necessary to fulfil the selection criteria must provide the declaration on honour (see Annex 2), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them. In case of joint tender or subcontracting, the criteria applicable to the tenderer as a whole will be verified by combining the various declarations for a consolidated assessment.

This declaration is part of the declaration used for exclusion criteria (see section 4.1) so only one declaration covering both aspects should be provided by each concerned entity.

The Contracting Authority will evaluate selection criteria on the basis of the evidence to be submitted with the tenders.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the contracting authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that that there has been no change in its situation.
A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the contracting authority can access the document in question on a national database free of charge.

4.2.2. **Regulatory capacity**

Tenderers must prove that they are allowed to pursue the professional activity necessary to carry out the work subject to this call for tenders.

4.2.3. **Economic and financial capacity criteria**

The tenderer must have the necessary economic and financial capacity to perform this contract until its end. In order to prove their capacity, the tenderer must comply with the following selection criteria.

- **Criterion F1**: Turnover of the last two financial years above EUR 350,000 EUR this criterion applies to the tenderer as a whole, i.e. the combined capacity of all members of a group in case of a joint tender.

**Evidence (to be provided on request):**

- Copy of the profit and loss accounts for the last two years for which accounts have been closed from each concerned legal entity;

- Failing that, appropriate statements from banks;

- 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, it may prove its 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. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

4.2.4. **Technical and professional capacity criteria and evidence**

a. **Criteria relating to tenderers**

Tenderers (in case of a joint tender the combined capacity of all members of the group and identified subcontractors) must comply with the criteria listed below. The project references indicated below consist in a list of relevant services provided in the past three years, with the sums, dates and clients, public or private, accompanied by statements issued by the clients.

- **Criterion A1**: The tenderer must prove experience in the field of:

  1) Road Safety
  2) Cost-benefit analysis of measures aimed at improving road safety
  3) Driver licencing
  4) Prevention of document fraud and anti-forgery measures
  5) Electronic databases and exchange of information
  6) Driving examiners
Evidence A1: The tenderer must prove experience in delivering projects in these fields in the last three years.

- Criterion A2: The tenderer must prove capacity to work in several EU official languages including English.

Evidence A2: The tenderer must provide references for 3 projects delivered in the last three years showing the necessary language coverage.

- Criterion A3: The tenderer must prove capacity to draft reports in English.

Evidence A3: The tenderer must provide one document of at least 10 pages (report, study, etc.) in this language that it has drafted and published or delivered to a client in the last two years. The verification will be carried out on 5 pages of the document.

- Criterion A4: The tenderer must prove experience in data collection, statistical analyses and consultation activities.

Evidence A4: The tenderer must provide references for 3 projects delivered in the last three years showing the necessary experience in data collection, statistical analyses and consultation activities.

- Criterion A5: The tenderer must prove experience in drafting policy recommendations to the EU or EU Member States in the area of road safety.

Evidence A5: The tenderer must provide references for 3 projects delivered in the last three years showing the necessary experience in drafting policy recommendations.

b. Criteria relating to the team delivering the service:

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

Evidence will consist in CVs of the team responsible to deliver the service. Each CV should indicate the intended function in the delivery of the service.

B1 - Project Manager: At least 5 years' experience in project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in project of a similar size and coverage (geographical scope at least half of the one subject to this call for tenders), with experience in management of team of at least 8 people.

Evidence: CV

B2 - Language quality check: at least 3 members of the team should have at least C1 level in the Common European Framework for Reference for Languages⁷ in English.

---

⁷ See [http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp](http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp)
Evidence: a language certificate or past relevant experience.

**B3 – Expert in road safety:** Relevant higher education degree and / or 5 years' professional experience in the field of road safety.

Evidence: CV

**B4 - Expert in driver licensing:** Relevant higher education degree or equivalent professional experience and / or 5 years' professional experience in the field of driver licencing.

Evidence: CV

**B5 - Expert in prevention of document fraud and anti-forgery measures:** Relevant higher education degree and / or 5 years' professional experience in the field of document fraud prevention.

Evidence: CV

**B6 - Expert in electronic databases and exchange of information:** Relevant higher education degree and / or 5 years' professional experience in the field of electronic databases and exchange of information.

Evidence: CV

**B7 - Expert on driving examiners:** Relevant higher education degree and / or 5 years' professional experience in the field of driver examination.

Evidence: CV

**B8 - Team for data collection and statistical analysis:** collectively the team should have knowledge of English and at least three more official EU languages and proven experience in data collection techniques and data analysis.

Evidence: CV and a language certificate or past relevant experience.

### 4.3. Award criteria

The contract will be awarded based on the most economically advantageous tender, according to the 'best price-quality ratio' award method. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

- **Quality of the proposed methodology** (50 points - -- minimum score 50%)

This criterion serves to assess the proposed methodology to carry out the tasks and fulfil the objectives.

- Clarity, completeness and full coverage of the tasks.
- Quality of the proposed methodology and tools for gathering, validating and analysing data and information.
- Quality and appropriateness of methodology and planning of the proposed workshop.
- Quality of the proposed methodology for gathering, assessing and presenting policy recommendations.
- Capacity to work in different official EU languages.
• **Organisation of the work and resources** (30 points – minimum score 50%)

This criterion will assess how the roles and responsibilities of the proposed team and of the different 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 human resources and the rationale behind the choice of this allocation. Details should be provided as part of the technical offer. It is not a budget requested as part of the financial offer.

• **Quality control measures** (20 points – minimum score 50%)

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.

Tenders must score minimum 50% for each criterion and sub-criterion, and minimum 70% in total. Tenders that do not reach the minimum quality levels will be rejected and will not be ranked.

4.4. **Ranking of tenders**

The contract will be awarded to the most economically advantageous tender, i.e. the tender offering the best price-quality ratio determined in accordance with the formula below. A weight of 70/30 is given to quality and price.

\[
\text{Score for tender X} = \frac{\text{cheapest price}}{\text{price of tender X}} \times \text{total quality score (out of 100) for all criteria of tender X}
\]

\[
\text{score for tender X} = \frac{\text{cheapest price}}{\text{price of tender X}} \times 100 \times \left( \frac{\text{price weighting (in \%)}}{30} \right) + \frac{\text{total quality score (out of 100) for all award criteria of tender X}}{70}
\]

The tender ranked first after applying the formula will be awarded the contract.

5. **ANNEXES**

1. Tenderer 's Identification Form
2. Declaration of honour on exclusion criteria and selection criteria
3. Power of attorney (mandate in case of joint tender)
4. Standard Word template for studies
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 tenders MOVE/ENER/SRD  xx/xxxx-xx

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

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

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

<table>
<thead>
<tr>
<th><strong>Legal Representatives</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Names and function of legal representatives</strong></td>
</tr>
<tr>
<td>and of other representatives of the tenderer who are authorised to sign contracts with third parties</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Declaration by an authorised representative of the organisation</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.</td>
</tr>
</tbody>
</table>

| Surname: |
| First name: |
| Signature: |

---

8 For natural persons.

9 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 selection criteria

The undersigned [insert name of the signatory of this form], representing:

<table>
<thead>
<tr>
<th>(only for natural persons) himself or herself</th>
<th>(only for legal persons) the following legal person:</th>
</tr>
</thead>
<tbody>
<tr>
<td>ID or passport number:</td>
<td>Full official name:</td>
</tr>
<tr>
<td></td>
<td>Official legal form:</td>
</tr>
<tr>
<td></td>
<td>Statutory registration number:</td>
</tr>
<tr>
<td></td>
<td>Full official address:</td>
</tr>
<tr>
<td></td>
<td>VAT registration number:</td>
</tr>
</tbody>
</table>

- declares whether the above-mentioned person is in one of the following situations or not:

<table>
<thead>
<tr>
<th>SITUATION OF EXCLUSION CONCERNING THE PERSON</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(ii) entering into agreement with other persons with the aim of distorting competition;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(iii) violating intellectual property rights;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(iv) attempting to influence the decision-making process of the contracting authority during the award procedure;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) it has been established by a final judgement that the person is guilty of any of the following:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;

(ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the contracting authority is located, the country in which the person is established or the country of the performance of the contract;

(iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;

(iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council;

(v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;

(vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;

e) the person has shown significant deficiencies in complying with the main obligations in the performance of a contract financed by the Union’s budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an Authorising Officer, OLAF or the Court of Auditors;

f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;

g) for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularity, the applicant is subject to:

i. facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;

ii. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;

iii. decisions of the ECB, the EIB, the European Investment Fund or international organisations;

iv. decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law; or

v. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.
### SITUATIONS OF EXCLUSION CONCERNING NATURAL PERSONS WITH POWER OF REPRESENTATION, DECISION-MAKING OR CONTROL OVER THE LEGAL PERSON

<table>
<thead>
<tr>
<th>SITUATION</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Situation (c) above (grave professional misconduct)</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Situation (d) above (fraud, corruption or other criminal offence)</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Situation (e) above (significant deficiencies in performance of a contract)</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Situation (f) above (irregularity)</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

### SITUATIONS OF EXCLUSION CONCERNING NATURAL OR LEGAL PERSONS ASSUMING UNLIMITED LIABILITY FOR THE DEBTS OF THE LEGAL PERSON

<table>
<thead>
<tr>
<th>SITUATION</th>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Situation (a) above (bankruptcy)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>Situation (b) above (breach in payment of taxes or social security contributions)</td>
<td>☐</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

### GROUNDS FOR REJECTION FROM THIS PROCEDURE

<table>
<thead>
<tr>
<th>GROUND</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>h) has not distorted competition by being previously involved in the preparation of procurement documents for this procurement procedure;</td>
<td>☐</td>
<td>☐</td>
</tr>
<tr>
<td>i) has provided accurate, sincere and complete information to the contracting authority within the context of this procurement procedure;</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

### REMEDIAL MEASURES

- acknowledges that the above-mentioned person may be subject to rejection from this procedure and to administrative sanctions (exclusion or financial penalty) if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

---

[Only for legal persons other than Member States and local authorities, otherwise delete this table]
If the person declares one of the situations of exclusion listed above, it should indicate the measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. They may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines. The relevant documentary evidence which appropriately illustrates the remedial measures taken should be provided in annex to this declaration. This does not apply for the situations referred in point (d) of this declaration.

**EVIDENCE UPON REQUEST**

Upon request and within the time limit set by the contracting authority the person shall provide information on the persons that are members of the administrative, management or supervisory body, as well as the following evidence concerning the person or the natural or legal persons which assume unlimited liability for the debt of the person:

For situations described in (a), (c), (d) or (f), production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the person showing that those requirements are satisfied.

For the situation described in point (a) or (b), production of recent certificates 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 person is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

If the person already submitted such evidence for the purpose of another procedure, its issuing date does not exceed one year and it is still valid, the person shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.
declares whether the above-mentioned person complies with the selection criteria as provided in the tender specifications:

<table>
<thead>
<tr>
<th>SELECTION CRITERIA</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) It has the legal and regulatory capacity to pursue the professional activity</td>
<td></td>
<td></td>
</tr>
<tr>
<td>needed for performing the contract as required in section [insert] of the</td>
<td></td>
<td></td>
</tr>
<tr>
<td>tender specifications;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) It fulfills the applicable economic and financial criteria indicated in</td>
<td></td>
<td></td>
</tr>
<tr>
<td>section [insert] of the tender specifications;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) It fulfills the applicable technical and professional criteria indicated in</td>
<td></td>
<td></td>
</tr>
<tr>
<td>section [insert] of the tender specifications.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

declares that the above-mentioned person will be able to provide the necessary supporting documents listed in the relevant sections of the tender specifications and which are not available electronically upon request and without delay.

Full name                       Date                  Signature
ANNEX 3

POWER OF ATTORNEY

mandating one of the partners in a joint tender as lead partner and lead contractor\(^{10}\)

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:

\(^{10}\) To be filled in and signed by each partner in a joint tender except the lead partner.
ANNEX 4
Standard Word template for studies

Please see separate document
ANNEX 5

DRAFT CONTRACT

Please see separate document