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Unit: Unit G-5: Goods – production and international trade

Invitation to tender for the supply of statistical services
"Collection and processing of detailed trade data from non-EU countries and international organisations"
(ESTAT/G/2018/007)

e-Submission

TABLE OF CONTENTS

SECTION 1	INTRODUCTION.....	4
1.1	<i>Presentation of Eurostat.....</i>	4
1.2	<i>Subject of the contract.....</i>	4
1.3	<i>Glossary.....</i>	4
SECTION 2	TECHNICAL INFORMATION.....	5
2.1	<i>General information and objectives.....</i>	5
2.2	<i>Volume of the contract.....</i>	7
2.3	<i>Tasks and expected results.....</i>	8
2.4	<i>Meetings and missions.....</i>	13
2.5	<i>Duration and timetable.....</i>	13
2.6	<i>Minimum requirements.....</i>	16
2.7	<i>Technical implementation reports.....</i>	17
2.8	<i>Assessment of results.....</i>	18
2.9	<i>Specific conditions.....</i>	18
SECTION 3	INFORMATION ON THE CONTRACT.....	20
3.1	<i>General information.....</i>	20
3.2	<i>Payments.....</i>	20
3.3	<i>Replacement of persons assigned to carry out the work.....</i>	20
3.4	<i>Personal data and intellectual property rights.....</i>	21
3.5	<i>E-prior.....</i>	21
SECTION 4	INFORMATION ON THE TENDER PROCEDURE.....	23
4.1	<i>General information.....</i>	23
4.2	<i>Who may participate in this invitation to tender.....</i>	23
4.3	<i>How to send a tender.....</i>	25
4.3.1	<i>General Information.....</i>	25
4.3.2	<i>Date and place of opening of the tenders.....</i>	26
4.3.3	<i>Contact with Eurostat.....</i>	27
4.3.4	<i>Period of validity of the tender.....</i>	28
4.4	<i>Structure of the tender.....</i>	28
4.4.1	<i>Section One: Parties :identification of the tenderer.....</i>	30
4.4.2	<i>Section Two: Exclusion criteria.....</i>	32
4.4.3	<i>Section Three: Selection criteria.....</i>	33
4.4.4	<i>Section Four: Technical tender.....</i>	35
4.4.5	<i>Section Five: Financial tender.....</i>	36
4.4.6	<i>Section Six: Tender report.....</i>	36
4.5	<i>Evaluation and award.....</i>	37
4.5.1	<i>Exclusion and selection of tenderers.....</i>	38
4.5.2	<i>Compliance with minimum requirements.....</i>	41
4.5.3	<i>Award of the contract.....</i>	42

SECTION 1 INTRODUCTION

1.1 Presentation of Eurostat

Eurostat is a Directorate-General of the European Commission ("Commission"). Its mission is to provide the European Union with a high quality statistical information service.

Together with the national statistical offices, Eurostat is responsible for the European statistical system: see Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics (OJ L 87/164, 31.3.2009). Eurostat implements standards, methods and classifications for the production of comparable, reliable and relevant data. Users of Eurostat's output include the Commission and other institutions of the European Union, national governments of the Member States, international organisations, businesses, universities and a wide range of other users. Eurostat also supports non-member countries, including the candidate countries, in adapting their statistical systems.

More information can be found on the Eurostat's website:

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

Eurostat carries out some of its activities by awarding contracts for the provision of services relating to the various fields of the European statistical programme.

1.2 Subject of the contract

This invitation to tender covers:

"Collection and processing of detailed trade data from non-EU countries and international organisations"

1.3 Glossary

COMEXT	EUROSTAT REFERENCE DATABASE FOR EXTERNAL TRADE STATISTICS PRODUCTION AND DISSEMINATION
DLI	DATA LOADING INTERFACE (SOFTWARE USED TO LOAD DATA INTO COMEXT DATABASE)
ESMS	EURO SDMX METADATA STRUCTURE
ESS MH	EUROPEAN STATISTICAL SYSTEM METADATA HANDLER (WEB APPLICATION WHICH ALLOWS USERS TO PRODUCE, MANAGE AND DISSEMINATE REFERENCE METADATA)
HS	HARMONISED SYSTEM
IMF	INTERNATIONAL MONETARY FUND
SITC	STANDARD INTERNATIONAL TRADE CLASSIFICATION
UN	UNITED NATIONS

SECTION 2 TECHNICAL INFORMATION

2.1 General information and objectives

General information

The collection of non-EU external trade detailed data is based on various co-operation programmes and bilateral agreements. Partners of these data exchanges are either international organisations (United Nations, IMF etc.) or specific countries.

Countries exchange information either through their participation in specific programmes (Medstat, Instrument for Pre-Accession Assistance (IPA), European Neighbourhood Partnership Instrument (ENPI), etc.) or through a bilateral agreement (e.g. China) with Eurostat.

Data collected are integrated into Eurostat databases, in particular into the external trade information system (Comext).

The main users of the detailed statistics on external trade are the Directorates-General of the European Commission such as DG TRADE, DG AGRI, DG REGIO, DG MARE.

Objectives

The main objective is to make external trade detailed statistics transmitted by non-EU countries or by international organisations available through the Comext database. Prior to being loaded into Comext and disseminated, data should be checked from quality point of view and this may trigger corrections, aggregations and transformations involving frequent contact with the different data providers.

Documentation

The following documents are available on the Internet:

- EASY COMEXT User Guide (*)

http://epp.eurostat.ec.europa.eu/newxtweb/assets/help_en.htm

http://epp.eurostat.ec.europa.eu/newxtweb/assets/help_de.htm

http://epp.eurostat.ec.europa.eu/newxtweb/assets/help_fr.htm

- User guide on European statistics on international trade in goods — 2016 edition (**)

<http://ec.europa.eu/eurostat/web/products-manuals-and-guidelines/-/KS-GQ-16-009>

- Compilers guide on European statistics on international trade in goods — 2017 edition (**)

<http://ec.europa.eu/eurostat/en/web/products-manuals-and-guidelines/-/KS-02-17-333>

The following documentation related to ESMS is available on the Internet:

- EURO-SDMX Metadata Structure:

<http://ec.europa.eu/eurostat/data/metadata/metadata-structure>

- COMMISSION RECOMMENDATION of 23 June 2009 on reference metadata for the European Statistical System (2009/498/EC) :

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:168:0050:0055:EN:PDF>

- ESS MH:

<http://ec.europa.eu/eurostat/web/sdmx-infospace/sdmx-it-tools/ess-mh>

(*) available in English, French, German

(**) only available in English

2.2 Volume of the contract

The overall duration of the work will be **42 months**, divided in to **3 contracts** (original contract plus up to 2 optional renewals):

- first contract has a duration of **18 months**
- second contract has a duration of **12 months**
- third contract has a duration of **12 months**

The estimated total value is **EUR 266.000** for the entire duration of the contract (42 months).

The volume of data to process is estimated for each task below:

Estimated volume of data for first contract (18 months)

<i>Task</i>	<i>Volume of data for 18 months</i>
1	Contrade: total of 250 000 000 to 375 000 000 records (estimated total size = 20-30 gigabytes) IMF: 55 000 000 records (estimated total size = 20 gigabytes)
2	total of 110 000 000 to 180 000 000 records for all countries together under this task (revisions included)
3	total of 18 000 000 to 40 000 000 records for all countries together under this task (revisions included)
4	total of 7 000 000 to 23 000 000 records for all countries together under this task (revisions included)
5	total of 5 000 000 to 12 000 000 records for all countries together under this task (revisions included)
6	total of 250 000 000 records for all countries together under this task (revisions included)

Estimated volume of data for second contract (12 months)

Two thirds of the volume of data estimated for the first contract.

Estimated volume of data for third contract (12 months)

Same as for second contract.

2.3 Tasks and expected results

General structure

Tasks are classified by main data source (Tasks 1 to 6). In all cases the final objective is to integrate validated information from given sources into Comext.

Tasks are divided into the following actions:

Action	Description
A	Data reception : Regular reception of the data by the Contractor. Depending on the data source (see details in tasks description below), either Eurostat sends the data to the Contractor or the Contractor extracts the data himself for instance from internet. When the source provider sends data according to a regular timetable (regular workflow), this involves contacting the source provider when data has not been received within the usual timetable in order to get the data.
B	<p>Data processing : Validation, correction and transformation in order to generate validated output files to be loaded into Comext. When necessary Comext classifications (nomenclatures) associated to the data must be updated.</p> <p><i>Example of transformation : if the reporting country transmits data in a version of HS or SITC which is anterior to the version officially in place worldwide then product codes must be converted.</i></p> <p>This action also includes to</p> <ul style="list-style-type: none"> • adapt the implemented processing procedures in case of future changes and updates of transmission formats in received data, according to the corresponding reference documents (e.g. for Task 2: new format "<i>Doc Met 400 for Candidate Countries and Potential Candidate Countries</i>"); • perform tests with these newly adapted processing procedures.
C	Comext loading : Transferring to Eurostat validated output files ready to be loaded into Comext (for loading into Comext by Eurostat) and verification that data has correctly been loaded and is accessible. Processed data must be transmitted to Eurostat 2 working days after reception of initial data, given that no major problem has been encountered when they are processed.
D	Contacts : Contacts with the reporting country authorities, generally through e-mail, in order to resolve problems, to clarify quality issues and to maintain a prompt and regular transmission of data. Eurostat must systematically be informed of any contact made with the national authorities.
E	Progress documents : Each month, writing of a monthly progress document covering all actions for all tasks with their timing, including an assessment of the data received (on validation and quality aspects) , their processing and a description, if necessary, of problems encountered during the production process, corrections made.
F	<p>Questions : Timely(*)preparation of answers to questions transmitted by Eurostat and related to data, metadata and/or processing; this involves when necessary contacting the data provider and when a problem has been identified, requesting new corrected data and performing the follow-up of the action.</p> <p>(*) These answers are expected as soon as possible after transmission of the request by Eurostat and at the latest 2 working days after (provided that the request is not too complex and could be reasonably processed within that</p>

	amount of time).
G	<u>Archive CD/DVD/USB Stick</u> : Providing Eurostat with a CD, DVD or USB Stick containing an archive of all compressed received data files (in their original format) and all resulting validated files (in the format transmitted to Eurostat) that have been processed since the beginning of the year. This is to be provided twice during each contract: in the interim technical report and in the final technical report.
H	<u>Reception dates</u> : Maintenance of an Excel file with reception dates of each new monthly period received from each reporting country. The structure of the Excel file is provided by Eurostat at the beginning of the contract. Every week, the Contractor must send electronically the last version of the Excel file to Eurostat, along with a PDF version of the same file, formatted ready to be printed.
I	<p><u>Metadata</u> : Providing Eurostat with :</p> <p>I.a) metadata (methodological notes, classifications etc.) according to the <u>ESMS format</u> ; this involves :</p> <ul style="list-style-type: none"> • contacting reporting countries to collect metadata information (with Eurostat being systematically in copy) • checking, validating and if necessary confirming or correcting metadata information • encoding metadata information into the ESS MH application • asking reporting countries for confirmation of final metadata information and agreement before publication • generating a Word document and PDF version per reporting country containing the whole final metadata associated to the country • analysing and comparing existing metadata to improve metadata quality and homogeneity between reporting countries <p>I.b) a complete <u>description of each production process</u> (technical documentation, file formats, validation/processing rules/tables, all transformations performed, content of conversion tables...) ; this description should be precise enough to be able to determinate what would be the exact output file generated for a particular input file and to identify why a particular transformation occurred</p> <p>I.c) information about the <u>volume</u> of data processed (expressed in number of records and in bytes) for each reporting country</p> <p>The above information is to be provided twice during each contract: in the interim technical report and in the final technical report.</p>

Expected **deliverables** are :

- data is timely processed and transmitted to Eurostat for loading into Comext (2 working days after reception of initial data, given that no major problem has been encountered when they are processed) (actions A, B and C) ; reception dates are reported in monthly progress documents (action E)
- necessary contacts with reporting country authorities are taken, Eurostat being systematically informed (action D and I)
- monthly progress documents (action E)

- answers to questions submitted by Eurostat (action F)
- an archive CD, DVD or USB Stick is provided twice during each contract : in the interim technical report and in the final technical report (action G)
- Excel file with reception dates is weekly transmitted to Eurostat (action H)
- metadata is produced twice during each contract : in the interim technical report and in the final technical report (action I)

All reports and documents must be supplied in English and in electronic format.

Documents should be given both in PDF format and in an updatable format readable by MS Office applications.

Task 1 - Integration into Comext of data provided by international organisations

The aim of this task is to cover all production work related to the integration into Comext of detailed data from :

- the Comtrade database (United Nations);
- the IMF (International Monetary Fund).

Actions to be carried out with respect to the present task are: A, B, C, D, E, F, I.

For Action I :

- action I.a is not required for this task
- the distribution of volume per reporting country is not required for this task for action I.c

Comtrade

The Comtrade database is accessible via the Internet site of the UN and consists of detailed external trade information for most countries of the world at HS6 and SITC Rev4, Rev 3 and Rev 2 levels.

For Action A, the Contractor must

- interrogate the Comtrade database on a monthly basis in order to establish a list of updates and new entries (by country and period) ;
- extract the corresponding data files from the Comtrade database.

IMF

The IMF database is accessible via the Internet site of the IMF and consists of value of merchandise exports and imports (DOTS, Direction of Trade Statistics) for all IMF members, some non-member countries, the world and major areas.

For Action A, the Contractor must download the IMF data via Bulk Download on a monthly basis. All data starting from 1988 reference year should be extracted.

Task 2 - Integration into Comext of data provided by EU Candidate and Potential Candidate countries

The aim of this task is to cover all production work related to the integration into Comext of detailed monthly data supplied by the following countries: Albania, Bosnia and Herzegovina, former Yugoslav Republic of Macedonia, Kosovo*, Montenegro, Serbia and Turkey.

** This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.*

In case a new non-EU country would become a Candidate or Potential Candidate country during the duration of the contract, this task should cover as well data from this country as from the date that the country would become officially a Candidate or Potential Candidate country.

This task also covers the processing of revisions from EFTA countries related to reference periods in 2014 or older (if any).

Actions to be carried out with respect to the present task are: A, B, C, D, E, F, G, H, I.

For Action I : action I.a is not required for this task.

Additional constraints for this task:

- Action C : data must be loaded into Comext with the same monthly deadline as for the loading by Eurostat of monthly Extrastat detailed data, so that Eurostat can publish data at the same time as Extrastat detailed data¹ ; as an example, a link ("*Data Release Calendar*") to the official 2018 Eurostat publication calendar is available at :

<http://ec.europa.eu/eurostat/web/international-trade-in-goods/data/focus-on-comext>

Task 3 - Integration into Comext of data provided by European non-EU countries as well as central Asian countries (ex-Tacis)

The aim of this task is to cover all production work related to the integration into Comext of detailed quarterly and/or monthly data supplied by the following countries: Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyz Republic, Moldova, Russia and Ukraine. A possible increase of one to three more countries should be taken into account.

¹ in addition, the general constraint of Action C also applies : "*Processed data must be transmitted to Eurostat 2 working days after reception of initial data, given that no major problem has been encountered when they are processed*"

Actions to be carried out with respect to the present task are: A, B, C, D, E, F, G, I.

Task 4 - Integration into Comext of data provided by non-EU countries of the Mediterranean region

The aim of this task is to cover all production work related to the integration into Comext of detailed yearly, quarterly and/or monthly data supplied by the following countries: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian Occupied Territories, Syria, Tunisia. A possible increase by one more country should be taken into account.

Actions to be carried out with respect to the present task are: A, B, C, D, E, F, G, I.

Task 5 - Integration into Comext of data provided by COMESA (Common Market for Eastern and Southern Africa)

The aim of this task is to cover all production work related to the integration into Comext of detailed yearly, quarterly and/or monthly data supplied by COMESA to Eurostat and concerning trade reported by COMESA Member States.

Actions to be carried out with respect to the present task are: A, B, C, D, E, F, G, I.

Task 6 - Integration in Comext of data provided by other non-EU countries

The aim of this task is to cover all production work related to the integration into Comext of detailed yearly, quarterly and/or monthly data supplied by the following countries :

- Canada
- China
- Hong-Kong
- Taiwan
- additional non-EU countries (maximum 7 countries) not included in the previous tasks.

Actions to be carried out with respect to the present task are: A, B, C, D, E, F, G, I.

2.4 Meetings and missions

A kick-off meeting will be organised in Luxembourg soon after the signature of the contract (maximum duration: half a day).

Progress meetings with Commission staff will be held once a month (maximum duration half a day) in Luxembourg, in Commission's premises. For these meetings the contractor will prepare progress reports to be sent to Eurostat at least three working days prior to the meetings.

For each meeting, the physical presence of at least one representative of the contractor is required.

The minutes of each meeting will be prepared by the contractor and sent to Eurostat at the latest five working days after the meeting for approval.

Travel expenses for such meetings should be included in the financial proposal of the tender.

2.5 Duration and timetable

The contract is expected to be signed in **the 4th quarter of 2018**.

Execution of the tasks is to start **on 1/7/2019**.

During the period between the signature date of the contract and the start date of the tasks execution as foreseen in the contract (**1/7/2019**), the contractor will put in place the necessary means so as to start the execution of the tasks on the first day of the contract, i.e. **1/7/2019** (see section 2.9, “Resources made available by Eurostat”).

The overall duration of the work will be **42 months**, divided in to 3 contracts (original contract plus up to 2 optional renewals):

- first contract has a duration of 18 months
- second contract has a duration of 12 months
- third contract has a duration of 12 months

Implementation of each contract, whether total or partial, following the initial contract, is subject to budgetary constraints and/or satisfaction with the quality of the services rendered under the previous contract and/or unilateral discretionary decision of the Commission. The tenderer awarded the contract must carry out the contracts following the initial one if the Commission decides to sign these following contracts.

All tasks will be carried out in parallel, though the whole length of each contract.

An indicative timetable per task and per action is shown in the table below:

	Task 1	Task 2	Task 3	Task 4	Task 5	Task 6
<i>Action</i>						
<i>A – Data reception</i>	monthly	on data reception, at least monthly(*)	depending on data source(**)			
<i>B – Data processing</i>						
<i>C – Comext loading</i>						

<i>D – Contacts</i>	when needed, as indicated in the description of the action		
<i>E – Progress documents</i>	monthly		
<i>F – Questions</i>	on-request		
<i>G – Archive CD/DVD/USB Stick</i>	/	twice during each contract (interim + final reports)	
<i>H – Reception dates</i>	/	weekly	/
<i>I – Metadata</i>	twice during each contract (interim + final reports)		

- (*) data periodicity is monthly but reporting countries can transmit revisions at any time; data must be processed the soonest and in accordance with Eurostat publication calendar (see “Additional constraints” in the description of Task 2)
- (**) data periodicity is generally monthly but reporting countries can transmit revisions at any time

The overall indicative timetable is the following:

First contract

Task	M1	M2	M3	M4	M5	M6	M7	M8	M9	M10	M11	M12	M13	M14	M15	M16	M17	M18
Task 1	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DF
Task 2	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DF
Task 3	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DF
Task 4	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DF
Task 5	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DF
Task 6	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D	x D	x D	x D+ DF

Second and Third contracts

Task	M 1	M 2	M 3	M 4	M 5	M 6	M 7	M 8	M 9	M 10	M 11	M 12
Task 1	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D+ DF
Task 2	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D+ DF
Task 3	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D+ DF
Task 4	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D+ DF
Task 5	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D+ DF
Task 6	x D	x D	x D	x D	x D	x D+ DI	x D	x D	x D	x D	x D	x D+ DF

Legend:

- M – month of project lifetime
- x – task's lifetime
- D – deliverables (D = Monthly deliverables ; DI = Intermediate report ; DF = Final report)

A detailed timetable should be provided by the tenderer in the tender.

2.6 Minimum requirements

Tenders deviating from the requirements or not covering all minimum requirements described below may be rejected on the basis of non-compliance with the tender specifications and will not be further evaluated.

Minimum requirements:

- Maximal duration of the execution of tasks cannot exceed 42 months
- Offers have to cover all tasks from 1 to 6
- Offers must respect the timetable of tasks and deliverables.

Furthermore, the tender shall comply with applicable environmental, social and labour legislation established under Union legislation, national legislation, collective agreements or the applicable international social and environmental conventions listed in Annex X to Directive 2014/24/EU².

2.7 Technical implementation reports

The work carried out by the contractor under the contract will be the subject of the following report, which must be sent to Eurostat by the contractor in English and in electronic format:

- **Nine months** (or **six months** for second and third contracts) after the starting date of the execution of the tasks referred to in Article I.3 of the contract, the contractor shall provide, after completion of the tasks referred to in 2.3 of this tender specification and as soon as possible after this date, an interim technical implementation report relating to the execution of the contract describing the results obtained and the means which were implemented for the execution of the contract.

The interim report will be a summary of the monthly progress reports delivered during the first 9 months (for first contract) or 6 months (for second and third contracts) of the contract.

- **Eighteen months** (or **twelve months** for second and third contracts) after the starting date of the execution of the tasks referred to in Article I.3 of the contract, the contractor shall provide, as soon as possible and within sixty days of completion of the tasks referred to in point 3 of this tender specifications, a final technical implementation report relating to the execution of the contract describing the results obtained and the means which were implemented for the execution of the contract.

The final report will describe the complete work done and demonstrate that tasks have been performed according to the terms of the contract. The final report will cover all the actions performed in the course of the contract, including an assessment of the data received and processed, a description, if necessary, of problems encountered during the production process, quality evaluations and conclusions.

Documents should be given both in PDF format and in an updatable format readable by MS Office applications.

The interim technical report and the final technical report shall include a CD, DVD or USB Stick that contains all the documents/files related to the various Tasks and Actions.

The interim technical report and the final technical report shall accompany the corresponding invoice. Payment of invoices is subject to approval of corresponding reports by Eurostat.

2.8 Assessment of results

Evaluation of the results will be based on the following criteria:

² OJ L 94 of 28.03.2014, p. 65

- the respect of deadlines for transmitting data to be loaded by Eurostat into Comext ;
- completeness, coherence and technical quality of the processing;
- coherence and analytical quality of the applied approach;
- clarity of presentation of reports;
- quality, completeness and level of expertise of the documents.

2.9 Specific conditions

- Resources made available by Eurostat

Eurostat will provide the contractor with

- access to the web tool (ESS MH) to register metadata;
- description of the syntax of output data files to be generated by the validation process and to be loaded into Comext by the DLI software (software used by Eurostat for loading data into Comext).

Eurostat will not provide any tool for the generation of the output data files to be loaded into Comext.

The contractor will need to familiarise himself with the required syntax of the output data files to be generated and will need to set up for each particular case a processing environment that will perform validation and processing procedures according to rules defined by Eurostat and in order to load data into Comext database.

- Specific conditions for the execution of the contract

The contractor must load metadata into ESS MH web tool. To obtain remote access to concerned Eurostat servers (which are located in non-confidential Eurostat environment), the Contractor will have to sign a security convention with the Commission (be aware that the whole process can take as long as 2 to 3 months). The Contractor must comply with the rules defined in this convention, i.e. all tasks must be carried out in its premises in a physically protected environment with logically protected information technology equipment, which the Commission may inspect. The Contractor must describe the physical and logical measures put in place. Should the Commission estimate that these measures are not adequate, access will be denied. Subsequent failure to comply with those rules will result in the interruption by the Commission of the accesses.

- Confidential data

In accordance with Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics (OJ L 87, 31.3.2009, p.164) it is forbidden to use confidential statistical data for purposes other than the tasks expressly set out in the contract for the provision of services and is forbidden to process, disseminate or otherwise make available or use these data in any way whatsoever. These obligations remain in force after the termination of the contract.

Corresponding declaration has to be signed by the contractor (see Annex V of the contract).

The successful tenderer should implement and present in its offer the appropriate management procedures and security controls to avoid any breach of information. The staff working on the project will be required to sign the Eurostat confidentiality

agreement. Access to confidential statistical information will only be possible within the premises of Eurostat³

³ Following instructions from LISO

SECTION 3 INFORMATION ON THE CONTRACT

3.1 General information

The submission of the tender implies acceptance of all the terms and conditions set out in the procurement documents (contract notice, invitation to tender, tender specifications, draft contract) and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. **The submitted tender is binding on the tenderer to whom the contract is awarded for the duration of the contract.**

Once the Commission has opened the tender, the document shall become the property of the Commission and it shall be treated confidentially.

The Contractor is to carry out the tasks in accordance with:

1. the contract;
2. the technical specifications;
3. the tender.

In the event of conflict between these three documents, their provisions will apply in descending order.

No variants are allowed in relation to the services or the price schedule proposed in accordance with this tender specification

The place of the work will be the Contractor's usual workplace, unless stated otherwise in section 2.9

3.2 Payments

Contracts will be expressed in euro. All payments under these contracts will also be made in euro.

Payments under the contract will be made in accordance with Articles I.5 and II.21 of the draft contract in Annex 9.

3.3 Replacement of persons assigned to carry out the work

The Commission expects the contract to be executed by those persons identified in the tender. Whenever a replacement is necessary, the Contractor must ensure a high degree of stability of the services and an effective transfer of information.

Any replacement must be submitted to the Commission for written approval. The Contractor shall provide a timely replacement with at least equivalent qualifications and experience if:

- for duly justified reasons, a person is unable to continue providing the services;
- any person specified in the contract is found by the Commission to be incompetent in discharging or unsuitable for the performance of his/her duties under the contract or if carrying out his tasks under the contract prejudices the good and timely performance of the contract. Unless otherwise stated, if the Commission requests a replacement in writing, the Contractor must propose a replacement within one month of the receipt of the Commission's request. Failure

to make such a proposal within this period will be considered a breach of contract.

Such a replacement will not oblige the Commission to pay any remuneration, fees or costs additional to those laid down in the initial contract. The Contractor must bear any additional costs arising from or incidental to such replacement. Such costs will include the costs of the return journey of the replaced member of staff and his family, the costs of the replacement's training and, if necessary, the expenses arising from the need to maintain simultaneously at the place of work the member of staff to be replaced and his replacement.

3.4 Personal data and intellectual property rights

3.4.1 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 unit involved. Details concerning the processing of your personal data are available at:

https://ec.europa.eu/info/departments/data-protection-officer_en

All 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 Regulation⁴. For more information, see the Privacy Statement on

http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm

3.4.2 Intellectual property rights

Your attention is drawn on Article I.10 of the contract's special conditions which contains specific provisions on intellectual property rights related to the results of the contract and their use.

3.5 E-prior

The execution of the contract between the Commission and the contractors could be automated by the use of the following application: e-Invoicing, e-Catalogue, e-Ordering, e-Request based on an electronic exchange platform (e-Prior). Information on the technical and functional characteristics of the above-mentioned system can be found at:

<https://webgate.ec.europa.eu/fpfis/wikis/x/8pBsAQ>

At the request of the Commission, the use of the above applications could be mandatory for contractors during the lifetime of the contract.

⁴ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298 of 26.10.2012, p. 1) as amended 28 October 2015

The e-Invoicing application may be used for this contract (the decision to use this application can be taken at the start of the contract or during the lifetime of the contract (through an amendment)). Further information on this application are available in the general conditions of the draft contract (Annex 9) in Art II.1 and II.5 and through the link above-mentioned.

If provided for in the special conditions of the contract, the exchange of electronic documents (e-documents) such as invoices between the parties is automated through the use of the *e-PRIOR* platform. This platform provides two possibilities for such exchanges: either through web services (machine-to-machine connection) or through a web application (the *supplier portal*).

Other applications as e-Sourcing and e-Fulfilment, which are currently under development may be implemented on a voluntary basis during the contract execution.

SECTION 4 INFORMATION ON THE TENDER PROCEDURE

4.1 General information

The legal basis for EU procurement consists of the relevant articles of the Financial Regulation and its Rules of Application (“RAP”), i.e.:

- Financial Regulation – Regulation (EU, Euratom) No 966/2012 of the European Parliament and the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union¹, Part One, Title V (Procurement) (Articles 101 to 120), as amended by Regulation (EU, Euratom) No 2015/1929 of the European Parliament and the Council of 28 October 2015.
- Rules of Application – Commission Delegated Regulation (EU, Euratom) No 1268/2012 of 29 October 2012, Part One, Title V (Procurement) (Articles 121 to 172), amended by Commission Delegated Regulation (EU) C(2015)7555 of 30 October 2015.
- Judgments, mainly of the General Court in procurement cases.

The Financial Regulation and the Rules of Application incorporate the rules from Directive 2014/24/EU⁵, hereinafter referred to as “the Directive” and Directive 2014/23/EU on concessions⁶.

This invitation to tender is intended to be competitive. Any attempt by a tenderer to obtain confidential information, enter into unlawful agreements, collude or make arrangements with competitors, canvass or solicit Commission staff or influence the evaluation committee or its individual members in any way during the tendering process will render his or her tender invalid.

The tender must be clear and concise, with continuous page numbering, and assembled so as to constitute a coherent whole (e.g. bound or stapled, etc.). Since tenderers will be judged on the content of their written tenders, these must clearly state that the tenderer is able to meet the requirements of the specifications and is capable of carrying out the work.

Tenders must be written in one of the official languages of the European Union. They must include all the information and documents required by the Commission for the evaluation of tenders on the basis of the exclusion, selection and award criteria, in accordance with these specifications, in the absence of which the Commission may decide to exclude the tender from the award procedure for the contract. For details, see item 4.4 “Structure of the tender”.

4.2 Who may participate in this invitation to tender

Participation in this invitation to tender (including each member of a group of economic operators if applicable) is open on equal terms to all natural and legal persons coming within the scope of the Treaties, as well as to international organisations.

For British tenderers:

⁵ OJ L 94, 28.03.2014, p. 65, see <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0024&from=EN>

⁶ OJ L 94, 28.03.2014, p. 1, see <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0023&from=EN>

Please be aware that after the UK's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries will apply to candidates or tenderers from the UK depending on the outcome of the negotiations. In case such access is not provided by legal provisions in force candidates or tenderers from the UK could be rejected from the procurement procedure.

It is also open to all natural and legal persons established in a third country which:

- has a special agreement with the European Union in the field of public procurement on the conditions laid down in that agreement or,
- has ratified the plurilateral Agreement on Government Procurement (GPA) concluded within the World Trade Organisation (WTO), under the terms of that Agreement.

A service provider may consider submitting a tender as a single entity or decide to collaborate with other service providers to present an tender: either by submitting a joint tender (via a group of economic operators) or through subcontracting. These two approaches may be combined.

In all cases the tender must clearly specify whether the providers involved in the tender are acting as members of the group of economic operators (joint tender) or as subcontractors (this also applies where the companies involved belong to the same group or where one of these companies is the parent company of the others).

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

In case of joint tender, all members of the group assume joint and several liabilities towards the Contracting Authority for the performance of the contract as a whole, i.e. both financial and operational liability.

Group members in joint tenders may submit only one tender for a single contract. To this end all members of the grouping should sign a power of attorney. This document must be scanned and included in the tender. The tender must indicate which member ("the leader") will represent the group of economic operators in dealing with the Contracting Authority for administrative and financial aspects as well as operational management of the contract. The tender must describe the form the cooperation is to take in order to achieve the desired results and how technical, administrative and financial aspects will be organised.

If the tender does not mention that all members are jointly and severally liable, all other parties included in the tender than the party signing the tender (tenderer) will be considered subcontractors.

The Contracting Authority will not request consortia to have a given legal form in order to be allowed to submit a tender, but reserves the right to require a grouping to adopt a given legal form **before the contract is signed** if this change is necessary for proper performance of the contract. This can take the form of an entity with or without legal personality but tendering sufficient protection of the Commission's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary association).

After the award, the Contracting Authority will sign the contract either with all members of the group, or with the leader on behalf of all members of the group, authorised by the other members via powers of attorney (Annex 6: for groupings not having formed a

common legal entity, model 1 should be used, and for groupings with a legal entity in place model 2.)

The documents required and listed in the present specifications must be supplied by every member of the grouping (see 4.4); the checklist in Annex 11 will help verifying the level of information to be provided according to the role of each entity in the tender.

The Tender Report has to be signed by the joint tender leader (hand or electronic signature, as explained in point 5 of the Annex 10 to Tender Specifications: e-Submission application guide).

Partners in a joint tender assume joint and several liability towards the Commission for the performance of the contract as a whole.

Statements, declaring for instance: “that one of the partners of the joint tender will be responsible for part of the contract and another one for the rest”, or “that more than one contract should be signed if the joint tender is successful”, are thus incompatible with the principle of joint and several liability. The Commission will disregard any such statement contained in a joint tender, and reserves the right to reject such tenders without further evaluation, on the grounds that they do not comply with the tendering specifications

Subcontracting is the situation where a contract has been or is to be concluded between the Commission and a contractor and where the contractor, in order to carry out the contract, enters into legal commitments with other legal or natural persons for performing part of the service (in particular, any work performed by an expert who is not an employee of the tenderer will be considered as subcontracted). The Commission has no direct legal relationship with the subcontractor(s).

If certain tasks provided for in the contract are entrusted to subcontractors, the Contractor shall remain bound by its contractual obligations to the Commission under the Contract and shall be solely responsible for the performance of the contract (see Article II. 10 of the draft contract in Annex 9).

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

Tenderers are required to identify all subcontractors.

See Section 4, item 4.4 which information must be provided in case of group of economic operators and subcontracting.

4.3 How to send a tender

4.3.1 General Information

If you are interested in this contract, you should submit a tender (see structure below described in item 4.4) for each lot concerned.

Tenders must be submitted exclusively via the electronic submission system (e-Submission) available from the below website⁷. Tenders submitted in any other way (e.g. e-mail or by letter) will be disregarded.

⁷ For detailed instructions on how to submit a tender please consult Annex 10 (e-Submission application guide) in Annexes of the procurement documents and the e-Submission Quick Guide available at:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=3373>

In order to submit a tender using e-Submission, tenderers (each member of the group in the case of a joint tender) will need to register in the European Commission's [Participant Register](#) - an online register of organisations participating in EU calls for tenders or proposals. On registering each organisation obtains a Participant Identification Code (PIC, 9-digit number) which acts as its unique identifier in the above register. Instructions on how to create a PIC can be found in the PIC-management [Quick Guide for Economic Operators](#).

Tenderers already registered in the Participant Register shall reuse their existing PICs when preparing tenders in e-Submission.

The time-limit for receipt of tenders is indicated under Heading IV.2.2 of the contract notice where local time shall be understood as local time at the contracting authority's location (the location indicated under Heading I.1 of the contract notice).

The tender must be received no later than 16:00 Luxembourg time on 30/07/2018

A tender received after the time-limit for receipt of tenders will be rejected. The tender reception confirmation provided by e-Submission with the official date and time of receipt of the tender (timestamp) constitutes proof of compliance with the time-limit for receipt of tenders.

Details on the electronic submission system are provided in section: Annexes of the procurement documents (Annex 10 e-Submission application guide). In order to help tenderers presenting a tender, a checklist of the documents to be submitted in the e-Submission application is provided in annex 11

All costs incurred for the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed.

4.3.2 Date and place of opening of the tenders

Tenders will be opened in public at the time and place indicated under Heading IV.2.7 of the contract notice.

Tenders will be opened on **31/07/2018 at 10 a.m.** at the following address:

Eurostat
Room B4/444
Joseph Bech Building
rue Alphonse Weicker, 5
L-2721 Luxembourg (Kirchberg)

https://webgate.ec.europa.eu/esubmission/assets/documents/manual/quickGuide_en.pdf. In case of technical problems, please contact the e-Submission Helpdesk (see contact details in the Quick Guide) as soon as possible.

A maximum of two representatives per tender may attend the opening session. For organisational and security reasons the tenderer must provide the full name, date of birth, nationality and ID or passport number of the representatives⁸ at least two working days in advance to: ESTAT-DIRECTORATE-G-CALL-FOR-TENDERS@ec.europa.eu The representatives will be required to present the tender reception confirmation generated by e-Submission and to sign an attendance sheet. The contracting authority reserves the right to refuse access to its premises if the above information or the tender reception confirmation are not provided as required.

The economic operators who submitted a tender and whose representative was not present at the opening meeting may send an information request to ESTAT-DIRECTORATE-G-CALL-FOR-TENDERS@ec.europa.eu. They will be informed per e-mail if their tender was admissible as well as of the identity of the other tenderers.

4.3.3 Contact with Eurostat

In principle, no contact is permitted between the Commission and the tenderer during the procedure. However, contact may exceptionally be permitted before the final date for the receipt of tenders:

- **On the tenderers' initiative:** in order (and only then) to clarify the nature of the contract. Any request for additional information must be made in writing only through the above TED e-Tendering website in the "Questions & answers" tab, by clicking "Create a question" (registration on TED e-Tendering is required to be able to create and submit a question).

(<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=3373>)

The Contracting Authority is not bound to reply to requests for additional information made less than six working days before the deadline for receipt of tenders. Provided it has been requested in good time, such additional information will be supplied simultaneously to all economic operators through the e-Tendering website

(<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=3373>) no later than six days before the deadline for the receipt of tenders.

The website will be updated regularly and it is your responsibility to check for updates and modifications during the submission period.

- **On the initiative of the Contracting Authority:** in order to inform all interested parties of the existence of an error, a lack of precision, an omission or any other type of defect in the documents relating to the invitation to tender by supplying information on the e-Tendering website address:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=3373>

After the tenders have been opened, contact may be permitted only on the initiative of the Contracting Authority, where some clarification is required in connection with a tender, or if obvious clerical errors in the tender must be corrected, provided this does not lead to substantial changes to the terms of the submitted tender.

⁸ This data is necessary to ensure access to Commission buildings. Details concerning the processing of personal data for visitors to the European Commission are available in the privacy statement at: https://ec.europa.eu/info/files/data-protection-notice-visitors-european-commission_en

In any event, such contact must not lead to any amendment of the terms of the tender.

In exceptional case (unavailability of e-Tendering, other reason...), and under the conditions described above, further information can be obtained by sending an **e-mail or letter** to:

For the attention of Eurostat
Financial cell of Directorate G (BECH B4/305)
Bâtiment Ariane 00/B063 Tri central
Route D'Esch 400
L-2920 Luxembourg

E-mail: ESTAT-DIRECTORATE-G-CALL-FOR-TENDERS@ec.europa.eu

4.3.4 Period of validity of the tender

Tenders must be firm and not be subject to revision for the duration of the work. The tender must remain valid for a period as indicated under point IV.2.6 of the contract notice following the closing date for receipt of the tenders. Where the initial contract is stated to be renewable, the tender will remain valid for such renewals. Upon renewals of contracts, the Commission reserves the right to request updated forms for exclusion and selection criteria (see item 4.4 below). The contract(s) will be signed within the validity period, during which the tenderer must continue to meet all the requirements set in the exclusion, selection and award criteria. If the situation concerning these requirements has been altered in the period that has elapsed since the tender in question was submitted, any changes must be reported immediately and at the tenderer's own initiative to the Commission.

4.4 Structure of the tender

Following the structure of the e-Submission application, all tenders must include the following sections:

- (1) Parties – information about the parties participating in the procurement procedure, which covers the following items:
 - a) Identification and information on the composition of the tenderer (section 4.4.1);
 - b) Information regarding the exclusion and selection criteria (4.4.2 and 4.4.3).
- (2) Tender data – you will need to provide the technical tender and the financial tender (financial proposal). (section 4.4.4 and 4.4.5)
- (3) Tender report – you will need to provide the signed tender report (4.4.6)

Section	Where to insert in e-Submission
Section 4.4.1 Parties :identification of the tenderer:	<p>"Parties" → "Identification of the Tenderer" → "[Party Name]" → tab 'Attachments'- Legal and regulatory capacity.</p> <p>"Parties" → "Identification of the Tenderer" → "[Party Name]Required field</p>

	"Declaration on honour"
Section 4.4.2 Parties :identification of the tenderer relating to the exclusion criteria.	" Parties " → "Identification of the Tenderer" → "[Party Name]" → tab 'Attachments'- Exclusion criteria declaration on honour
Section 4.4.3 Parties :identification of the tenderer: Evidence relating to the selection criteria	" Parties " → "Identification of the Tenderer" → "[Party Name]" → tab 'Attachments'- Technical and professional capacity" " Parties " → "Identification of the Tenderer" → "[Party Name]" → tab 'Attachments'- Economic and financial capacity"
Section 4.4.4 Technical Tender – Addressing technical specifications and award criteria	" Tender data " → "Add your tender data – Technical tender [name of Call for Tender/ Lot name]"
Section 4.4.5: Financial Tender	" Tender data " → "Add your tender data – Financial tender [name of Call for Tender/ Lot name]"
Section 4.4.6: Tender Report	" Tender report " → "Add your signed tender report

The tender must include all the requested information and be perfectly legible so that there can be no doubt as to words and figures.

The technical tender with page numbering must cover all aspects and tasks required in the technical specifications and provide all the information needed to apply the award criteria.

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

Tenders shall include the information and documents requested by the Commission in order to assess the tender. **In order to help tenderers presenting a complete tender, a checklist of the documents to be submitted is provided in annex 11.** This checklist does not need to be included in the tender, but it is encouraged to use it in order to ease the assessment of the tenders

The Commission reserves the right to request any other additional information in relation to the tender submitted, for evaluation or verification purposes within a time-limit mentioned in its request.

4.4.1 Section One: Parties :identification of the tenderer

Tenderers may choose between presenting a **joint tender** (see 4.2) and introducing a bid as a **sole economic operator**, in both cases with the possibility of having one or several subcontractors (see 4.2).

Whichever type of tender is chosen, the tender shall stipulate the legal status and role of each legal entity in the tender proposed and the monitoring arrangements that exist between them and, failing this, the arrangement they foresee to establish if they are awarded the contract.

- A. In the e-Submission application, tab "Ways to submit", the tenderers should indicate the organization type (sole tenderer, joint tender involving subcontractors), fill out the required information and additional fields (Identification info, Registration info,), according to the type of bid. The information has to be completed for all entities participating in the bid, including subcontractor.
- B- The following annexes (see below the different cases) shall be duly filled in and signed by a representative of the economic operator authorised to sign contracts with third parties. It should be uploaded under "Attachments" in the section "Legal and regulatory capacity"

Case 1: Submission by one tenderer

The completed "Administrative information form" (**Annex 1**) accompanied by a legible copy of the **notice of appointment of the persons authorised to represent the tenderer** in dealings with third parties and in legal proceedings, (if it is not included in the document requested in Annex 2), or a copy of the publication of such appointment if the legislation which applies to the legal entity concerned requires such publication. If they are necessary in order to show the authorisation to represent the tenderer, the instrument of incorporation or constitution of the legal entity and/or a copy of the statutes have to be submitted. If the person(s) signing the tender or the person designated to sign the contract is/are entitled to represent the economic operator by a power of attorney from the abovementioned authorised persons, the power of attorney must also be submitted;

The "Legal entity form" (**Annex 2**) completed and signed by an authorised representative of the tenderer accompanied by all the requested supporting evidences:

- For legal persons, a **proof of registration**, as prescribed in their country of establishment, on one of the professional or trade registers or any other official document showing the registration number, a copy of the **VAT registration document**, where applicable.
- For public entities: a **proof of registration** number in the national register of the entity, a copy of the **VAT registration document**, where applicable, a copy the **official legal act establishing the entity** (a law, a decree, etc.).
- For natural person: a legible photocopy of the identity documents, a **proof of registration**, as prescribed in their country of establishment, on one of the professional or trade registers or any other official document showing the registration number, a copy of the **VAT registration document**, where applicable.

A standard form for individuals, private entities and public entities in each Member State language is available at the following Internet address:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

The "Financial identification form" (**Annex 3**) filled in and signed by an authorised representative of the tenderer and stamped by a bank representative. A specific form for each Member State language is available at:

http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm

The questionnaire for joint tenders and/or subcontracting signed by a legal representative of the tenderer (**Annex 4**).

Case 2: Submission in case of the tenderer with subcontractor(s)

If the tenderer wishes to subcontract all or part of the services, in addition to the documents to be provided in case 1, the following information must be provided in the tender:

The "Legal entity form" (**Annex 2**) completed and signed by the authorised representative of each subcontractor, accompanied by all the requested supporting evidence:

- For legal persons, a **proof of registration**, as prescribed in their country of establishment, on one of the professional or trade registers or any other official document showing the registration number, a copy of the **VAT registration document**, where applicable.
- For public entities: a **proof of registration** number in the national register of the entity, a copy of the **VAT registration document**, where applicable, a copy the **official legal act establishing the entity** (a law, a decree, etc.).
- For natural person: a legible photocopy of the identity documents, a **proof of registration**, as prescribed in their country of establishment, on one of the professional or trade registers or any other official document showing the registration number, a copy of the **VAT registration document**, where applicable.

A standard form for individuals, private entities and public entities in each Member State language is available at the following Internet address:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

A letter of availability signed by an authorised representative of the subcontractor stating their willingness to provide the services presented in the tender and in line with the present tender specifications if the tenderer is awarded the contract (**Annex 5**).

Case 3: Submission of joint tender

Each entity involved (all members of the group of economic operators included the lead partner) must provide following documents:

The completed "Administrative information form" as provided in **Annex 1**;

The "Legal entity form" (**Annex 2**) completed and signed by an authorised representative of the tenderer, accompanied by all the requested supporting evidence:

- For legal persons, a **proof of registration**, as prescribed in their country of establishment, on one of the professional or trade registers or any other official

document showing the registration number, a copy of the **VAT registration document**, where applicable.

- For public entities: a **proof of registration** number in the national register of the entity, a copy of the **VAT registration document**, where applicable, a copy the **official legal act establishing the entity** (a law, a decree, etc.).
- For natural person: a legible photocopy of the identity documents, a **proof of registration**, as prescribed in their country of establishment, on one of the professional or trade registers or any other official document showing the registration number, a copy of the **VAT registration document**, where applicable.

A standard form for individuals, private entities and public entities in each Member State language is available at the following Internet address:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

A letter signed by each member of the group of economic operators, except the lead partner, giving the authorisation to the lead partner to submit the tender on its behalf.

In addition, the following documents must be provided by the lead partner:

The "Financial identification form" (**Annex 3**) filled in and signed by an authorised representative of the tenderer and stamped by the signed by a bank representative. A specific form for each Member State language is available at:

http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm

The questionnaire for joint tenders and/or subcontracting signed by a legal representative of the lead partner (**Annex 4**).

After the award of the contract, the following document must be provided by the lead partner only before the signature of the contract and on the request of the Commission:

"Power of attorney" filled in and signed by an authorised representative of each partner (**Annex 6**).

4.4.2 Section Two: Exclusion criteria

Article 106 of the Financial Regulation defines situations when the tenderers shall be excluded from participating in procurement procedures.

Declaration:

The tenderer(s) including each partner in case of joint tender and each subcontractor⁹ must provide the "Declaration on honour on exclusion criteria and selection criteria" (**Annex 7**) attesting that they are not in one of the exclusion situations detailed in the Declaration on honour.

The declaration(s) shall be signed by an authorised representative either with advanced electronic signature based on qualified certificates or by scanning and uploading a hand

⁹ The Contracting Authority shall require that a candidate or tenderer replaces a subcontractor or an entity on whose capacity the candidate or tenderer intends to rely, which is in an exclusion situation.

signed copy. The declaration(s) must be uploaded under "**Parties**" → "Identification of the Tenderer" → "[Party Name]" → tab 'Attachments' - Exclusion criteria.

The documents which were signed with an advanced electronic signature based on qualified certificates are not required to be sent them by post.

When the declaration(s) on honour and/or the tender report are signed by hand, a scanned copy must be attached to the tender in e-Submission. The hand-signed originals must be sent by letter at the latest on the first working day following the electronic submission of tender. Only the originals of the declaration on honour and the tender report are to be sent by letter, not other documents

(Details on the electronic submission system are provided in annex 10 "e-Submission application guide" point 5).

Evidence:

Only on request of the Contracting Authority, and for contracts with a value higher than EUR 144.000, the successful tenderer must provide the documents mentioned as supporting evidence in the declaration on honour (Annex 7) 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. The Contracting Authority reserves the right to require these documents for the other subcontractors

4.4.3 Section Three: 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 (see Annex 4).

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

Declaration:

The tenderers (and each member of the group of economic operators in case of joint tender) and subcontractors whose capacity is necessary to fulfil the selection criteria must provide the declaration on honour (see Annex 4), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them.

In case of joint tender or subcontracting, the criteria applicable to the tenderer as a whole will be verified by combining the various declarations for a consolidated assessment.

This declaration is part of the declaration used for exclusion criteria (see section 4.4.2) so only one declaration covering both aspects should be provided by each concerned entity.

Evidences:

Tenderers will be required to provide the evidence mentioned below (see 4.4.3 a, 4.4.3 b) in the tender. 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- Economic and financial capacity:

Tenderer(s), in case of joint tender each partner, must provide enclose the full set of annual accounts (balance sheet, profit and loss account and notes on the accounts) for the last two years.

The above annexes shall be uploaded under ""**Parties**" → "Identification of the Tenderer" → "[Party Name]" → tab 'Attachments'- Economic and financial capacity"

The Contracting Authority reserves the right to ask these documents for the declared subcontractors.

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

b- Technical and professional capacity:

The following documents must be provided by the tenderer(s) as an evidence of the educational and professional qualifications:

Tenderers must enclose a CV of all personnel to be involved directly in performing the contract (including those working for any subcontractors) indicating educational and professional qualifications and experiences in areas relevant to the subject of this tender.

In the CV the language competence must be mentioned, bearing in mind that the main working languages in the Commission are English, French and German.

Tenderers must indicate whether or not the proposed staffs are currently working for the tenderer on the date of submission of the tender. The tender will clearly indicate if the proposed expert is an employee or not of the tenderer. If the proposed expert is not an employee, he/she will be considered as a subcontractor. Any person who is engaged on another project, where the input from his/her position in that contract will not have ended before the expected start of his/her activities under this contract, and where this commitment restricts his/her intended role under this contract must not be proposed for this contract.

A letter of availability signed by an authorised representative of the subcontractor stating their willingness to provide the services presented in the tender and in line with the present tender specifications if the tenderer is awarded the contract (Annex 5).

In addition, the tenderer shall provide a list of the principal services provided in the past three years, with the amounts, dates and recipients (public or private) and any relevant evidence proving the requirements of the selection criteria (refer to section 4.5.1 b)).

The above annexes shall be uploaded under ""**Parties**" → "Identification of the Tenderer" → "[Party Name]" → tab 'Attachments'- Technical and professional capacity"

4.4.4 Section Four: Technical tender

The technical Tender needs to be uploaded in the section "**Tender data**" → "Add your tender data – Technical tender [name of Call for Tender/ Lot name]" in the e-Submission application.

The tenderer must select the "Technical Tender" from the dropdown box ("Financial Tender or Technical Tender"). The e-Submission application allows attachment of as many documents as necessary.

The technical tender is the core of the tender and it is essential that it conforms perfectly to all requirements listed in the technical specifications.

Tenders must be clear and concise. Since tenderers will be judged on the content of their written tenders, the tenders must clearly show how the tenderers are able to meet the requirements of the specifications.

If it is intended to subcontract part of the service, this should be indicated and quantified (the identity of and resources provided by the subcontractor).

The technical tender must cover all aspects and tasks required in the technical specifications and provide all the information needed to apply the award criteria.

Tenders deviating from the requirements or not covering all minimum requirements described in section 2 point 2.6 (Technical specifications) may be rejected on the basis of non-compliance with the tender specifications and **will not be evaluated**.

The tender shall comply with applicable environmental, social and labour legislation established under Union legislation, national legislation, collective agreements or the applicable international social and environmental conventions listed in Annex X to Directive 2014/24/EU¹⁰.

The Commission envisages applying the EMAS environmental management system ('the EMAS system') provided for by Regulation (EC) No 1221/2009 of the European Parliament and the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342 of 22.12.2009, p. 1).

During the execution of the contract, the successful tenderer, group member(s) and/or any subcontractor(s), if relevant, may be requested by the Contracting Authority to implement the EMAS scheme, inter alia by providing information relating to the contract field required for the drafting and updating of the documents provided for by Regulation No 1221/2009 and the periodic evaluation of the system.

¹⁰ OJ L 94 of 28.03.2014, p. 65

4.4.5 Section Five: Financial tender

A complete financial proposal (Annex 8), including the breakdown of the price as indicated in the tender specifications needs to be uploaded in section "" Tender data" □ "Add your tender data – Financial tender [name of Call for Tender/ Lot name]"/ 'Lot name'>" in the e-Submission application. The tenderer will need to select the "Financial Tender" from the dropdown box ("Financial Tender or Technical Tender").

The total price needs also to be encoded directly in the e-Submission application "" Tender data" □ "Add your tender data <'name of Call for Tender' / 'Lot name'>").

The compulsory reply form (Annex 8) must be used.

Prices must be expressed in euro.

Prices should be quoted free of all duties, taxes and other charges, i.e. also **free of VAT**, as the European Commission is exempt from such charges pursuant to the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union (of 8 April 1965).

All costs associated with the completion of the work, including overheads such as infrastructure, administration, costs and travel should be included in the overall fixed price in the financial proposal (no reimbursable variable costs).

4.4.6 Section Six: Tender report

Tender report: Consolidation of tender documents

Once all information and documents have been encoded and uploaded in the e-Submission application, and you consider that the tender is complete, the application requires to create the tender report. **This Tender Report will be generated by the e-Submission application.**

This contains the list of documents that you submit. The sole tenderer's or leader's authorised representative(s) must sign the report. The tender preparation report shall be signed by an authorised representative either with advanced electronic signature based on qualified certificates or by scanning and uploading a hand signed copy.

In case of hand-signed copy, you **must send by post all the original documents** that were signed by hand immediately after the electronic submission of your Tender.

In case of a joint tender, the leader must collect all the original declarations signed by hand by the members of the group and send them by post together with the Tender Report, if the latter was also signed by hand. The original documents must be sent to the postal address indicated in the section 5 of Annex 10 "e-submission application guide", stating the reference to the call for tenders and the Tender ID.

The documents which were signed with an advanced electronic signature based on qualified certificates are not required to be sent them by post.

When the declaration(s) on honour and/or the tender report are signed by hand, a scanned copy must be attached to the tender in e-Submission. The hand-signed originals must be sent by letter at the latest on the first working day following the

electronic submission of tender. Only the originals of the declaration on honour and the tender report are to be sent by letter, not other documents

(Details on the electronic submission system are provided in annex 10 "e-Submission application guide" point 5).

4.5 Evaluation and award

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

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

The 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 criteria for choosing the contractor are divided in three categories: exclusion, selection and award. Exclusion and selection criteria are related to the candidate or tenderer, whereas award criteria are related to the tender. Exclusion and selection criteria are verified on a pass/fail basis.

The Contracting Authority will inform candidates and tenderers, simultaneously and individually, by electronic means of decisions reached concerning the outcome of the procedure as soon as possible:

- After the opening phase for tenders received after the deadline or received already open;
- After the award decision, specifying in each case the grounds for the decision.

The information of the successful tenderer does not imply any commitment on the part of the Contracting Authority.

4.5.1 Exclusion and selection of tenderers

The assessment of tenderers will take place in 2 stages:

a- Exclusion of tenderers

Article 106 of the Financial Regulation¹¹ defines situations when the tenderers shall be excluded from participating in procurement procedures (see Annex 7).

¹¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:L:2015:286:TOC>

As indicated in point 4.4.2, the tenderer(s) including each partner in case of joint tender and each subcontractor must provide the "Declaration on honour on exclusion criteria and selection criteria" (Annex 7) attesting that they are not in one of the exclusion situations detailed in the Declaration on honour.

Only on request of the Contracting Authority, and for contracts with a value higher than EUR 144.000, the successful tenderer must provide the documents mentioned as supporting evidence in the declaration on honour (Annex 7) 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. The Contracting Authority reserves the right to require these documents for the other subcontractors.

The Contracting Authority may waive the obligation of a tenderer to submit the documentary evidence referred to annex 7 in the following cases:

- (a) the candidate is an international organisation or;
- (b) such evidence has already been submitted for the purposes of another procurement procedure in 2017 and provided that the documents are not more than one year old starting from their issuing date and that they are still valid. In such a case, the tenderer shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes in his situation have occurred.

b- Selection criteria

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

Tenderers will be selected if they have the economic and financial capacity as well as the technical and professional capacity to perform the tasks required in this call for tender.

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. The tenderer (including each member of the group in case of joint tender) and sub-contractors must provide the requested information with the Legal Entity Form (See 4.4.1).

Economic and financial capacity criteria

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

The **economic and financial capacity** of the tenderer will be assessed on the basis of the last annual turnover which has to be at least two times the annual value of the contract to be awarded (equal to the annual value of the financial tender submitted).

In the case of joint tender (group of economic operators) or subcontracting, this turnover criteria shall be assessed in relation to the combined turnover of all the parties involved in the tender.

Tenderers will be required to provide the evidence mentioned below (see 4.4.3 a) in the tender. 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

The Contracting Authority may waive the obligation of a tenderer to submit the documentary evidence referred in point 4.4.3 a) above, if such evidence has already been submitted for the purposes of another procurement procedure in 2017 and that they are still valid. In such a case, the tenderer shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes in his situation have occurred.

All the requirements have to be fulfilled at the deadline for the submission of the tender

- **Technical and professional capacity criteria**

The **technical and professional capacity** of tenderer(s) will be assessed from the qualifications of the staff/experts proposed, the principal services provided in the past three years and, if any, the specific requirements mentioned in the tender specifications. In the case of joint tender (group of economic operators) or subcontracting, the technical and professional capacity shall be assessed in relation to the combined capacity of all the parties involved in the tender.

The tenderer must meet the following criteria.

Criteria relating to the tenderer:

Criterion 1	Experience in the field of processing large volumes of data and in the field of methodology linked to trade in goods statistics - IT
Minimum requirement	At least 1 previous project / contract of a value of minimum 50.000 euros performed in the last 5 years and demonstrating experience in large volume of data (at least 10 Gbytes a year)
Documentary evidence	List of projects

Criterion 2	Experience in the field of processing large volumes of data and in the field of methodology linked to trade in
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	goods statistics - Methodology
Minimum requirement	At least 1 previous project / contract of a value of minimum 50.000 euros performed in the last 5 years and demonstrating experience in the field of methodology linked to trade in goods statistics
Documentary evidence	List of projects

Note: the projects/contracts quoted for Criterion (1) and for Criterion (2) can be the same or can be different ones

Criteria relating to the team delivering the service:

Criterion 3	Educational and professional qualification - IT
Minimum requirement	At least 1 team member must have minimum 5 years professional experience as IT engineer / analyst in the field of processing large volumes of data (at least 10 Gbytes a year)
Documentary evidence	CVs of team members

Criterion 4	Educational and professional qualification - Methodology
Minimum requirement	At least 1 team member must have minimum 5 years professional experience as expert in the area of methodology linked to trade in goods
Documentary evidence	CVs of team members

Criterion 5	Language capabilities
Minimum requirement	At least 2 team members with Experience of working in English (minimum level B2 according to "Common European Framework of Reference for Languages")
Documentary evidence	CVs of team members

The assessment will be based on the tender and on tenderers' answers in the compulsory reply forms.

Tenderers who wish to be taken into consideration must submit all the necessary supporting documents (as indicated in section 4.4.3b)) and must use the forms provided in the annexes to this document.

Tenderers will be required to provide the evidence mentioned below (see 4.4.3 b) in the tender. 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

Incomplete tenders may be rejected. However, the Commission may request the submission of missing formal documents by electronic mail (normally to be submitted within 24 hours after the request).

In addition, the Commission reserves the right to use any other information from public or specialist sources.

All the requirements have to be fulfilled at the deadline for the submission of the tender

4.5.2 Compliance with minimum requirements

Before proceeding to the evaluation of the award criteria, the evaluation committee will assess the compliance of the tender with the minimum requirements contained in section 2 point 2.6 of the present tender specifications.

Furthermore, the tender shall comply with applicable environmental, social and labour legislation established under Union legislation, national legislation, collective agreements or the applicable international social and environmental conventions listed in Annex X to Directive 2014/24/EU¹².

Tenders deviating from the requirements defined in the tender specifications or not covering all requirements may be excluded on the basis of non-conformity with the tender specifications and will not be evaluated

4.5.3 Award of the contract

a- Evaluation of the technical quality of the tender

The evaluation (award) criteria will be assessed in relation to the tender as a whole.

The technical tender (including any subcontracted parts) must be sufficiently detailed to enable the tender to be assessed on the basis of all award criteria mentioned below. It should meet the technical specifications and address all matters laid down therein. The tender should provide all the information required to award the contract, including a description of the intended team structure and the respective role of each team member and (where applicable) models, examples and technical solutions to problems raised in the specifications.

Merely repeating the mandatory requirements set out in these specifications without going into detail or adding any value will result in a very low score. The degree to which

¹² OJ L 94 of 28.03.2014, p. 65

the criteria are met will be measured by a points score for each criterion. The relative importance of criteria for the overall score is indicated by the weighting of the award criteria.

Before its dispatch, please check that your tender is well documented according to the award criteria.

The technical quality of the tender will be assessed on the basis of the following criteria:

1. Technical approach and methodology (50 points)

The technical approach and methodology will be assessed on:

- The extent to which any particularities that are mentioned in the specific project/lot have been considered.
- The practical implementation proposed for the project, for all tasks and expected results to be carried out and how does it demonstrate a solid understanding of all the issues involved.
- Description of the work and the clarity of practical application on how to achieve the project's goals and outputs considering, if possible, examples to demonstrate its successful completion.
- Presentation and description of expected and tangible results to be attained
- Description of the project management methodology which will be applied to plan, monitor and control the execution of activities.

2. Work plan and timetable - overall planning (15 points)

The work plan and timetable will be assessed on:

- Detailed work plan and timetable to demonstrate that the project is achievable by the proposed deadline.
- Suitability between the work plan and the intended completion schedule.
- Clear work packages and divided responsibilities and work time amongst team members.
- Detailed implementation of the work plan to demonstrate successful achievement of the expected results, including rapid start-up, milestones and a realistic timeline taking into account the necessary time to involve expected participants and associated stakeholders and reports submitted on time
- Work plan making specific reference to mobilisation of the experts/team, appropriate evaluation points, submission of reports and documents, specific meetings and milestones.

3. Management arrangements - Organization of the work and resources (20 points)

The management arrangements - Organization of the work and resources will be assessed on:

- Description of the proposed team (number / profiles) with their role and responsibilities and of the different economic operators (in case of joint tender, including subcontractor if applicable) distributed for each task and work package. Balance between profiles and breakdown of the tasks (which profile is going to do which task and how much time will be devoted to each task per profile).

- Description of how each of the proposed experts will be assigned to the various elements of the work
- Level of details provided on the allocation of time and human resources to the project and each task or deliverables and the rationale behind the choice of the proposed allocation.
- Suitability of the proposed organization for achieving the desired objectives of the project.
- Description given by the tenderer of the part of the project that he/she is able to implement autonomously.
- Estimate of how much and what kind of Eurostat involvement would be needed to ensure successful delivery and how cooperation with the Commission will be managed in practice.
- Description of the control the tenderer will exercise over those working on the project and how it will be a success factor for the project.
- Business continuity measures on how the tenderer will assure continuity if staff assigned to the project leave. A description of the back-up system to cover absences of key profiles (project manager, senior expert..)
- Detailed needs and justification for specific technical resources (software, informatics, resources, logistic, etc.).

4. Quality arrangements - Quality control measure(15 points)

The quality arrangements - Quality control measure will be assessed on:

- Detailed quality control system applied to the service(s) foreseen in the tender specification concerning the quality of the deliverables and including continuity of the service in case of absence of a member of the team.

b- Method of selecting the economically most advantageous tender

Only tenderers whose tender has scored 50 % for each criterion and minimum 50 points in total or more on the technical evaluation according to the criteria and points set out under item 4.5.3.a may participate in the evaluation of the financial proposal. The contract will be awarded to the economically most advantageous tender, ie the tender tendering the best price-quality ratio on the basis of the following method:

$$R = \left(\frac{P_{\min}}{P} * 100 \right) * 0.30 + Q * 0.70$$

where:

R	Price-quality ratio
Q	total quality score (out of 100) of tender in question
Pmin	Cheapest price

P	price of tender in question
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The tender ranked first after applying the formula will be awarded the contract.

c- Notification of tenderers of decisions taken by the Contracting Authority

You will be informed of the outcome of this procurement procedure by **e-mail only**. It is your responsibility to provide a valid e-mail address together with your contact details in your tender and to check this e-mail address regularly.

Eurostat will notify the successful tenderer of the award decision. This notification does not constitute a commitment on the part of Eurostat.

Simultaneously and individually, the Contracting Authority will inform all unsuccessful tenderers, by electronic means, that their application or tender has not been accepted, specifying in each case the reasons why the tender or application has not been accepted.

Unsuccessful tenderers may request additional information about the reasons for their rejection in writing by mail or email, and all tenderers who have put in an admissible tender (i.e. one that meets the exclusion and selection criteria) may obtain information about the characteristics and relative merits of the tender accepted and the name of the successful tenderer.

However, certain details need not be disclosed where disclosure would hinder application of the law, would be contrary to the public interest or would harm the legitimate business interests of public or private undertakings or could distort fair competition between those undertakings.

The Contracting Authority must reply within fifteen calendar days from receipt of the request.

The Contracting Authority may not sign the contract with the successful tenderer until 10 calendar days ("standstill period"). That period shall run from the day after the simultaneous dispatch of the notifications to successful and unsuccessful tenderers. However, if due to technical reasons the dispatch is made on paper, the standstill period is 15 days.

If only one tender has been received, there will not be a standstill period for signing the contract.

If necessary, the Contracting Authority may suspend signing of the contract for additional examination if justified by the requests or comments made by unsuccessful tenderers during the standstill period or any other relevant information received during that period. In that event, all the tenderers must be informed within three working days following the suspension decision.

Should it not be possible to conclude the contract with the successful tenderer or should they withdraw, Eurostat reserves the right to review its decision and to award the contract to another tenderer, to close or to cancel the procedure.

Any request for information and any reply will have neither the purpose nor the effect of suspending the deadline for lodging an appeal against the contract award decision, which must be done within two months of the notification.

d- 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.