

## **ANNEX I TO THE INVITATION TO TENDER**

### **TENDER SPECIFICATIONS**

Interinstitutional call for Tenders concerning Multiple Framework Contracts for Impact Assessment, Evaluation and Evaluation-related services in the field of Communication activities

### **OPEN CALL FOR TENDERS**

**PO/2016-06/01**

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## **1. OBJECTIVE AND CONTEXT**

### **1.1. Objective**

The European Commission (hereafter referred to as "the Commission") is planning to conclude two multiple Framework Service Contracts with several economic operators for Impact Assessment, Evaluation and Evaluation-related services in the field of external and internal communication activities.

Services provided as a result of this call for tenders may be delivered to the Commission or any of the below listed institutions, agencies or bodies (hereafter referred to as "the bodies"):

- European Parliament (**EP**)
- European Economic and Social Committee (**EESC**)
- Committee of the Regions (**COR**)
- Education, Audiovisual and Culture Executive Agency (**EACEA**)
- European Research Council Executive Agency (**ERCEA**)
- Innovation and Networks Executive Agency (**INEA**)
- Research Executive Agency (**REA**)
- Agency for the Cooperation of Energy Regulators (**ACER**)
- Body of European Regulators for Electronic Communications (**BEREC**)
- European Banking Authority (**EBA**)
- European Union Agency for Network and Information Security (**ENISA**)
- European Securities and Markets Authority (**ESMA**)
- Single Resolution Board (**SRB**)
- European Union Agency for Fundamental Rights (**FRA**)
- European Aviation Safety Agency (**EASA**)

The Commission will be the Contracting Authority and will sign and manage the interinstitutional framework contracts resulting from this call for tenders on behalf of the other participating bodies. The Commission and all of the bodies are referred to hereinafter as the "Contracting Authority".

### **1.2. Context**

Communicating with the public is of vital importance for the EU institutions and Agencies/Bodies and it aims to ensure that citizens and stakeholders are informed about and understand EU policies, know their rights and, in general, are aware of the European Union (EU) issues relevant to them. At the same time, communication also provides the means to gather the views of citizens, to respond to their questions and, whenever relevant, to debate issues of public interest with them.

There is no single definition of 'communication' as an activity undertaken by EU institutions and Agencies/Bodies, and no exhaustive list of channels or means of communication. With this in mind, for the purpose of these Framework Contracts, 'communication' is understood in the widest sense, covering all possible channels, means or areas, targeting the Contracting Authority's external and internal audiences.

Contractors should be ready to integrate any new communication tools that might emerge in the future, as assessments of these might also become assignments under these Framework Contracts.

The European Commission department in charge of informing and communicating with the public at large is Directorate-General for Communication (DG COMM). As a Presidential Service, DG COMM communicates directly with the citizens and it carries out a range of communication activities via the media and opinion leaders and via its Representations and information networks in the Member States. It is also responsible for keeping the Commission informed on trends in public opinion and in the media landscape and political developments, as well as being responsible for coordinating communication activities within the Commission.

Further information on DG COMM is available at:

[http://ec.europa.eu/dgs/communication/about/what\\_we\\_do/index\\_en.htm](http://ec.europa.eu/dgs/communication/about/what_we_do/index_en.htm)

In addition to communication activities conducted by DG COMM, most Directorates-General (DGs) and Services of the European Commission have their own Information and Communication Units, responsible for communication activities related to their specific policy area targeting in particular media and their stakeholders' networks. The activities of these units are coordinated through the External Communication Network (ECN)<sup>1</sup>, managed by DG COMM.

The Commission is committed to the principles of Better Regulation<sup>2</sup> to enhance the Union's ability to deliver better results for European citizens and businesses. Taking this into account and based on its mission as a corporate communication service bringing Europe closer to citizens, DG COMM values the importance of a systematic evaluation of all types of communication activities and services.

Evaluation is "an evidence-based judgement of the extent to which an intervention has:

- Been effective and efficient;
- Been relevant given the needs and its objectives;
- Been coherent both internally and with other EU policy interventions and;
- Achieved EU added-value".

The Better Regulation guidelines must apply to all of the Commission's monitoring, impact assessments or evaluation assignments. In the cases where the Better Regulation guidelines for evaluation should be applied to monitoring, impact assessments or evaluation assignments carried out through these Framework Contracts by other participating bodies, this requirement will be specified in the requests for services.

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<sup>1</sup> The External Communication Network (ECN), composed of the Heads of the Information and Communication Units of European Commission Directorates-General, coordinates the communication activities of the different Directorates-General and contributes to aligning communication activities to the Commission's political agenda.

<sup>2</sup> [http://ec.europa.eu/smart-regulation/index\\_en.htm](http://ec.europa.eu/smart-regulation/index_en.htm)

Information and guidance on how to conduct impact assessments and evaluations in the Commission are available at:

[http://ec.europa.eu/smart-regulation/impact/index\\_en.htm](http://ec.europa.eu/smart-regulation/impact/index_en.htm)

[http://ec.europa.eu/smart-regulation/evaluation/index\\_en.htm](http://ec.europa.eu/smart-regulation/evaluation/index_en.htm)

Integrating meaningful objectives and performance indicators into communication projects and spending programmes in a more systematic way is an integral part of the European Commission's strategic planning and it is also a building block for performance management of its communication activities.

Building on the work carried out in the framework of evaluation projects managed by DG COMM, the External Communication Network (ECN) adopted a Code of Conduct that includes a set of common indicators to be used for measuring the performance of different types of communication actions. The Code of Conduct and other methodological tools for the evaluation of communication activities are presented on the web page Evaluating Communication Activities:

[http://ec.europa.eu/dgs/communication/about/evaluation/index\\_en.htm](http://ec.europa.eu/dgs/communication/about/evaluation/index_en.htm)

Framework Contracts (FWCs) for the evaluation of communication actions are an important contribution to corporate communication. Interinstitutional Framework contracts provide the opportunity for economies of scale by pooling the purchasing power and the resources of the European institutions, agencies or bodies.

For further information on the participating institutions and agencies, see:

**EP**

<http://www.europarl.europa.eu/portal/en/>

**EESC**

<http://www.eesc.europa.eu/?i=portal.en.home>

**COR**

<http://cor.europa.eu/en/Pages/home.aspx>

**EACEA**

<http://eacea.ec.europa.eu/>

**ERCEA**

<https://erc.europa.eu/>

**INEA**

<https://ec.europa.eu/inea/en/welcome-innovation-networks-executive-agency>

**REA**

[http://ec.europa.eu/rea/index\\_en.htm](http://ec.europa.eu/rea/index_en.htm)

**ACER**

<http://www.acer.europa.eu/Pages/ACER.aspx>

**BEREC**

<http://bereg.europa.eu/>

**EBA**

<http://www.eba.europa.eu/>

**ENISA**

<https://www.enisa.europa.eu/>

**ESMA**

<https://www.esma.europa.eu/>

**SRB**

<http://srb.europa.eu/>

**FRA**

<http://fra.europa.eu/en>

**EASA**

<https://www.easa.europa.eu/>

**2. SUBJECT OF THE CONTRACT****2.1. Services required**

The services for which the Contracting Authority is requesting assistance have been divided into 2 lots.

***2.1.1 Lot 1 - Impact assessments, Evaluations (i.e. ex-ante, interim, ex-post evaluations, Fitness Checks and meta-evaluations) and other evaluation-related studies in the field of communication activities***

Under this lot, only **fully fledged evaluations and studies that have as a main delivery a final report or a comprehensive study** should be carried out. These include:

- All types of ex-ante analyses/evaluations of communication activities (examples: impact assessments, ex-ante evaluations and feasibility studies);
- All types of on-going, interim and ex-post evaluations of communication activities (examples: mid-term and ex-post evaluations);
- Fitness Checks, meta-evaluations and syntheses of evaluations.

Under this lot, the following specific tasks may be performed as part of a fully fledged impact assessment, feasibility study or evaluation (non-exhaustive list):

- To construct and/or reconstruct/assess the intervention logic;
- To define appropriate evaluation questions and criteria;
- To collect quantitative and qualitative data and information through desk research, surveys, individual interviews, focus group, workshops, expert groups, case studies, open public consultations, etc.;
- To analyse the data using appropriate methodological tools;
- To use specific evaluation tools and methodological approaches, such as statistical analysis, cost-benefit analysis, cost-effectiveness analysis, needs assessment, benchmarking, etc.;
- To prepare, design and conduct empirical work, such as evaluation-related case studies or target group identification exercises (stakeholder mapping);
- To prepare, design and conduct open public consultations included in fully fledged evaluations;
- To measure and quantify results and impacts, both retrospectively and prospectively;
- To judge objectively impacts and results;
- To answer evaluation questions and present overall conclusions and to prepare syntheses of existing evaluation results;
- To propose realistic recommendations;
- To support the Contracting Authority in fine-tuning and improving communication objectives for future actions;
- To develop and monitor appropriate indicators for future similar actions.

A broad range of activities of various types, including individual or integrated communication activities, may be evaluated. This list is by no means exhaustive:

- Communication strategy/campaign: evaluation in a single exercise of the whole set of communication and information activities implemented by a given service with a clearly defined objective and a predictable timeline; the ultimate goal is to assess feasibility, potential to achieve the stated objective and indicators in terms of reach, recall, awareness and behaviour change for the stated target audience, within the set budget and time constraints, as well as to issue recommendations on how to improve similar action in the future (e.g. EU Working for You corporate communication campaign 2014/2015);
- Specific communication action within a strategy/ campaign: evaluation of specific communication action, usually with a stand-alone character, intended to engage with various audiences (e.g.: Press Release Database / a website).
- A communication tool: this concerns communication tools intended to communicate with the public at large or with specific target groups (e.g.: a website), or a communication network used as a communication tool *per se* to disseminate information (e.g.: Europe Direct Information Centres).
- Market studies and other type of communication consultancy: developing or refining communication strategies by drafting studies on specific communication markets (e.g.: advertising market, specific media consumption patterns, etc.) or research studies on focused communication issues.

### ***2.1.2 Lot 2 - Development and implementation of monitoring and evaluation tools and systems***

This lot covers the execution of **specific tasks or set of tasks not leading to the production of a fully fledged evaluation report**. These tasks might be the following (non-exhaustive list):

- Defining SMART objectives for a communication action;
- Drafting an intervention logic;
- Carrying out a scoping analysis;
- Carrying out a stakeholder mapping;
- Carrying out behavioural insights analysis;
- Applying testing methods such as randomised controlled trials;
- Designing a monitoring system;
- Drafting questionnaires for participants at conferences or other events;
- Carrying out an online survey;
- Carrying out a stakeholder consultation;
- Carrying out an open public consultation;
- Organising focus groups.

The assignments under this lot may concern **the development of one or several of these monitoring and evaluation tools to be used by the Contracting Authority and/or the implementation of this (these) tool(s) by the contractor for the Contracting Authority**.

The choice of tool to be used will depend on the specific need, for example:

- Before an activity takes place, for defining messages and activities by evaluating their relevance and their actual and potential effectiveness;
- During the activity, in order to adapt it quickly if needed;
- Just after completion, to assess the activity as a whole and to learn lessons for the future.

### ***2.1.3 Deliverables and copyrights***

The deliverables of Lot 1 assignments might be:

- Impact assessment reports;
- Evaluation reports;
- Feasibility studies.

The deliverables of Lot 2 assignments might be:

- Documents presenting objectives, intervention logics, scoping analyses, stakeholder mappings, monitoring systems, questionnaires;
- Services to implement monitoring and evaluation tools such as online surveys, stakeholders consultations, open public consultations, focus groups, monitoring systems;
- Documents presenting the results of these monitoring and evaluation exercises;
- Applications used to carry out and/or report on these exercises.

All of these documents, which might be made public by the Contracting Authority, should be written in English and presented in MSWord and/or Excel format.



Compliance with copyright law and other intellectual property legislation is of utmost importance to the Commission. In providing the services, the Contractor must ensure compliance with applicable copyright provisions, other intellectual property legislation and the conditions in these tender specifications.

The Framework Contracts contain detailed provisions on the assignment or licensing of rights (see Articles II.13 and I.10) and the Contractor's obligation to comply with intellectual property rights. Although in general the EU will acquire ownership of the results produced under the contract, there may be scenarios where a licence is more appropriate. For example, this might be the case when the Contracting Authority is procuring a software tool but is not interested in retaining ownership. Being the case, the Contractor must ensure that the Contracting Authority is in a position to use this software when necessary. Should the Contracting Authority consider that a licence better serves the purpose of the contract, a tailored regime should be specified in the specific contract. As regards pre-existing materials, the Framework Contracts contain well detailed provisions specifying the responsibility of the Contractor to clear the relevant rights and modes of exploitation.

If photos, graphics, visuals or any other new or pre-existing materials are used to illustrate the documents, the Contractor is responsible for clearing with the respective right holders the necessary copyrights and image rights if any.

The Contractors should give the Contracting Authority access to the data produced through these Framework Contracts. The Contractors should ensure that all the data produced during these Framework Contracts is fully handed-over to the Contracting Authority and that it is deleted after the expiration of the contract.

## **2.2. Place of performance of the Framework Contracts**

The services to be delivered will mainly cover the 28 EU Member States, EFTA and EU candidate countries. The Contracting Authority might also exceptionally request assignments in other countries that can only be defined in the requests for services under these Framework Contracts.

## **2.3. Meetings and relations with the Commission**

For each lot, the Contractors will appoint a project manager and his/her back-up, both at senior management level for the management of these Framework Contracts. The project manager will be the Commission's contact point, the sole interlocutor to whom requests will be addressed, and who must attend the meetings with the Commission.

The project manager must provide the Contracting Authority with answers and solutions as regards the subject of the contract and the organisational or administrative matters and implement them, subject to the Contracting Authority's agreement.

If there is a need to discuss the quality of the services provided and, more specifically, the points listed below, the Contracting Authority may call meetings with the project manager of each contractor under these Framework Contracts.

These meetings may concern one or more of the following points:

- Compliance with quality standards and those defined in the quality plan of the contractor;
- Quality of response to requests for services;
- Compliance with deadlines;
- Quality of contract management and of the services provided;
- Quality of the products delivered.

The number of such meetings will not exceed two per year and they will be held on the Contracting Authority's premises in Brussels. The cost of these meetings must be borne exclusively by the contractor; the Contracting Authority will not contribute to the expenditure incurred (transport, accommodation, etc.). If necessary, additional meetings will be organised using alternative technologies such as videoconferences, teleconferences, and other electronic means.

Meetings may also be necessary at the level of the specific contracts; information will be further detailed in the requests for services.

## **2.4. Reports**

### ***2.4.1 Activity reports on the implementation of the Framework Contract (not linked to payments)***

Each contractor must produce the following reports on all the work carried out under the Framework Contract in English providing information on which tenders they participated in (and if not, why), and must send one electronic copy (by e-mail or download from a secure website) to the Commission (DG COMM). On request, the contractor will provide the source files of the graphics or other elements used in the reports.

The cost of drafting, producing and distributing these reports forms part of the overall cost related to the performance of the contract (see point 7).

#### ***2.4.1.a) Mid-term report***

A mid-term activity report on all the work carried out by the contractor in performance of the framework contract during the first two years of the framework contract must be produced.

The report must show:

- The services performed during that period, in terms of quantity and price, broken down by type and by user per Contracting Authority;
- A qualitative analysis, including recommendations for optimising the impact of the actions undertaken, particularly in terms of cost effectiveness.

The reports must be sent to the Commission within 15 calendar days of the end of the 24 month reference period. They will be deemed to have been accepted by the Commission if, within 14 calendar days of receipt of the report, the Commission has not addressed any comments to the contractor.

#### **2.4.1.b) Final activity report**

One month before the end of the overall duration of each Framework Contract, each contractor must also submit a final activity report. This report describes the work performed and the results obtained during the all the duration of the Framework Contract. In particular it must indicate:

- An overview of the specific contracts, their value and scope, categorised by requesting body, under which the requested services have been executed;
- Any problems encountered (solved or pending) and lessons learnt (qualitative analysis, including recommendations for optimising and evaluating the impact of the actions undertaken, particularly in terms of cost effectiveness).

#### **2.4.2 Reports for specific contracts (linked to payments)**

The contractor must produce the reports requested in the specific requests for services under the Framework Contracts and must send them to the respective Contracting Authority.

The cost of drafting, producing and distributing these reports forms part of the overall cost related to the performance of the contract (see point 7).

### **3. SIZE OF THE CONTRACT**

The maximum budget for this contract is EUR 12 000 000 (twelve million) over four years, VAT excluded.

The maximum budget for each lot over the four-year period, VAT excluded, is:

- Lot 1 - Impact assessments, Evaluations (i.e. ex-ante, interim and ex-post evaluations, Fitness Checks, and meta-evaluations) and other evaluation-related studies in the field of communication activities: EUR 8 000 000 (eight million)
- Lot 2 - Development and implementation of monitoring and evaluation tools and systems: EUR 4 000 000 (four million)

Pursuant to Article 134(1)e and Article 134(4) of Commission delegated Regulation (EU) No 2015/2462 of 30 October 2015 amending Delegated Regulation (EU) No 1268/2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, the contracting authority may use a negotiated procedure for the award of new services which entail the repetition of similar services entrusted to the contractor who was awarded the original contract. That procedure may be used only during the three years following conclusion of the original contract.

As an indication only, it should be mentioned that during the first three years of implementation of the current framework contracts on the evaluation of communication activities the Commission ordered the following:

- 32 Lot 1 type assignments were carried out, corresponding to a total amount around EUR 5 500 000 (covering Lot 1 and Lot 3 of the current Framework Contracts);
- 6 Lot 2 type assignments were carried out, corresponding to a total amount around EUR 250 000.

#### **4. CONTRACTUAL FRAMEWORK**

The services specified above will be the subject of Multiple Framework Contracts with reopening of competition drawn up between the European Commission and the tenderers to whom the contract is awarded.

For both lots, a Framework Contract will be concluded with **a minimum of three and maximum six contractors**, provided that a sufficient number of bids satisfying the award criteria according to Section 9 of these tender specifications are received.

Specific contracts for both lots will be awarded as described in Annex 1.

The draft Framework Contracts are attached in Annex IIa and IIb to the Invitation to Tender. In drawing up their bid, the tenderers should bear in mind the provisions of these draft framework contracts and, notably:

Article I.4.	Appointment of the contractor and implementation of the FWC
Article 1.5	Prices
Article I.6	Payment arrangements
Article I.10	Exploitation of the results
Article II.4	Provision of services
Article II.4.3	Compliance with minimum requirements including applicable obligations under environmental, social and labour law
Article II.13	Intellectual property rights
Article II.21	Payments and guarantees

#### **5. SUBMISSION OF BIDS**

Tenderers may submit a tender for Lot 1 or/and Lot 2.

However a separate tender must be submitted for each lot and each tender must cover all the tasks in the lot to which it refers. Bidding for only some of the tasks in a lot is not acceptable and will lead to exclusion of the tender. There must be no interdependence between offers; that is to say, no offer may be based on the condition that the tenderer is awarded the other available lot.

The tenderer's bid must comprise all the documents required in Part A of the checklist in Annex IVa (Lot 1) and IVb (Lot 2). Part B of these annexes lists the elements to be provided upon request at a later stage.

## 6. TECHNICAL TENDER

Tenderers should include in their bid a technical tender detailing how they will perform the tasks covered by the contract, in compliance with all the requirements of the tender specifications.

The technical tender should not include any of the documents referred to under the exclusion or selection criteria, nor should it refer to issues already covered by the exclusion and selection criteria.

Only technical offers which meet the minimum technical requirement concerning geographical coverage will be considered compliant and evaluated: technical offers for both Lot 1 and Lot 2 should state their capacity to carry out assignments in at least all of the 28 Member States, EFTA and Candidate Countries.

### 6.1. Compliance with environmental, social and labour law

By submitting a tender, tenderers declare that their technical offer is compliant with applicable obligations under environmental, social and labour law established by Union law, national law and collective agreements or by the international environmental, social and labour law provisions listed in Annex X to Directive 2014/24/EU.

### 6.2. Description of services to be provided

#### *a) General approach and work to be performed*

In order to assess whether the technical offer matches the requirements, the tenderers should describe their understanding of the services to be provided and the work to be performed to achieve these objectives.

They should detail in particular how they understand the communication context and media landscape and the European political and institutional context in which communication activities are implemented. This analysis should be as clear and pertinent as possible, focussing on the main factors framing the contexts in which monitoring and measurement of communication activities will take place.

#### *b) Proposed methodology and tools*

The tenderers should provide a description of the methodologies and multidisciplinary approaches proposed for undertaking each of the tasks defined in Section 2 for the lot that they are bidding for. They should list in particular the tools and methods they envisage using for each task. This description must be as precise as possible, including a presentation of the concepts or theories they would follow and tools they would use.

### 6.3. In addition, for Lot 2 — CASE STUDY

Tenderers should draw up a proposition for handling the hypothetical case study presented in Annex 2 to these Tender Specifications. It must be realistic, and should not exceed 5 pages (font Times New Roman 12, single spaced).

This case study is an example of the types of tasks the chosen contractor is likely to perform, but does not necessarily reflect actual future tasks. The tenderers are requested to explain their proposed approach and methodology for designing and implementing a monitoring system for gathering data for on-going monitoring and ex post evaluation. Tenderers should describe in detail how they would undertake the tasks required, also addressing the resources needed to accomplish the tasks. They should state clearly the categories of experts and the resources proposed for each phase of the execution of the tasks.

#### *4) Composition of the team*

- Tenderers should describe the proposed composition of their team and explain how the work within the team(s) and between the team(s) and the project coordinator would be coordinated, as well as the allocation of tasks to team members or to subcontractors or partners in relation to the methodology and tools proposed.

#### *5) Management of the work and quality control of the services delivered*

- Tenderers should describe their approach to the management of the work and, in particular, they should describe:
  - mechanisms for ensuring a continuous service, with multiple assignments running in parallel, rapid response and timely availability of the specific expertise required for covering services to be implemented under the Framework Contracts;
  - how they intend to ensure the storage and availability of information collected for specific assignments for future use, taking account of the fact that all the work done under the Framework Contracts is the property of the Contracting Authority for at least the duration of the Framework Contracts.
- Furthermore, tenderers must propose a quality plan specifying how they intend to monitor and ensure the high quality of the services and work they may be required to provide.

The quality plan must specify, among other things:

- the procedures the bidder intends to use for quality control, to ensure client satisfaction and complaint management;
- the indicators to be used to ensure the quality and monitoring of services rendered;
- the procedure for updating and adapting the quality plan, taking into account that any such updating and adaptation must have the Contracting Authority's prior approval.

The technical tender will be assessed in the light of the quality award criteria set out under Section 10.

## **7. FINANCIAL OFFER**

The financial offer must be quoted using the attached forms in Annexes Va for Lot 1 and Vb for Lot 2, which must be duly signed and dated.

The prices must be fixed and quoted in euros, including for countries which are not in the euro-area.

The prices must be all-inclusive and cover all costs related to the performance of the contract as described above.

## **8. EVALUATION PROCESS**

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

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.

## **9. EXCLUSION AND SELECTION CRITERIA**

### **9.1 Verification of non-exclusion**

All tenderers must provide a declaration on honour (see Annex III), 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.

The successful tenderers 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 and to subcontractors whose share of the contract is above 20% or whose capacity is necessary to fulfil the selection criteria (see Section 9.2 below).

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 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.

### **9.2 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.

### **9.2.1 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 III), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them individually. For the criteria applicable to the tenderer as a whole, the tenderer (sole tenderer or leader in case of joint tender) must provide the declaration on honour stating that the tenderer, including all members of the group in case of joint tender and including subcontractors if applicable, fulfils the selection criteria for which a consolidated assessment will be carried out.

This declaration is part of the declaration used for exclusion criteria (see Section 9.1) 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 declarations on honour. Nevertheless, it reserves the right to require evidence of the legal and regulatory, financial and economic and technical and professional capacity of the tenderers at any time during the procurement procedure and contract performance. In such case the tenderer must provide the requested evidence without delay. The Contracting Authority may reject the tender if the requested evidence is not provided in due time.

After contract award, the successful tenderer will be required to provide the evidence mentioned below 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 and to subcontractors whose capacity is necessary to fulfil the selection criteria.

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 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.



### **9.2.2 Legal and 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.

Upon request, tenderers must provide a 'Legal Entity File (LEF)' and a 'Bank Account File (BAF)' duly completed and signed, with the necessary annexes. Links to these forms are given in Annex IVa and IVb.

For joint tenders, the LEF should be provided for each participating entity whereas the BAF is requested for the leader of the group only.

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.

### **9.2.3 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 criterion:

- Turnover of two last financial years, with a minimum of EUR 4 000 000 for Lot 1 and EUR 2 000 000 € for Lot 2 per year. This criterion applies to the tenderer as a whole, i.e. the combined capacity of all members of the grouping in case of a joint tender or tender with subcontracting.

#### **Evidence (to be provided upon request of the Contracting Authority):**

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

If, for some exceptional reason which the Contracting Authority considers justified, a tenderer is unable to provide the above documents, it may prove its economic and financial capacity by any other document which the Contracting Authority considers appropriate (statement from bank, professional risk indemnity insurance, etc.). 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.

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

Any tenderer with a professional conflicting interest that may affect the performance of the contract may be rejected on the basis of not fulfilling selection criteria for professional capacity.

9.2.4.1 Lot 1 - Impact assessments, Evaluations (i.e. ex-ante, interim, ex-post evaluations, Fitness Checks and meta-evaluations) and other evaluation-related studies in the field of communication activities

#### **A. Criteria relating to tenderers of Lot 1**

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 evidence must be provided only upon request of the Contracting Authority.

- **Criterion A1:** The tenderer must prove that it has experience in conducting fully fledged impact assessments, evaluations and feasibility studies in the field of communication activities.

**Evidence A1:** The tenderer must provide a list of minimum 3 (maximum 5) projects delivered in these fields in the last three years with a minimum value for each project of EUR 200 000, covering at least six Member States, EFTA or candidate countries. The list will indicate the sums, dates and clients (public or private) and be accompanied by statements issued by the clients.

- **Criterion A2:** The tenderer must prove that it has enough human resources to conduct several projects simultaneously and ensure the required geographical coverage.

**Evidence A2:** The tenderer must provide a table with all staff members (permanent and non-permanent) available for carrying out assignments, including their name and role assigned to them in the specific assignments.

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

**Evidence A3:** The tenderer must provide one document of at least 10 pages (report, study, etc.) in English 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.

## **B. Criteria relating to the team delivering the services of Lot 1**

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

B1 - Project Manager: At least 7 years experience in project management in the area of impact assessment and evaluation of communication activities, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience. Fluency in both written and spoken English corresponding to level C2 of the Common European Framework of Reference for Languages <sup>3</sup>.

**Evidence B1:** Detailed CV(s) clearly indicating the intended function in the delivery of the service.

B2 - Project Coordinator/Senior consultant: A minimum of 5 years of professional experience in the area of impact assessment and evaluation of communication activities. Fluency in both written and spoken English corresponding to level C2 of the Common European Framework of Reference for Languages.

**Evidence B2:** Detailed CV(s) clearly indicating the intended function in the delivery of the service.

B3 - Junior consultant/documentalist (data gathering): A minimum of 2 years of professional experience in the area of impact assessment, evaluation activities and data collection techniques. Fluency in both written and spoken English corresponding to level C2 of the Common European Framework of Reference for Languages.

**Evidence B3:** Detailed CV(s) clearly indicating the intended function in the delivery of the service.

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<sup>3</sup> <https://europass.cedefop.europa.eu/en/resources/european-language-levels-cefr>

#### 9.2.4.2 Lot 2 - Development and implementation of monitoring and evaluation tools and systems

##### **A. Criteria relating to tenderers of Lot 2**

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 evidence must be provided only upon request of the Contracting Authority.

- **Criterion A1:** The tenderer must prove its experience in developing and implementing monitoring and evaluation tools and systems in the field of communication.

**Evidence A1:** The tenderer must provide a list of minimum 3 (maximum 5) projects delivered for each type (monitoring and evaluation tool) in the last three years with a minimum value for each project of EUR 20 000, covering at least three Member States, EFTA or candidate countries. The list will indicate the sums, dates and clients (public or private) and be accompanied by statements issued by the clients.

- **Criterion A2:** The tenderer must prove that it has the necessary human resources to design and implement tools and systems anywhere in the EU Member States, EFTA or candidate countries.

**Evidence A2:** The tenderer must provide a table with all staff members (permanent and occasional) available for carrying out assignments, including their name and role assigned to them in the specific assignments.

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

**Evidence A3:** The tenderer must provide one document of at least 10 pages (report, study, etc.) in English 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.

##### **B. Criteria relating to the team delivering the services of Lot 2**

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

B1 - Project Manager: At least 7 years experience in project management in the area of impact assessment and evaluation of communication activities, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience. Fluency in both written and spoken English corresponding to level C2 of the Common European Framework of Reference for Languages<sup>4</sup>.

**Evidence B1:** Detailed CV(s) clearly indicating the intended function in the delivery of the service

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<sup>4</sup> <https://europass.cedefop.europa.eu/en/resources/european-language-levels-cefr>

B2 - Project Coordinator/Senior consultant: A minimum of 5 years of professional experience in the area of impact assessment and evaluation of communication activities. Fluency in both written and spoken English corresponding to level C2 of the Common European Framework of Reference for Languages.

**Evidence B2:** Detailed CV(s) clearly indicating the intended function in the delivery of the service

B3 - Junior consultant/documentalist (data gathering): A minimum of 2 years of professional experience in the area of impact assessment, evaluation activities and data collection techniques. Fluency in both written and spoken English corresponding to level C2 of the Common European Framework of Reference for Languages.

**Evidence B3:** Detailed CV(s) clearly indicating the intended function in the delivery of the service

#### **9.2.5    *Additional requirements for joint tenders and tenders including subcontracting***

Any change in the composition of the group of economic operators during the procurement process (after submission of the offer) is limited to exceptional circumstances (e.g. a take-over) and must be agreed by the Commission.

Any change of subcontractor during the procurement process (after submission of the offer) is subject to agreement by the Commission.

The Commission will require a member of a grouping or a subcontractor to be changed if the member of the grouping or subcontractor proposed is in an exclusion situation or does not meet a specific selection criterion.

### **10.    AWARD CRITERIA**

For both lots, multiple framework contracts with reopening of competition will be awarded to up to six tenderers offering the most economically advantageous tenders according to the 'best price-quality ratio' award method. The quality of the tenders will be evaluated based on the following criteria.

The maximum total quality score is 100 points. Only those tenders which are awarded at least 60% for each criterion and a total score of at least 70 points will be considered for the award of the contract.

**10.1 Lot 1 - Impact assessments, Evaluations (i.e. ex-ante, interim and ex-post evaluations, Fitness Checks and meta-evaluations), and other evaluation-related studies in the field of communication activities**

<b>Quality award criterion</b>	<b>Explanation of the criterion's scope</b>	<b>Maximum number of points per criterion (weighting)</b>	<b>Minimum points to be obtained (60 % per criterion and 70 in total)</b>
Award criterion 1: General understanding of the contract and services to be provided	This criterion will assess the understanding of the communication context and media landscape and of the European political and institutional context in which communication activities are implemented. The analysis should clearly and pertinently describe the main factors framing the contexts in which the evaluation of communication activities will take place.	10	6
Award criterion 2: Methodology	This criterion will assess the quality and relevance of the proposed methodologies and tools for the impact assessments, evaluations and feasibility studies covered by this lot. The description of the methodologies and tools proposed should be as precise as possible explaining the rationale behind the choices made by the tenderer.	30	18
Award criterion 3: Organisation of the work	This criterion will assess how the roles and responsibilities of the proposed team are distributed for each task. The organisation of the work should be clearly described including the needed degree of detail to allow an assessment of its consistency and completeness in relation to the tasks, the methodologies and the tools proposed.	30	18
Award criterion 4: Quality of the measures implemented for a continuous high performance throughout the contract period, including quality control measures	This criterion will assess the quality control system applied to the services foreseen in these tender specifications concerning the quality of the deliverables and the continuity of the service. The quality system should be detailed and specific to the tasks at hand; a generic quality system will result in a low score.	30	18
<b>Total</b>		100	70

The result of the technical evaluation is the sum of the number of points obtained as a result of the evaluation of each criterion. Only those tenders which are awarded at least 60% for each criterion and a total score of at least 70 points will be considered for the award of the contract.

## 10.2 Lot 2 - Development and implementation of monitoring and evaluation tools and systems

Quality award criterion	Explanation of the criterion's scope	Maximum number of points per criterion (weighting)	Minimum points to be obtained (60 % per criterion and 70 in total)
Award criterion 1:  General understanding of the contract and services to be provided	This criterion will assess the understanding of the communication context and media landscape and of the European political and institutional context in which communication activities are implemented. The analysis should clearly and pertinently describe the main factors framing the contexts in which the evaluation of communication activities will take place.	5	3
Award criterion 2:  Methodology	This criterion will assess the quality and relevance of the proposed approaches for the monitoring and evaluation tools and systems covered by this lot. The description of the proposed approaches should be as precise as possible explaining the rationale behind the choices made by the tenderer.	30	18
Award criterion 3:  Organisation of the work	This criterion will assess how the roles and responsibilities of the proposed team are distributed for each task. The organisation of the work should be clearly described including the needed degree of detail to allow assessing its consistency and completeness in relation to the tasks, the methodologies and the tools proposed.	15	9
Award criterion 4:  Case study (Clarification of objectives, design and implementation of a monitoring system)	This case study aims to assess the coherence and relevance of the proposed approach and tools towards the three tasks covered (10 points per task). The realism of the resources allocated to each of three tasks will also be assessed.	30	18
Award criterion 5:  Quality of the measures implemented for a continuous high performance throughout the contract period, including quality control measures	This criterion will assess the quality control system applied to the service foreseen in these tender specifications concerning the quality of the deliverables and the continuity of the service. The quality system should be detailed and specific to the tasks at hand; a generic quality system will result in a low score.	20	12
<b>Total</b>		100	70

The result of the technical evaluation is the sum of the number of points obtained as a result of the evaluation of each criterion. Only those tenders which are awarded at least 60% for each criterion and a total score of at least 70 points will be considered for the award of the contract.

### 10.3 Financial evaluation

The Commission has introduced fixed coefficients within the price schedule which will be used to evaluate the financial offers. These quantities are purely for evaluation purposes and have no bearing on the resultant framework contract.

For the purpose of evaluation and comparison of the financial offers, a 'Reference price' for each Lot will be calculated by the Commission:

- for Lot 1, the 'Reference price' is as expressed in Annex Va;
- for Lot 2, the 'Reference price' is as expressed in Annex Vb.

Any omission or amendment to the original price table may cause the bid to be considered null and void.

## 11. AWARD OF THE CONTRACT

For each Lot, the contract will be awarded to the tenders achieving the highest score obtained by applying the following formula:

$\text{Score for Tender X} = (60\% \times Q) + (40\% \times p/P \times 100)$
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Where    Q is total quality score (out of 100) for all quality criteria for tender X  
          p is the cheapest price of all acceptable tenders  
          P is price of tender X

## 12. ANNEXES

Annex 1: Award criteria for specific contracts for Lot 1 and Lot 2

Annex 2: Case study for Lot 2

## Annex 1 to the Tender specifications

### Award criteria for specific contracts for Lot 1 and Lot 2

Following the signature of the Multiple Framework Contracts with reopening of competition, and when specific needs arise, the Contracting Authority will invite contractors to respond to specific requests for services within the areas described in Lot 1 and Lot 2.

The following award criteria are set to determine the best value for money tender to which the specific contracts will be awarded.

The institutions/bodies services responsible for specific contracts may break down the criteria defined below into sub-criteria adapted to the particular features of the contract.

#### Quality criteria

Quality award criterion	Explanation of the criterion's scope	Maximum number of points per criterion (weighting)	Minimum points to be obtained (60 per criterion and 70 in total)
Award criterion 1: Relevance and quality of the offer	-This criterion will assess the understanding of the assignment and of the tasks to be performed. - The clarity, structure and presentation of the tender and the extent to which the tender is self-standing and contains only essential information will also be assessed.	10	6
Award criterion 2: Methodological quality	- This criterion will assess the quality and relevance of the proposed methodology and tools for each of the tasks defined in the Tender Specifications, including the quality and appropriateness of proposed methodology for data collection. - If relevant, the conformity of the methodology proposed with the Better Regulation package, and with the indicators listed in the ECN Code of Conduct will also be assessed.	50	30
Award criterion 3: Quality of the proposed team	This criterion will assess the quality of the organisation of the work: composition of the team, definition of the roles and work organisation for each of the tasks.	20	12
Award criterion 4: Quality of the measures implemented for a continuous high performance throughout the contract period, including quality control measures	This criterion will assess the quality control system applied to the service foreseen in this request for services concerning the quality of the deliverables and the continuity of the service. The quality system should be detailed and specific to the tasks at hand; a generic quality system will result in a low score.	20	12
<b>Total</b>		100	70



Tenders which do not obtain at least 60 % of the maximum score for each award criteria and at least 70 % of the overall score for all the criteria will not be considered for the next stage of the evaluation procedure.

### **Financial criteria**

Each offer will be assessed in terms of the total price offered for the proposal, calculated on the basis of the unit prices broken down by staff category as fixed in the Framework Contract.

The scores for the financial criterion will be calculated according to the following formula:

The bid with the lowest price and with sufficient score for the technical part (according to the minimum thresholds set above) receives 100 points. The others are awarded points using the following formula:

$$\text{Points} = (\text{price of the lowest bid} / \text{price of the bid in question}) \times 100$$

### **Contract award**

The contract will be awarded to the best value for money tender by applying the following formula:

$\text{Score for Tender X} = (60\% \times Q) + (40\% \times p/P \times 100)$
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Where    Q is total quality score (out of 100) for all quality criteria for tender X  
          p is the cheapest price of all acceptable tenders  
          P is price of tender X

The technical and financial scores multiplied by the weighting factors are then added together, and the contracts are awarded to the most economically advantageous bid.

## **Annex 2 to the Tender specifications**

### **CASE STUDY**

#### **Lot 2 - Development and implementation of monitoring and evaluation tools and systems**

##### **Assignment for a fictional bid for designing and implementing a monitoring system for a network**

In no more than 5 pages (Times New Roman 12, single spaced), produce a fictional bid for supporting a European Commission service in Brussels implementing a monitoring system for an existing network of public authorities in the 28 Member States. The purpose of this network is to promote the sharing of knowledge and the development of common practices among Member States authorities concerning "The use of behavioural insights for improving citizens' tax compliance".

The support requested from the tenderer will include the following tasks:

Task 1 – To clarify the network objectives and to draft its intervention logic

Task 2 – To design a monitoring system for the network activities

Task 3 – To implement the proposed monitoring system

The outline should be structured so as to include the following sections:

1. Approach to clarify the objectives and to draft the intervention logic
2. Approach to design and implement the monitoring system
3. A team and the organisation of the work
4. A roadmap linking the tasks with the human resources used at each phase of the project, including validation phases by the Contracting Authority
5. A detailed budget established according to the unit prices in Annex Vb.

Assume that the maximum duration of the contract is 9 months.