



## **Tender Specifications**

**OLAF/C3/76/2016**

**Framework contract**

**Acquisition of data on companies and  
other legal entities**

**Open procedure with publication in the  
Official Journal of the EU**

**Contracting authority:**

**The European Commission represented  
by the European Anti-Fraud Office  
(OLAF)**

**Deadline: 3 January 2017**

**eTendering website:**

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=1978>

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# TENDER SPECIFICATIONS

## "Acquisition of data on companies and other legal entities"

### 1. Introduction

The European Commission represented by the European Anti-Fraud Office (OLAF) is launching an invitation to tender for services to conclude a framework contract for the acquisition of access to data on companies and other legal entities.

For this purpose, OLAF is seeking a contractor that can provide access to a commercial database containing comprehensive and up to date information on companies and other legal entities. Collected information will be used for purposes of analysing and/or investigating possible fraud, corruption and any other illegal activities at any stage in that mission including within administrative and judicial procedures.

Services provided as a result of this call for tender may be delivered to any Directorate-General of the European Commission or to anybody or agency set up under the EU treaties or on their basis.

The Commission (OLAF) wishes to conclude a framework service contract to acquire (access to) data on companies and other legal entities to constitute a source of information as well as data input for analysis.

Further information concerning OLAF can be found at:  
[http://ec.europa.eu/anti\\_fraud/index\\_en.html](http://ec.europa.eu/anti_fraud/index_en.html)

#### 1.1. Purpose of the Framework Contract

The purpose is to conclude a Framework service contract which will be used by mainly by OLAF in order **to acquire data on companies and other legal entities to constitute a source of information as well as data input for analysis.**

#### **IMPORTANT!**

**This data will serve as a secondary source of information complementary to the database access already acquired under the framework contract following the:**

**- Call for tender ESTAT/B/2015/018 - "Purchases of external data: acquisition of financial data on companies" - lot 2 (OJEU publication of notice: 2015/S 198-358451 – award notice 2016/S 155-280016) –**

**The data to be acquired under present call for tender should guarantee a maximum geographical coverage and at the same time assuring a continuity of service.**

OLAF is seeking a contractor that can provide a commercial database with **comprehensive global coverage** containing detailed data on a **maximum of companies and entities worldwide** and across **all economic sectors**.

The database must **contain** at minimum information about the identification of the company, executives and shareholders, basic financial data, information about employment and the corporate structure. Information on the location of the company and its affiliates or branches, as well as information on the ownership links between companies are requested. The data shall also allow the identification of cross-border and domestic affiliates and branches, including their nature and number, and the corresponding participation and control percentages.

All data must be extracted from **reliable sources**. The database must contain the most **recent** data with historical data and be updated on a regular and timely basis at least once a month almost without exception. The product shall also allow the selection of certain data from the database for further analysis according to specified criteria, either by exporting the data with some add-in function or by manipulation of the data using associated software.

The database must be **accessible** to OLAF and can be used by official staff, working and/or cooperating exclusively on projects ordered by OLAF or actions within the mission of OLAF and requiring an access to the database. **Services** that ensure continuous accessibility to the database and its use (i.e for user support, online help, backed up with a helpdesk contactable by phone and email, training and documentation) must be included in the package.

**Searches** in the database should be possible on the basis of parts of the name of the company or national registration number/ VAT number.

The contract takes the form of a framework contract (see Annex 3). The framework contract will be implemented through specific contracts. On the basis of a service request, the contracting authority will ask the contractor to submit a service proposal. Once accepted by the contracting authority, the service proposal will be annexed to the specific contract. The specific contract will be drawn up in accordance with the standard format, as specified in the framework contract. The framework contract and the specific contracts will come into force on the day they are signed by the contracting authority. Signing the framework contract **does not commit** the contracting authority to placing orders and does not give the contractor any exclusive rights to the services covered by the framework contract. The contracting authority reserves the right to cease placing orders without the contractor having the right to any compensation. It can do so at any point during the framework contract's duration.

The framework contract will be awarded for an initial period of one calendar year and may be renewed annually up to 3 times. The overall duration of the framework contract shall not exceed four years. Its renewal will be automatic and under the same conditions, unless one of the contracting parties notifies the other to the contrary, in writing, before the period indicated in the model framework contract ends. Renewal does not imply any modification or deferment of existing obligations.

## **1.2. Estimate of volumes**

The total value of the contract to be awarded depends on the expected package of data on companies that the OLAF will order over the duration of the FWC. The EC cannot, at this stage, commit itself to an exact set or volume of data to be ordered.

For the purposes of this call for tenders, the financial comparison of bids will be based on pre-defined levels of service which are not necessarily the levels of service which will be contracted.

The Commission may exercise the option to increase the estimated contractual value at a later stage via negotiated procedure with the successful tenderer in accordance with Article 134(1) (e) of the rules of application of the Financial Regulation No 966/2012 (OJEU L 342 of 29 December 2015) during the tender procedure for renewal of the framework contract and for a maximum amount equal to the value of a 6 (six) months extension of the initial contract.

## **2. Information on tendering**

### **2.1. Participation**

Participation in this tender procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement.

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

Considering that the subject of the contract is the acquisition of data on companies and other legal entities, the contracting authority exceptionally authorises the participation in this call for tender of economic operators that are established in all other third countries without creating a precedent or obligation for the future.

### **2.2. 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.

### **2.3 Joint bids and subcontracting**

A joint tender is a situation where a tender is submitted by a group of economic operators (consortium), who will not be required to adopt a particular legal form prior to the framework contract being awarded, but the consortium selected may be required to assume a given legal form when it has been awarded the framework contract if this change is necessary for proper performance of the specific contracts.

In case of joint tender, all economic operators in a joint tender assume joint and several liabilities towards the contracting authority for the performance of the specific contracts as a whole. Nevertheless, tenderers must designate a single point of contact for the contracting authority.

After the award, the contracting authority will sign the framework contract either with all members of the group, or with the member duly authorised by the other members via a power of attorney.

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

Subcontracting is permitted but the contractor retains full liability towards the contracting authority for performance of the framework contract as a whole.

Tenderers are required to identify all subcontractors whose share of the contract is above 20% of the offer. Their full details (name, place of establishment, services and amounts provided) must be included in the tender. Tenderers must ensure that Article II.10 of the contract (see Annex 3) can be applied to all subcontractors.

The lead contractor is fully responsible for delivering all services under the framework contract.

During the framework contract's implementation, any change to the subcontractors identified in the tender will be subject to prior written approval of the contracting authority.

### **3. Content of tender**

#### **3.1. Structure of tender**

The Tender must be presented in the following three distinctive parts.

#### **3.2. Administrative part**

The tender must include:

The **administrative identification form** (ANNEX 4).

In order to prove their legal capacity and their status, all tenderers must provide a signed **legal entity form**.

The form is available on:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/legal\\_entities/legal\\_entities\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm)

The legal entity form should be completed, signed, stamped and returned together with:

a **certificate of trade registration** or a copy of another official document

If the legal entity has a **VAT number**, the document issued by the VAT authorities to certify registration must be attached (except where the VAT number already appears on the certificate of trade registration or its equivalent).

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

The tenderer (or the single point of contact for joint tenders) must provide a **financial identification form** signed AND stamped by his banker or joined with a bank statement containing a complete set of information.

The form is available on:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/financial\\_id/financial\\_id\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm)

Tenderers must provide the following information if it had not been submitted with the legal entity form:

For legal persons, a legible copy of the notice of appointment of the persons authorised to represent the tender in dealings with third parties and in legal proceedings, or a copy of the publication of this appointment if the legislation which applies to the legal entity concerned requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be supported by evidence.

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

The European Commission reserves the right, after the submission of the tender, to request any document that the European Commission judges necessary for the evaluation of the bid.

These requests may refer to any evidence in support of the information requested in the identification form, in particular those relating to the legal existence of the candidate, its enrolment in a professional or trade register or the appointment of its legal representatives. It would be helpful, however, to provide those documents already in the tender.

The administrative part of the tender must also contain the necessary information for the European Commission to evaluate the exclusion and selection criteria (see 4.3 and 4.4).

**All administrative proposals must contain all the information and supporting documents required by these specifications. In their absence, the European Commission may disqualify the bid.**

### **3.3. Technical part**

The technical proposal should address all matters laid down in the Technical Specifications (annex 1) and should include models, examples and technical solutions to problems raised in the specifications. The technical proposal must meet the technical specifications and provide, as a minimum, all the information needed for the purpose of awarding the contract.

The technical offer must be completed in full and signed by the person authorised to represent the tenderer.

### **3.4. Financial part**

This section should contain all financial information relevant to the services to be provided which will constitute the future contractual basis for the pricing of the specific contracts.

Tenderers are invited to respect the structure of the price tables as put forward in heading 9.

The financial part of the tender must be presented in a **separate** sealed envelope clearly marked "Financial bid". The financial bid must be signed by the person or persons authorised to represent the Tenderer.

### 3.5. Presentation of tender

The tendering documents must be forwarded in two parts, each in separately sealed and clearly marked envelopes. One part must contain the administrative and technical information; the second part must contain only the price information. **One signed** original, **two** hard copies and one electronic copy (e.g. CD, DVD, memory stick) must be provided.

In case of discrepancy between the paper version and the electronic version, the original of the paper version will be taken into consideration for the evaluation.

Tenders must be clear and concise, both in term of content and presentation.

Tenderers must keep in mind that the assessment of their bid will be based solely on the content of the written bids; therefore it is essential that the written bid encompasses all the information needed to evaluate their capacity to meet the requirements of the specification.

## 4. Evaluation

### 4.1. Procedure

The evaluation is based on the information provided in the submitted tender. It contains the following steps:

1. Verification of the non-exclusion of tenderers based on the **exclusion criteria**.
2. Selection of tenderers based on the **selection criteria**:  
economic and financial capacity;  
technical and professional capacity.
3. Verification of compliance with the minimum requirements set out in these tender specifications.
4. Evaluation of tenders based on the **award criteria**.

#### **Evaluation: test environment**

For the purpose of the evaluation, tenderers are invited to set-up a fully functional test environment with full access profile for the same duration as the validity period of the bids (heading 9.3: 6 months).

Credentials granting access to this test environment should be presented in the bid.

Only tenders that meet the requirements of one stage will pass on to the next stage.

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

5. Notification of the results to tenderers
6. Signature of the contract by both parties.



## **4.2. Opening of bids**

The received bids will be opened, by the appointed Opening Board in Brussels (OLAF – Rue Joseph II 30 front desk), on **12 January 2017 at 1:30pm**.

1 (one) authorized representative from each Tenderer can observe the opening of the bids. The request to attend the opening session must be sent to: [OLAF-FMB-TENDERS@ec.europa.eu](mailto:OLAF-FMB-TENDERS@ec.europa.eu) ten days in advance.

## **4.3. Exclusion criteria**

All tenderers must provide a declaration on their honour (see ANNEX 5), duly signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in ANNEX 5.

For joint tenders, this requirement applies to all members of the consortium.

The tenderer to whom the contract is to be awarded must provide the documents mentioned as supporting evidence in ANNEX 5. It must do so within the time limit defined by the contracting authority before the contract is signed.

## **4.4. Selection Criteria**

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

### **4.4.1 Economic and financial capacity**

In order to prove their economic and financial capacity, the tenderers must:

1. Show that their annual compound turnover is at least the double of the annual value of the contract.
2. a positive profit before taxes for the last two financial years
3. a positive cash flow from operating activities (calculated according the International Accounting Standards IAS 7)

The tenderers must:

- fill in the simplified balance sheet and simplified profit and loss account (Annex 6) for the last two financial years for which accounts have been closed, if the tenderer is required by law to produce such statements.

- enclose the following documents:

- a. Copy of the balance sheet, profit and loss account and the cash flow statement for the last two financial years for which accounts have been closed, if the tenderer is required by law to produce such statements.
- b. The audit statements, if the relevant company law requires these financial statements to be audited.

If, for some exceptional reason which the contracting authority considers justified, a tenderer is unable to provide one or more of the above documents, it may prove its economic and financial capacity with any other document that the contracting authority considers appropriate.

In this case, the tenderer must inform the contracting authority about the exceptional reason and its justification in the tender itself.

The contracting authority reserves the right to request any other document that will enable it to verify the tenderer's economic and financial capacity.

#### **4.4.2 Technical capacity**

The tenderer's expertise and professional experience in the area of the service required must be relevant, both in type and volume, to the potential contracts that it is proposed to award.

Evidence of the tenderer's technical and professional capacities must be furnished on the basis of the following documents/detailed information:

- (a) a list of the main services similar to those set out in this notice provided over the past 3 years (2013, 2014 and 2015), together with details of the volumes and recipients involved,
- (b) a description of the technical equipment and tools to be employed by the tenderer for performing a service contract;
- (c) a description of the measures employed to ensure the quality of services;
- (d) a statement of the average annual manpower and the number of managerial staff of the tenderer or contractor in the last three years;
- (e) documented submit proof that all technical specifications (annex 1) are met.

#### **4.4.3 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. Proof by means of a declaration on honour signed by the legal representative, should be submitted before the signature of the framework contract.

Tenderers should note that failure to provide sufficient information could lead to their tenders being rejected.

**Tenderers should note that failure to provide sufficient information for the aforementioned points 4.4.1 – 4.4.2 and 4.4.3 could lead to their tenders being rejected. In addition, the Commission reserves the right to use any other information from public or specialist sources.**

## **5. General information**

### **5.1. Language**

Bids may be submitted in any of the official languages of the Union.

At the end of the procurement process and following the award of the contract, all official exchanges of information between the Commission and the contractor relating to the contract shall be made in English, unless otherwise specified by the Commission.

## **5.2. Other conditions**

Submission of a tender implies that the Contractor accepts all the terms and conditions set out in these specifications (including the annexes) and waives all other terms of business. Submission of a tender binds the Contractor to whom the contract is awarded during performance of the contract.

The tendering procedure shall not involve the European Commission in any obligation to award the contract.

Once the European Commission has accepted the tender, it shall become the property of the European Commission and the European Commission shall treat it confidentially. The European Commission shall not reimburse expenses incurred in preparing and submitting tenders. No compensation may be claimed by candidates whose tender has not been accepted, including when the European Commission decides not to award the contract.

## **6. Personal Data**

If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by the European Antifraud Office. Details concerning the processing of your personal data are available on the privacy statement at

[http://ec.europa.eu/dataprotectionofficer/privacystatement\\_publicprocurement\\_en.pdf](http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf).

Your personal data may be registered in the Early Detection and Exclusion System (EDES) if you are in one of the situations mentioned in Article 106 of the Financial Regulation. For more information, see the Privacy Statement on

[http://ec.europa.eu/budget/explained/management/protecting/protect\\_en.cfm](http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm)

## **7. Deadlines**

### **7.1. Final date for submitting written questions: 23 December 2016**

In principle, no contact is permitted between the European Commission and the candidates during the procurement procedure.

However, in exceptional circumstances contact may be made on the candidates' initiative before the date mentioned above, in order (and only for this reason) to clarify the nature of the contract or to request a copy of the invitation in a different language.

Such requests for further information may **only** be submitted in the Q&A section of the front office on the eTendering website:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=1978>

The website will be updated regularly and it is the tenderers' responsibility to check for updates and modifications during the tendering period.

## **7.2. Final date for reception of bids: 3 January 2017**

The tender shall be submitted in three paper copies and one copy on an electronic medium (e.g. CD, DVD, memory stick). The tenderer has to scan the device for viruses in order to avoid contamination with viruses of the IT infrastructure of the EC. It shall indicate in the tender: The software used for the virus scan (and version) and the guarantee that support was verified and does not contain any viruses.

Tenders must be sent under double envelope. Both envelopes must be sealed. The inner envelope should be addressed to the department indicated below and marked **"Call for Tenders - OLAF/C3/76/2016 "database on companies" and "Not to be opened by the internal mail department"**. If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across the tape.

Tenders may be:

Sent, **by registered mail**, posted no later than **3 January 2017** (date as postmark), to the following address:

EUROPEAN COMMISSION  
European Anti-fraud Office (OLAF)  
Invitation to tender: "Acquisition of data on companies and other legal entities"  
Unit OLAF/02 HR & Budget  
Office address: J-30 01/112  
B-1049 Brussels, Belgium

Delivered by hand, i.e. by delivery in person or by an authorised representative (including private courier services) no later than **4.00 p.m. on 3 January 2017**, to the following address:

EUROPEAN COMMISSION  
European Anti-fraud Office (OLAF)  
Invitation to tender: "Acquisition of data on companies and other legal entities"  
Unit OLAF/02, Office address: J-30 01/112  
Service central de réception du courrier  
Avenue du Bourget 1  
B-1140 Brussels (Evere), Belgium

*Please note that, for security reasons, hand deliveries (including private courier services) shall no longer be accepted in other European Commission's buildings. An acknowledgement of receipt shall be delivered by the "Service central de réception du courrier".*

Candidates shall observe precisely the above indications in order that tenders can reach their precise destination in due time. It is highly recommended to send a copy of the receipt for the registered mail, handing over to a courier company or for the reception at the European Commission Central Mail service to the E-mail address mentioned under 7.1.

**Reminder: Late delivery will lead to the exclusion of the tender from the award procedure for this contract.**

## 8. Technical specifications

See details in technical specifications in annex 1.

## 9. Prices

### 9.1. Pricing schemes

The annual priorities and workload of OLAF and its partners, a possible accession process, and the budget allocation for the acquisition of information may impact significantly on the level of service the Commission (OLAF) wishes to purchase over the four year period covered by this procurement.

The Commission (OLAF) has the following requirements for access to the data:

#### a) prices per number of downloads

Tenderers are required to indicate the price per download based upon an unlimited number of searches and regardless of the number of user-IDs:

Pricing bands based upon the number of downloads (including unlimited searches)	Unit price in euro (excl. VAT) per download
1 - 99	
100 - 199	
200 – 299	
300 – 399	
400 – 499	
500 – 599	
600 – 699	
700 – 799	
800 – 899	
900 – 1.000	
over 1.000	
<b>TOTAL PRICE (P<sub>1</sub>)</b>	

#### b) Prices per user

Tenderers are required to indicate the price per user (or license) with unlimited access for searches and downloads for the following bands of users (or licenses):

Pricing bands based upon the number of user-IDs (or licenses)	Unit prices in euro (excl. VAT)
1 user	
From 2 to 5	
From 5 to 10	
From 10 to 50	

More than 50	
<b>TOTAL PRICE (P<sub>2</sub>)</b>	

The Commission (OLAF) reserves the right to choose one of the above mentioned pricing methods at time of the signature of the individual orders (specific contract).

The Commission (OLAF) also reserves the right to seek clarification of the pricing basis of any bid submitted where such clarification is considered necessary for the assessment and / or comparison of bids.

Tenderers must make explicit in their reply the cost of any translation necessary to comply with the requirement to have all documentation / user interfaces in English when providing the estimation to allow OLAF to perform a language-neutral price comparison.

Prices must be expressed in Euro. Tenderers are liable for any losses that may result from fluctuations in the exchange rate with non-Euro zone countries. The price quoted may not be revised in line with exchange rate movements.

Prices shall be 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. Exemption is granted to the European Commission by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption. For those countries where national legislation provides an exemption by means of a reimbursement, the amount of VAT is to be shown separately. In case of doubts about the applicable VAT system, it is the tenderer's responsibility to contact his national authorities to clarify the way in which the European Union is exempt from VAT.

Prices must be inclusive of all costs and expenses directly and indirectly connected with the services supplied.

Prices shall be fixed and not subject to revision during the period covered by this procurement for all products and services included in the bid.

Tenderers are requested to submit their upgrade policy and pricing modalities for any anticipated enhancement of the functionality of their information source over time (prices and/or discounts for products not (yet) included in the data source but to be included during the course of the procurement period).

The Commission (OLAF) reserves the right to acquire such additional functionality (i.e. new countries, additional services, etc.) at any time, as an additional service on-demand (or include it as part of the standard price for the next contracting period).

The acquisition of the additional functionality will have to be based on the pricing modalities described in the bid submitted as a response to the call for tenders.

The Commission (OLAF) will be unable to acquire any functionality that is not included in the bid. Consequently, new services added or linked to the data source over time, and not included in the bid will have to be provided at no extra cost to OLAF.

## **9.2. Terms of Payment**

Payments under the contract shall be made in accordance with Articles I.6 and II.21 of the draft contract in Annex 3. Payments shall be executed only if the Contractor has fulfilled all his contractual obligations by the date on which the invoice is submitted.

Every six months, a report, in the form of a summary listing the number and nature of the queries made to the data source by each user, must be furnished by the data provider (see annex 1).

These reports will be used to substantiate the amounts charged in line with pricing policy stated in the reply to this call for tender. Payments shall be conditional on approval by the Commission (OLAF) of the reports for each quarter.

The Commission (OLAF) reserves the right to adapt the payment terms and reporting modalities in the specific contract if the duration of the specific contract is less than one year.

### 9.3. Validity of the tender

Bids should remain valid for a period of six (6) months calculated from the closing date for submitting tenders. During that period, bids may not be varied in any respect.

## 10. Evaluation

### 10.1. Technical evaluation

The overall technical score for each bid will be calculated as the sum of the individual scores for each of the evaluation criteria.

Individual scores will be attributed to the evaluation criteria in accordance with the following method:

Criterion	%	Max Points	Min points
1. Coverage of database	35	35	17,5
2. Data Quality & completeness of data	35	35	17,5
3. Frequency of updates	10	10	5
4. User-friendliness of interface	10	10	5
5. Confidentiality	10	10	5
<b>Total</b>	<b>100</b>	<b>100</b>	<b>65</b>

#### 1. Coverage:

- Number of Companies/businesses/etc...
- Geographical coverage (countries, regions, etc...)
- Sectorial coverage
- Historical data (how far back)

#### 2. Data quality:

- Level of detail
- Data sources, public domain, own acquisition?
- Data integrity, how is it assured?
- Quality assurance procedure(s)

#### 3. Updates:

- Timing
- Accuracy
- Promptness

#### 4. Interface:

- Clear and intuitive interface
- Possibility of combining searches
- Export of results in usable formats (Excel, csv, etc....)
- Speed

#### 5. Confidentiality:

How does the database provider ensure the users confidentiality?

How does the database provider ensure the confidentiality of the searches?

In order to guarantee a minimum level of quality, bids that do not reach a minimum of 50% of the possible score for the first two main criteria of the technical evaluation will not be considered further. In addition, bids that do not reach a **minimum of 65%** of the possible overall score for the technical evaluation will be eliminated from further evaluation.

### 10.3. Financial evaluation

The total price of the bid (P) will be sum of the total price (P<sub>1</sub>) per number of downloads and the total price (P<sub>2</sub>) per user (see heading 9.1).

Tenderers must make explicit, if any, the **translation** cost (as an absolute or proportional value) to comply with the requirement to have all documentation / user interfaces in English for the above pre-defined levels of service. The Commission (OLAF) will perform the price comparison after having corrected the proposed prices with the translation factor.

### 11. Award

The award decision will be based on the "**quality/price**" ratio (i.e. the most economically advantageous bid).

The bid representing the best value for money will be identified in the following way:

The bid with the best technical score will receive a quality indicator of 100 points. The remaining bids will receive lower quality indicators in proportion to their technical scores.

A "**quality / price**" ratio will be calculated for each bid by dividing the quality indicator by the price indicator. The highest result will go for the bid presenting the best value for money.

Quality/price ratio
$R = \frac{(P_{\min} \times 100 \times 30\%) + (Q \times 70\%)}{P}$

The price weighting will represent 30% of the score and the quality criteria weighting 70%.

R = Score of tender;

Q = quality score for the tender in question

P<sub>min</sub> = total final amount of the cheapest tender;

P = total price of the tender P<sub>1</sub>+ P<sub>2</sub> (see heading 9.1 above)



The bid which, in the final evaluation, receives the highest price/quality ratio (R) (rounded to two decimal places) will be regarded as the tender offering the best value for money.

## **12. No obligation to award the contract**

Opening to competition or the launch of an invitation to tender in no way imposes on the Commission an obligation to award the contract. The Commission will not be liable for any compensation for tenderers whose tenders have not been accepted, nor will it be so liable if it decides to abandon the procurement or cancel the award procedure. This decision would be substantiated and notified to the tenderers.

## **14. Annexes:**

- Annex 1: Technical specifications
- Annex 2: Declaration pre-existing rights (Framework contract article I.6.3)
- Annex 3: Template of framework contract
- Annex 4: Administrative information form
- Annex 5: Exclusion criteria form (EDES)
- Annex 6: Template simplified balance sheet