



European Asylum Support Office

SUPPORT IS OUR MISSION

## **Procurement procedure EASO/2018/687**

### **Annex I to the Invitation to Tender**

#### **Tender Specifications**

**Provision of proofreading and language editing services for EASO's publications and other documents and products in non-EU languages.**

***Lot 1: Albanian, Arabic, Macedonian, Norwegian, Russian, Serbian and Turkish***

***Lot 2: Kurdish Kurmanji, Kurdish Sorani, Somali, Tigrinya, Farsi and any other languages***

**Open procurement procedure to conclude a multiple framework contract in cascade**

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## 1 INTRODUCTION

The European Asylum Support Office (EASO or the Contracting Authority) was established by Regulation (EU) 439/2010 as an independent and specialised body to strengthen EU countries' practical cooperation on asylum, to support EU countries whose asylum and reception systems are under particular pressure and to enhance the implementation of the Common European Asylum System (CEAS)<sup>1</sup>.

The migration and asylum processes are dynamic, multifaceted and constantly evolving and EASO's actions and its coordinating role in exchanging information, best practices and methodologies reflect this.

EASO constantly develops a wide range of material in all EU official languages and these material are also translated in third country (non-EU) languages. These include EASO guides; training material including manuals and handbooks; operational tools; COI (Country of Origin) reports, as well as the latest asylum data and analysis.

In addition to this, there are working documents and EU+ countries' documents which have been translated into relevant languages. This material, which may be technical, requires proofreading and language editing before publication and/or delivery to Member States or third countries. This service must be provided in a timely manner, with a high level of accuracy and following specific inter-institutional and in-house style guides to guarantee coherence.

EASO is launching an open tender procedure in order to conclude multiple Framework Service Contracts (hereinafter referred to as 'FWC') in cascade with a maximum of 3 selected contractors (hereinafter referred to as 'the Contractor') per lot for the provision of proofreading and language editing services for EASO publications and other documents and products in non-EU languages. The procedure is divided into two (2) lots:

LOT 1: Provision of proofreading services and language editing services for original texts or texts translated from English into Albanian, Arabic, Macedonian, Norwegian, Russian, Serbian and Turkish.

LOT 2: Provision of proofreading services and language editing services for original texts or texts translated from English into Kurdish Kurmanji, Kurdish Sorani, Somali, Tigrinya, Farsi and any other language.

## 2 REGULATORY FRAMEWORK

This procedure is governed by Regulation (EU, Euratom) 2018/1046<sup>2</sup> of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.

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<sup>1</sup> OJ L 132, 29.5.2010, p. 11.

<sup>2</sup> OJ L 193, 30.7.2018, p. 1.

### 3 TECHNICAL SPECIFICATIONS

The Contractor should ensure proofreading and language editing services of EASO publications and other documents and products in non-EU languages. Documents are either in the original language or have already been translated by a professional translator who is a native speaker of the target language. All documents shall be checked for consistency (grammatically and terminology-wise) and translated documents should be checked (where possible) to ensure that they follow the same structure and register as the original manuscript.

The Contractor must check, and revise where necessary, sentence structuring, semantics, spelling, punctuation and grammar. Editing includes correcting spelling, grammar and punctuation mistakes, improving the style and coherence of the text, as well as ensuring that the text follows typographical rules in accordance with EU's inter-institutional style guide (<http://publications.europa.eu/code/en/en-000100.htm>) and/or other internal style guides, as appropriate, unless otherwise instructed by EASO. The Contractor should liaise with EASO when any questions arise.

For the purpose of proofreading, each page is considered equivalent to 1500 characters without spaces (for lot 2 a half page is considered equivalent of up to 750 characters without spaces). EASO products are mainly, but not only, of administrative nature such as business/legal and work documents and tools concerning EASO's activities. EASO shall deliver the script in Word format or, where this is not possible, in other editable formats.

The Contractor must comply with the following requirements:

- Provide standard language editing of manuscripts including proofreading the entire text, usually provided in MS Word or Excel (tables, graphs).
  - Have proofreaders with an excellent knowledge of terminology specific to the field of asylum/migration (for lot 1 only).
  - Contact EASO promptly to highlight problematic issues and advise EASO on suggested solutions with a view to optimizing the result while minimising delay.
  - Alert and provide frequent updates on any change to the agreed service delivery deadlines and/or perceived challenges (be available by email, phone and conference call).
  - Use the glossaries provided in the links below or by EASO in order to verify that terminology is consistent.
- a) European Council: Migration Key Terms in 23 languages (2013):  
<http://www.consilium.europa.eu/en/documents-publications/publications/2013/migration-key-terms-23-languages/>
  - b) European Commission, EU Immigration Portal (English, French, Spanish, Portuguese, Arabic): Glossary: [https://ec.europa.eu/immigration/content/glossary\\_en](https://ec.europa.eu/immigration/content/glossary_en)
  - c) European Commission, Migration and Home Affairs (English): Glossary: [https://ec.europa.eu/home-affairs/e-library/glossary/index\\_a\\_en](https://ec.europa.eu/home-affairs/e-library/glossary/index_a_en)
  - d) EMN: Glossary Asylum and Migration (2014/2015) (English, German, Spanish, French, Italian, Portuguese, Arabic): [https://ec.europa.eu/home-affairs/what-we-do/networks/european\\_migration\\_network/glossary/index\\_a\\_en](https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary/index_a_en).

- e) IATE: Interactive Terminology for Europe  
<http://iate.europa.eu/switchLang.do?success=mainPage&lang=en>

### 3.1 DESCRIPTION OF DELIVERABLES

Contractors must have capacity to provide proofreading and language editing services for a minimum of 8 pages per working day per proofreader for normal delivery and, for lot 1 only, for a minimum of 16 pages per working day per proofreader for an urgent delivery. By accepting a request for services, the Contractor confirms that he has the capacity and contingency in place to fulfil EASOs requests to agreed deadlines.

The languages covered by lot 1 are Albanian, Arabic, Macedonian, Norwegian, Russian, Serbian and Turkish. The languages covered by lot 2 are Kurdish Kurmanji, Kurdish Sorani, Somali, Tigrinya and Farsi and any other language. Any other language may be any non-EU language which is not already mentioned in lot 1 and lot 2.

The proofread and edited script shall be delivered to EASO in the same format as the original. Two documents must be delivered: one showing the changes made using track changes or highlights and a clean copy of the document.

## 4 INFORMATION ON TENDERING

### 4.1 ACCESS TO THE MARKET

Participation in this procurement procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties<sup>3</sup>, as well as to international organisations.

It is also open to all natural and legal persons established in a third country which has a special agreement with the European Union in the field of public procurement under the conditions laid down in that agreement<sup>4</sup>.

Being launched by an EU Agency, this procurement procedure is not open to the countries parties to the Agreement on Government Procurement (GPA)<sup>5</sup>.

The rules of access to the market apply to all joint tenderers but do not apply to subcontractors.

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<sup>3</sup> 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.

<sup>4</sup> Namely, under the Stabilisation and Association Agreements (SAA) economic operators established in **FYROM, Albania, Montenegro, Serbia and Bosnia and Herzegovina** have been granted access to procurement procedures of EASO regardless of the value of the purchase.

Moreover, under the European Economic Agreement, economic operators established in **Iceland, Norway and Liechtenstein** have full access to procurement procedures of EASO.

<sup>5</sup> Except for Iceland, Norway and Liechtenstein.

## **4.2 PARTICIPATION**

Economic operators can submit a tender either as a sole tenderer or as a group of tenderers (joint tender Section 4.2.1.). In either case, subcontracting is permitted as described in detail below. A tenderer can also rely on the capacities of other entities to fulfil the selection criteria.

By filling in the Standard Submission Form 1 (SSF 1), the tenderer must clearly specify the role of each economic operator involved in the tender as a member of a group, a subcontractor or a third party on whose capacity is being relied upon. This also applies where the entities involved belong to the same economic group.

The contracting authority may require the tenderer to remove or replace an entity (a member of the group, a subcontractor or an entity on whose capacity is being relied) which is in an exclusion situation or does not meet a relevant selection criterion.

### **4.2.1 JOINT TENDERS**

A joint tender is a situation where a tender is submitted by a group of economic operators (natural or legal persons).

Each legal entity of the group shall assume joint and several liability towards the contracting authority for the performance of the contract as a whole, i.e. both financial and operational liability.

The group shall nominate one legal entity ('the leader') who will have full authority to bind the group and each of its members, and will be responsible for the administrative management of the contract (invoicing, receiving payments, etc.) on behalf of all other entities.

Any change in the composition of the group during the procurement procedure is subject to the prior written approval of the contracting authority and may lead to the rejection of the tender. Any change in the composition of the group after the signature of the contract is subject to the prior written approval of the contracting authority and may lead to the termination of the contract.

If the joint tender is successful, 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.

In case of joint tenders, subcontracting is allowed, but the contractor shall retain full liability towards the contracting authority for the implementation of the contract.

For information on how the exclusion, selection and award criteria are applied to joint tenders (with or without subcontracting) please refer to section 7.2 of the tender specifications.

### **4.2.2 SUBCONTRACTING**

Subcontracting is the situation where the tender enters into a legal commitment with other entities for performing parts of the contract. In any case, the main contractor retains full liability towards the contracting authority for performance of the contract as a whole.

Tenderers are required to identify subcontractors whose capacity is necessary to fulfil the selection criteria.

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

Tenderers must inform the subcontractor(s) and include in their sub-contracting documents that Article II.24 of the contract may be applied to sub-contractors.

Once the contract has been signed, Article II.10 of the above-mentioned contract shall govern the subcontracting.

For information on how the exclusion, selection and award criteria are applied to subcontractors please refer to section 7.2. of the tender specifications.

#### **4.2.3 RELIANCE ON THIRD PARTY**

An economic operator may, where appropriate and for a particular contract, 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 the performance of the contract by producing a commitment by those entities to that effect.

With regard to **technical and professional criteria**, an economic operator may only rely on the capacities of other entities only where the latter will perform the works or services for which these capacities are required.

Where an economic operator relies on the capacities of other entities with regard to criteria relating to **economic and financial capacity**, the contracting authority may require that the economic operator and those entities be jointly liable for the performance of the contract.

For information on how the exclusion, selection and award criteria are applied to third parties please refer to section 7.2 of the tender specifications.

### **5 CONTRACTUAL CONDITIONS**

EASO envisages awarding a multiple framework service contract in cascade for the provision of Proofreading and Language Editing Services.

The tenderer should bear in mind the provisions of the draft contract which specifies the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, and checks and audits.

The Framework Contract involves no direct commitment and, in particular, does not constitute orders per se. Instead, it lays down the legal, financial, technical and administrative provisions governing the relationship between EASO and the Contractor during its period of validity. Actual orders will be placed after the Framework Contract is signed and in force, through order forms and/or specific contracts concluded in performance of the Framework Contract. The draft Framework Contract specifies the basic conditions applicable to any assignment, request or order placed under its terms. Signature of the Framework Contract does not place EASO under any obligation to place an assignment, request or order.

The estimated total maximum estimated value is EUR 1 800 000, (EUR 1 500 000 for lot 1, EUR 300 000 for lot 2) for the total maximum duration of 4 years. This figure is only indicative and is not in any way binding on EASO.

## **5.1 IMPLEMENTATION OF THE CONTRACT**

After the evaluation of tenders, the successful tenderers will be ranked in a list of Contractors per lot. The descending order reflects the sequence in which Contractors will be requested to provide the services when orders are placed. When placing an order, the Contractor at the top of the list will be contacted first. The second Contractor will only be contacted if the first is unavailable *or* not able to meet the agreed delivery schedule. Then, if necessary and under the same conditions, the third contractor will be contacted (Art 1.4.3 of the FWC).

A. EASO will submit a request for proofreading and/or language editing services to the first Contractor in the cascade, by sending an email specifying:

- The language of the text to be proofread and/or edited,
- The length of the text,
- The expected timeframe (starting date and duration) of the task.

B. Within maximum 3 working days after the request (maximum 5 working days for any other language not mentioned in lot 1 and lot 2), the Contractor shall provide EASO with a confirmation of availability to deliver the requested proofreading and/or language editing service.

Should the Contractor not be available, EASO may ask the next Contractor in the cascade.

### **Order form**

C. EASO shall submit to the Contractor an order form indicating the language and the length of the text, and the period of execution of the tasks.

D. The Contractor shall return the order form to EASO, duly signed, within 2 working days of receipt of the order form. Once the order form is signed by both parties the assignment can start.

### **Execution of the tasks**

E. Assignments shall commence on the date indicated on the order form once it is signed by both parties.

### **Delivery and acceptance of the tasks**

F. Once the service has been delivered, EASO will have 7 working days to issue the acceptance of the service. In case the service is not accepted, the Contractor will be informed and will have 7 days to finalise the document as per EASO instructions.



## 6 COMPLIANCE WITH APPLICABLE LAW

The tender must comply with applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU<sup>6</sup>.

## 7 STRUCTURE AND CONTENT OF THE TENDER

Tenders must be submitted exclusively via the electronic submission system (e-Submission) following the instructions available under the link below:

[https://webgate.ec.europa.eu/esubmission/assets/documents/manual/quickGuide\\_en.pdf](https://webgate.ec.europa.eu/esubmission/assets/documents/manual/quickGuide_en.pdf)

### 7.1 IDENTIFICATION OF THE TENDER

To identify himself the tenderer must fill in the fields in e-Submission (tab 'Identification of the tenderer'), together with the following documents, for himself and for each member of the consortium (if applicable).

- Identification Form (SSF 1) For legal persons, a legible copy of the notice of appointment of the persons authorised to represent the tenderer in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation applicable to the legal person requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.
- Legal Entity Form<sup>7</sup> is to be signed by a representative of the tenderer authorised to sign contracts with third parties. The form must be accompanied by the supporting documents indicated at the top of the form (for private entities: proof of registration, VAT registration, etc.; for individuals: copy of passport, proof of registration/VAT if applicable; for public entities: official document on establishment, etc.)
- Financial Identification Form<sup>8</sup> shall be duly filled in and signed by an authorized representative of the tenderer. It must be signed and stamped by his bank legal representative or accompanied by the supporting documents therein described.

As stated above, both joint offers and subcontracting are allowed in response to this call for tenders. Offers may even combine both approaches. In any case, the tender documents must specify very clearly by means of the appropriate forms, detailed in SSF 2-5, whether each company involved in the tender is acting as a partner in a joint offer or as a subcontractor (this also applies where the various companies involved belong to the same group, or even where one is the parent company of the others). The tender documents should also specify if the tenderer relies on the capacities of other entities with regard to criteria relating to **economic and financial capacity**, as described in par. 4.2.3. of the tender specifications.

<sup>6</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

<sup>7</sup> This form is available at:

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

<sup>8</sup> The form is available at:

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

The tenderer (and each member of the group in case of joint tender) must declare under SSF1 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.

**All duly-signed documents have to be uploaded in e-Submission in the tab 'Identification of the tenderer' → 'Attachments' → 'Other documents.'**

### **Joint Offers**

In case of a *joint offer*, the tenderer must identify each member of the group and clearly identify the allocation of tasks between members under SSF 1.

Only the leader must submit the Financial Identification Form. All of them will submit the Legal entity form.

In case of a tenderer submitting a joint offer who has already set up a consortium or similar entity for conducting the project in case a contract will be awarded, the tenderer should mention this fact in the tender, together with any other relevant information in this respect.

In case of tenderers submitting a joint offer who have not yet set up a consortium or similar entity, the tenderers should be aware that, in case the tenderers are awarded the contract, EASO may require the tenderer to give a formal status to this collaboration before the contract is signed. This can take the form of:

- an entity with legal personality recognized by a Member State; or
- an entity without legal personality but offering sufficient protection of EASO's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary association).

In case of tenderers submitting a joint offer, the tenderers are asked to fill in and duly sign one of the attached **Powers of Attorney (SSF 2, 3)**, depending on the set up that has been chosen by the tenderers.

### **Subcontracting**

If the tenderer envisages subcontracting more than 30% of the contract to a single contractor, the tender must include:

- a **subcontracting form (SSF 4)** clearly stating the roles, activities and responsibilities of the proposed subcontractor(s), the reasons why subcontracting is envisaged.
- a **letter of intent (SSF 5)** by each proposed subcontractor stating its intention to collaborate with the tender if the tenderer wins the contract and their willingness to accept the tasks and the terms and conditions set out above, in particular Article II.10 of the draft FWC service contract.

Subcontractors are only obliged to provide the legal entity form without the evidence, and are not required to present the financial identification form.

**If applicable, duly filled and signed forms SSF 2-5 have to be uploaded in e-Submission in the tab 'Identification of the tenderer' → 'Attachments' → 'Other documents.'**

## 7.2 EVALUATION AND AWARD

The evaluation is based solely on the information provided in the submitted tender.

Tenders received in conformity with the submission modalities of the call for tender will be subject to assessment with regard to the following criteria:

- Exclusion criteria (Section 7.2.1.)
- Selection criteria (Section 7.2.2.)
- Compliance with the minimum requirements set out in the procurement documents
- Award criteria (Section 7.2.3.)

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

The Contracting Authority will assess these criteria in no particular order.

A tenderer failing to pass a given category of criteria will not be evaluated under the other categories and will be informed of the ground for rejection without being given feedback on the non-assessed content of the tender.

### 7.2.1 EXCLUSION CRITERIA

Tenderers or their representatives shall provide a **Declaration on their honour (SSF 6) on exclusion criteria (part – I/II/III/IV)**, duly signed and dated stating that they are not in one of the situations of exclusion listed in that declaration on honour. By returning the above-mentioned form, duly signed, tenderers confirm their awareness of all requirements therein described.

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

In case of subcontracting, subcontractors whose capacity is necessary to fulfil the selection criteria must provide a declaration on honour signed by an authorised representative.

By returning the above-mentioned form, duly signed, tenderers confirm their awareness of all requirements therein described.

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

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

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

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

Where there will be doubts as to whether tenderers are in one of the situations of exclusion, EASO may itself apply to the competent authorities to obtain any information they consider necessary about that situation.

If these evidences will not be provided or proved to be unsatisfactory, EASO reserves the right to cancel the award procedure or to change the award decision to the benefit of the next best ranked tenderer on condition that he satisfies with the provision of the evidence on exclusion.

**Please note that the tenderer has to upload in e-Submission the signed Declaration on their honour (SSF 6) in the tab 'Identification of the tenderer' → 'Attachments' → 'Declaration on honour'. The tenderer is not required to upload it under any different tab. The form SSF 6 is to be uploaded only once.**

### 7.2.2 SELECTION CRITERIA

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

An economic operator may **rely on the capacities of other entities**, regardless of the legal nature of the links which it has with them. In that case, evidence must be provided that it will have at its disposal the resources necessary for performance of the contract, for example by producing a clear undertaking on the part of those entities to place those resources at its disposal.

In case of joint offer or sub-contracting or reliance on third parties, the tenderer(s) must stipulate the role, qualifications and experience of each service provider and, where relevant, the monitoring arrangements that exist between them.

#### **A. Legal and regulatory capacity**

Tenderers must prove that they are allowed to pursue the professional activity necessary to carry out the service subject to this call for tenders. Any tenderer is asked to prove that he is authorised to perform the contract under the national law.

- by inclusion in a professional or trade register, except when the economic operator is an international organisation;

If the tenderer is not required or permitted to enroll in a register for reasons of his statute or legal status, an explanation should be provided. Any change in the status, for example its acquisition by or merger with another company must be immediately notified to EASO in writing.

**Please note that the tenderer has to upload in e-Submission the signed Declaration on their honour (SSF 6) in the tab 'Identification of the tenderer' → 'Attachments' → 'Declaration on honour' the tenderer is not required to upload it under any different tab. The form SSF 6 is to be uploaded only once.**

#### **B. Economic and financial capacity**

The tenderer must have the necessary economic and financial capacity to perform this contract until its end.

In order to prove their capacity, the tenderer must comply with the following selection criteria.

- **Criterion B1**

Minimum annual turnover of the last three financial years for which accounts have been closed\*:

For lot 1: EUR 400 000

For lot 2: EUR 100 000

This criterion applies to the tenderer as a whole, i.e. the combined capacities of all members of the group in case of a joint tender; all subcontractors and all entities on whose capacity is relied.

\*In case of applying for both lots, the above stipulated selection criteria will apply cumulatively.

- **Evidence B1**

This proof is to be provided by submitting the completed Declaration on their honour (SSF 6) under part VII(1)(b).

**Please note that if the tenderer uploaded in e-Submission the signed Declaration on their honour (SSF 6) in the tab dedicated Declaration on honour under 'Identification of the tenderer' → 'Attachments' → 'Declaration on honour'. The tenderer is not required to upload it under any different tab. The form SSF 6 is to be uploaded only once.**

On a request from the contracting authority, the tenderer will provide, at any time during the procurement procedure and contract execution, the following **evidence** at short notice:

- Copy of the profit and loss accounts and balance sheet for the last three years for which accounts have been closed from each concerned legal entity;
- *Failing that* Appropriate statements from the banks, or, if relevant to the call subject, appropriate professional risk indemnity insurance

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

The Contracting Authority reserves the right not to award the contract to a tenderer where the evidence provided gives rise to major concerns on its financial viability to perform the contract and the tenderer has failed to mitigate these concerns by submitting observations or other evidence of financial viability.

**C. Technical and professional capacity of the tenderer(s)**

The tenderer must have the necessary technical and professional capacity to perform this contract until its end. The selection criteria will be assessed in particular with regard to their know-how and experience.

By submitting a tender, each legal entity involved therein accepts the possibility of a check being carried out by EASO on its technical and professional capacity.

In order to prove their capacity, the tenderer must comply with the following selection criteria:

- **Criterion C1**

Human resources with the educational and professional qualifications of the tenderer's managerial staff to ensure the proper delivery out the requested tasks. The contract manager and the backup contract manager must be an experienced co-ordinator who will act as the EASO contact on all matters related to the contract, including the quality of the proofreading and language editing work. The contract manager and the backup contract manager must have a minimum five (5) years' relevant experience as a contract manager, as well as excellent English language skills (minimum C1 level).

- **Evidence C1:**

This proof is to be provided by submitting the completed Declaration on their honour (SSF 6).

On request from the contracting authority, the tenderer will provide, at any time during the procurement procedure and contract execution, the following **evidence** at short notice:

Minimum of 1 CV of a contract manager and 1 CV of a backup contract manager documenting a minimum of five (5) years' relevant experience as contract manager, as well as excellent English language skills (minimum C1 level).

- **Criterion C2**

Proven experience in the field of proofreading and language editing services.

For lot 1:

The tenderer(s) must have had at least three (3) contracts for proofreading and language editing during the last three (3) years covering at least three (3) non-EU languages among the following: Albanian, Arabic, Macedonian, Norwegian, Russian, Serbian and Turkish (combined over the minimum 3 contracts).

For lot 2:

The tenderer(s) must have had at least three (3) contracts for proofreading and language editing during the last three (3) years covering at least three (3) third country languages among the following: Kurdish Kurmanji, Kurdish Sorani, Somali, Tigrinya and Farsi (combined over the minimum 3 contracts).

- **Evidence C2:**

This proof is to be provided by submitting the completed Declaration on their honour (SSF 6).

On request from the contracting authority, the tenderer will provide, at any time during the procurement procedure and contract execution, the following **evidence** at short notice:

For lot 1:

The tenderer(s) must be able to provide at least three (3) contract references of **proofreading and language editing contracts** during the last three (3) years covering at least three (3) non-EU languages among the following: Albanian, Arabic, Macedonian, Norwegian, Russian, Serbian and Turkish (combined over the minimum 3 contracts).

For lot 2:

The tenderer(s) must be able to provide at least three (3) contract references of **proofreading and language editing contracts** during the last three (3) years covering at least three (3) third country languages among the following: Kurdish Kurmanji, Kurdish Sorani, Somali, Tigrinya and Farsi (combined over the minimum 3 contracts).

These references should indicate the production dates, the approximate number of pages per language version, the value of the contract and the names of the clients.

**Please note that in case a tenderer is tendering for more than 1 lot, the same contract reference may be used for more than 1 lot if the contract covers languages of both lots.**

For lot 1 only:

- **Criterion C3**

Professional experience in the field of translating or proofreading or language editing documents **in the field of asylum/migration**.

The tenderer(s) must have had at least one (1) contract for translating or proofreading or language editing services during the last three (3) years in the field of asylum/migration in one of the languages mentioned in lot 1 (Albanian, Arabic, Macedonian, Norwegian, Russian, Serbian and Turkish).

- **Evidence C3:**

This proof is to be provided by submitting the completed Declaration on their honour (SSF 6).

On request from the contracting authority, the tenderer will provide, at any time during the procurement procedure and contract execution, the following **evidence** at short notice:

The tenderer(s) must be able to provide at least one (1) contract reference of translating or proofreading or language editing contracts during the last three (3) years **in the field of asylum/migration** in one of the languages mentioned in lot 1 (Albanian, Arabic, Macedonian, Norwegian, Russian, Serbian and Turkish). This reference is in addition to the references provided under point C2 above.

These references should indicate the production dates, the number of pages per language version, the value of the contract and the names of the clients.

This criterion applies to the tenderer as a whole, i.e. the combined capacities of all members of the group in case of a joint tender, all subcontractors and all entities on whose capacity is relied. Only the economic operators contributing to the criteria will need to provide the supporting documents.

**Please note that if the tenderer has uploaded in e-Submission the signed Declaration on their honour (SSF 6) in the tab 'Identification of the tenderer' → 'Attachments' → 'Declaration on honour', the tenderer is not required to upload it under any different tab. The form SSF 6 is to be uploaded only once.**

### 7.2.3 AWARD CRITERIA

The objective of the award criteria is to evaluate the technical and financial offer with a view to choosing the most economically advantageous tender in accordance with the award method indicated below.

#### **Best price quality ratio method**

The contract will be awarded to the most economically advantageous tender according to the 'best price-quality ratio' award method.

The following award criteria will be applied:

#### *A) Technical quality*

The technical quality will be evaluated according to the technical offer proposed by the tenderer.

Tenderers shall include in their bids a technical proposal addressing all aspects detailed in the technical specifications under section 3. The technical specifications and the tender of the successful tenderer shall become integral parts of the contract and will constitute annexes to the contract.

In order to prove the technical compliance of their offer to the tender specifications, the tenderers are requested to fill in **Annex C Technical Proposal** and upload it in e-Submission under the step 'Tender data' in the tab 'Technical Tender' → 'Technical offer'. Please note that, to grant equal treatment of all tenders, it is not possible to modify offers after their submission in relation to the technical and financial proposals.

Tenders shall elaborate on all points addressed by these specifications in order to score as many points as possible. The mere repetition of mandatory requirements set out in these specifications, without going into details or without giving any added value, will only result in a very low score. In addition, if certain essential points of these specifications are not expressively covered by the tender, EASO may decide to give a zero mark for the relevant qualitative award criteria.

Tenderers must provide a specific technical proposal for **each of the lots** they are tendering.



A	Qualitative award criteria	Maximum points
AW1	<p><b>Understanding of the objectives of the contract and the work to be carried out, and the methodology of performing the tasks</b></p> <p>Tenders will be evaluated based on:</p> <ul style="list-style-type: none"> <li>- A detailed description of the proposed methodology and organisation of work in order to provide the required services in an efficient and timely manner. The tender should indicate the steps involved in the proofreading and editing job involved in delivering the case study in Annex D, the methodology and steps followed to ensure the availability of a proofreader/editor with the requested language skills, the delivery of the final, edited document, any tools and procedures used and/or followed to ensure timely delivery of high quality proofreading and editing.</li> <li>- The quality of work based on the final proofreading and editing of the case study in Annex D, including the delivery of the requested versions.</li> </ul>	<p><b>40 (minimum required: 20)</b></p>
AW2	<p><b>Management approach in terms of organisation, flexibility and service orientation</b></p> <p>Tenders will be evaluated based on:</p> <ul style="list-style-type: none"> <li>- A detailed description of the way in which the provision of the services will be organised, including contract management, availability and adequacy of the resources and backup systems for ensuring timely completion of the contractual tasks, the way the contractor intends to distribute tasks within the team as well as the intended system of ensuring availability of proofreaders/editors available for urgent delivery (as needed for lot 1) or providing proofreading/editing services for less common languages (as needed for lot 2).</li> </ul>	<p><b>30 (minimum required: 15)</b></p>

<b>AW3</b>	<b>Quality of quality control procedures and mechanisms in place dealing with feedback from EASO on the quality of the deliverables.</b>  Tenders will be evaluated based on: <ul style="list-style-type: none"> <li>- A detailed description of the quality procedures for ensuring high quality proofreading and editing services for the full lifetime of the contract, as well as on the procedure for following up on EASO's feedback, making sure that amendment requests, adaptation to the context and referencing are considered in a timely manner and that proofreaders/editors who do not deliver in line with the contract are not used again.</li> </ul>	<b>30 (minimum required: 15)</b>
	<b>Total number of points</b>	<b>100 (overall minimum: 60)</b>

The tender is assessed according to the above qualitative award criteria and the weighting applicable to each criterion.

***Tenders scoring less than 60 % in the overall points total or less than 50% in the points awarded for a single criterion will be excluded from the rest of the assessment procedure.***

#### B) Price

For the purpose of the evaluation, the price taken into consideration is the one indicated in the **financial proposal form** Annex B to Tender specification. Tenderers must use this form to formulate their financial proposal for the contract and upload it in e-Submission under the step 'Tender data' in the tab 'Financial tender'.

In addition, it is mandatory to fill in the field '**Total amount excl. taxes**' in e-Submission which equals to the total comparison calculated in Annex B for the respective lot, as described in point 5 of this tender specifications. Please note that the field '**Total taxes amount**' shall indicate 0 as EASO is exempted from taxes.

The weightings of the financial proposal are based on the estimated usage of the services. Quantities are only indicative and not binding in any way on the contracting authority. These quantities are based on an estimation of the consumptions during the overall maximum duration of the contract including its renewal (48 months) and will be used only for the assessment of the financial offers.

The tenderers attention is drawn to the following points:

- The price for the tender must be quoted in euro. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to bear the risks or the benefits deriving from any variation.

- Prices should be quoted free of all duties, taxes and other charges, i.e. also free of VAT, as the Communities are exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965 (OJEC L 152 of 13 July 1967). Exemption is granted to EASO by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption. For those countries where national legislation provides an exemption by means of a reimbursement, the amount of VAT is to be shown separately. In case of doubts about the applicable VAT system, it is the tenderers responsibility to contact his national authorities to clarify the way in which EASO is exempt from VAT;
- Prices shall not be conditional and be directly applicable by following the technical specifications.
- Prices shall be fixed and not subject to revision.
- Variants are not accepted.

*C) Ranking of tenders:*

The contract will be awarded to the most economically advantageous tender/s, i.e. the tender/s offering the best price-quality ratio determined in accordance with the formula below. A weight of 60/40 is given to quality and price.

score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}}$	*	100	*	price weighting (in %)	+	total quality score (out of 100) for all award criteria of tender X	*	quality criteria weighting (in %)
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The tender ranked first after applying the formula will be awarded the highest ranking in the Cascade, followed by the second highest and third highest ranking tender. A maximum of three framework contracts will be signed per lot.

Annexes to the Tender Specifications:

Annex A: Standard Submission Forms (SSF) 1-6

Annex B: Financial Proposal form

Annex C: Technical Proposal form

Annex D: Case Studies