



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION
Directorate A - International and Mainstreaming
CLIMA.A.2 - Climate Finance, Mainstreaming, Montreal Protocol

CALL FOR TENDERS

CLIMA/A.2/SER/2018/0011

Service contract for supporting Fluorinated greenhouse gas policies

(4 LOTS)

**LOT 1 - International Fluorinated greenhouse gas/Ozone Depleting
Substances issues and Dissemination**

LOT 2 - Domestic Support

LOT 3 – HFC Price and Phase-down Monitoring

LOT 4 – Reports on SF6 and Split Air Conditioning

TENDER SPECIFICATIONS

TABLE OF CONTENTS

1.	INFORMATION ON TENDERING	4
1.1.	Participation	4
1.2.	Contractual conditions	4
1.3.	Compliance with applicable law	4
1.4.	Joint tenders	4
1.5.	Subcontracting	5
1.6.	Structure and content of the tender	5
1.7.	Identification of the tenderer.....	5
2.	EVALUATION AND AWARD.....	6
2.1.	Evaluation steps	6
2.2.	Verification of non-exclusion	6
2.3.	Selection criteria	7
2.4.	Compliance with the minimum requirements.....	10
2.5.	Award criteria	11
2.6.	Financial offer.....	13
3.	TECHNICAL SPECIFICATIONS	14
	ANNEX 1 - ADMINISTRATIVE INFORMATION FORM	29
	ANNEX 2 – QUESTIONNAIRE FOR JOINT BIDS AND SUBCONTRACTING	30
	ANNEX 3 – FINANCIAL OFFER TEMPLATE.....	32
	ANNEX 4 - LEGAL ENTITY AND FINANCIAL IDENTIFICATION FORMS	33
	ANNEX 5 - DECLARATION ON HONOUR ON EXCLUSION CRITERIA AND SELECTION CRITERIA.....	34
I –	SITUATION OF EXCLUSION CONCERNING THE PERSON.....	34

II – SITUATIONS OF EXCLUSION CONCERNING NATURAL OR LEGAL PERSONS WITH POWER OF REPRESENTATION, DECISION-MAKING OR CONTROL OVER THE LEGAL PERSON AND BENEFICIAL OWNERS...	36
III – SITUATIONS OF EXCLUSION CONCERNING NATURAL OR LEGAL PERSONS ASSUMING UNLIMITED LIABILITY FOR THE DEBTS OF THE LEGAL PERSON	37
IV – GROUNDS FOR REJECTION FROM THIS PROCEDURE.....	37
V – REMEDIAL MEASURES.....	37
VI – EVIDENCE UPON REQUEST	38
VII – SELECTION CRITERIA.....	38
VIII – EVIDENCE FOR SELECTION	39
ANNEX 7 - ACKNOWLEDGEMENT OF RECEIPT	42

1. INFORMATION ON TENDERING

1.1. Participation

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

It is also open to all natural and legal persons established in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the plurilateral Agreement on Government Procurement¹ concluded within the World Trade Organisation applies, the participation to this procedure is also open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions it lays down.

For British candidates or tenderers:

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.

1.2. Contractual conditions

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

1.3. Compliance with applicable law

The tender must comply with applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU².

1.4. Joint tenders

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

¹ See http://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm

² 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).

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

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

1.5. Subcontracting

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

Tenderers are required to identify all subcontractors and provide an indication of the proportion of subcontracting. See Annex 2, questionnaire for joint bids and subcontracting.

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

1.6. Structure and content of the tender

The tenders must be presented as follows:

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

Part B: Non-exclusion (see section 2.2)

Part C: Selection (see section 2.3)

Part D: Technical offer (see section 3)

Part E: Financial offer (see section 2.6)

1.7. Identification of the tenderer

The tender must include a cover letter signed by an authorised representative presenting the name of the tenderer (including all entities in case of joint tender) and identified subcontractors if applicable, and the name of the single contact point (leader) in relation to this procedure. Coherence must be ensured between the information in the cover letter and in Annex 1.

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

stating their willingness to provide the service presented in the tender and in line with the present tender specifications.

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

All tenderers (including all members of the group in case of joint tender) must provide a signed Legal Entity Form with its supporting evidence. The form is available on: http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

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

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

2. EVALUATION AND AWARD

2.1.Evaluation steps

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

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

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

The Contracting Authority will assess these criteria in no particular order. The successful tenderer must pass all criteria to be awarded the contract.

2.2.Verification of non-exclusion

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

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

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

The Contracting Authority reserves the right to verify whether the successful tenderer is in one of the situations of exclusion by requiring, at any point during the procedure, the supporting documents listed in the declaration on honour.

In any event, the successful tenderer must provide the documents mentioned 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 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.

2.3.Selection criteria

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

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.

2.3.1. Declaration and evidence

The tenderers (and each member of the group in case of joint tender) and subcontractors whose capacity is necessary to fulfil the selection criteria must provide the declaration on honour (see Annex 5), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them individually. 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 2.2) so only one declaration covering both aspects should be provided by each concerned entity.

The Contracting Authority will evaluate selection criteria on the basis of the declaration on honour and evidence submitted for the legal and regulatory, financial and economic and technical and professional capacity of the tenderers.

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

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

2.3.2. Legal and regulatory capacity criteria and evidence

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) must provide the following information in its tender if it has not been provided with the Legal Entity Form:

- For legal persons, a legible copy of the notice of appointment of the persons authorised to represent the tenderer in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation applicable to the legal person requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.
- For natural persons, if required under applicable law, a proof of registration on a professional or trade register or any other official document showing the registration number.

2.3.3 Economic and financial capacity criteria and evidence

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

Annual turnover of the last two financial years:

Lot 1, lot 3 and lot 4: above EUR 80.000 (eighty thousand each);

Lot 2: above EUR 160.000 (one hundred and sixty thousand).

When a tenderer applies for different lots, the annual minimum turnover must be above the sum of turnovers required for each lot; this criterion applies to the tenderer as a whole, i.e. the combined capacity of all members of a group and identified subcontractors in case of a joint tender.

In order to prove their capacity, the tenderer must submit with its tender the following evidence:

- Copy of the profit and loss accounts for the last two years for which accounts have been closed from each concerned legal entity;
- Failing that, appropriate statements from banks;
- If applicable, evidence of professional risk indemnity insurance.

If, for some exceptional reason which the Contracting Authority considers justified, a tenderer is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other documents 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.

2.3.4 Technical and professional capacity criteria and evidence

a. Criteria and evidence relating to tenderers

Tenderers (in case of a joint tender the combined capacity of all members of the group and identified subcontractors) must comply with the criteria listed below:

The project references indicated below consist of a list of relevant services provided (i.e. fully delivered) in the past three years, with the sums, dates and clients, public or private, accompanied by statements issued by the clients.

- **Criterion A1:** The tenderer must prove experience in the field of fluorinated gases including at EU level, and in drafting of relevant reports and recommendations.

Evidence A1: the tenderer must provide references for 1 project delivered in these fields in the last five years with a minimum value of € 80.000.

- **Criterion A2:** The tenderer must prove capacity to draft reports in English.

Evidence A2: the tenderer must provide one document of at least 10 pages (report, study, etc.) in this language that he/she has drafted and published or delivered to a client in the last two years.

- **Criterion A3:** The tenderer must prove its capacity to work at EU level and covering a wide geographical scope.

Evidence A3: the tenderer must provide references for 3 projects delivered in the last five years. The combination of projects must cover the required geographical scope.

- *For Lot 1 only:* The tenderer must prove experience in the functioning and mechanisms of the Montreal Protocol, including its funding practices, acquired by professional activities in the last five years.

In order to prove their capacity, the tenderer must submit with its tender the evidence listed above.

b. Criteria and evidence relating to the team delivering the service:

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

Criterion B1 - Project Manager: At least three years' experience in project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in projects of a similar size (at least €80.000) and coverage of EU MS.

Evidence B1: CV

Criterion B2 - Language quality check: at least 2 members of the team should have at least C1 level in the Common European Framework for Reference for Languages³ in English.

Evidence B2: a language certificate or past relevant experience.

Criterion B3 - Experts in EU and/or international fluorinated gas policies: Each expert should have relevant higher education degree and at least 3 years' professional experience in the field.

Evidence B3: CV

Criterion B4 - Team for data collection (for Lot 3 and 4 only): collectively the team should have proven experience of six years in data collection, data management, survey techniques and knowledge of English language.

Evidence B4: CV and a language certificate or past relevant experience.

In order to prove their capacity, the tenderer must submit with its tender the evidence listed above.

2.4. Compliance with the minimum requirements

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

³ See http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp

2.5. Award criteria

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

The Lots will be evaluated separately following the procedure outlined below:

A maximum of 60 points will be attributed to criterion 1, a maximum of 25 points will be attributed to criterion 2, and a maximum of 15 points will be attributed to criterion 3. In addition a minimum threshold will be set up under this system of points:

- Technical sufficiency levels: Selected companies will have to score a minimum of 30, 13 and 8 points under criteria 1, 2 and 3 respectively, with a minimum total of 65 points.

Assessment of the tenders will focus on the quality of the proposed services therefore tenderers should 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 expressly covered by the tender, the Commission may decide to give a zero mark for the relevant qualitative award criteria.

1 Quality of the proposed methodology (60 points – minimum threshold 30)

The degree to which the methodology shows the capacity to address the needs of the contracting authority will be assessed under this criterion. Furthermore the tender must demonstrate the capacity to resolve the questions underlying in the tender in a realistic and well-structured way, as well as demonstrate that the methods proposed are suited to the needs set out by the Commission in the Technical Specifications (see part 3). This includes in particular how the methodology will translate into high-quality deliverables for all tasks. The fitness-for –purpose of the proposed methodology for each of the tasks as listed in the Technical Specifications will be assessed under this criterion.

for Lot 1 only:

Sub-criterion 1.1 (45 points – minimum threshold 23 points) – Preparation and support of Montreal Protocol negotiations (Task 1)

Sub-criterion 1.2 (15 points – minimum threshold 8 points) – Outreach activities (Task 2)

for Lot 2 only:

Sub-criterion 2.1 (10 points – minimum threshold 5) – Further development of Fluorinated gas Portal and BDR reporting sheets (Task 1)

Sub-criterion 2.2 (20 points - minimum threshold 10) – Calculation of reference values and quotas (Task 2)

Sub-criterion 2.3 (20 points - minimum threshold 10) – Helpdesk function and monitoring company compliance (Task 3)

Sub-criterion 2.4 (10 points – minimum threshold 5) – Technical support (Task 4)

for Lot 3 only:

Sub-criterion 3.1 (20 points - minimum threshold 10) – Monitor Prices and Gas Availability (Task 1)

Sub-criterion 3.2 (10 points - minimum threshold 5) – Functioning of the quota system (Task 2)

Sub-criterion 3.3 (15 points - minimum threshold 8) – Innovation (Task 3)

Sub-criterion 3.4 (15 points - minimum threshold 8) – Identifying illegal trade (Task 4)

for Lot 4 only:

Sub-criterion 4.1 (45 points - minimum threshold 23) – SF6 in switchgears (Task 1)

Sub-criterion 4.2 (15 points - minimum threshold 8) – Single split AC (Task 2)

2 Organisation of the work and allocation of resources (25 points – minimum threshold 13 points)

This criterion will assess how the roles and responsibilities of the proposed team and of the economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task. It also assesses the global allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the work. The tender should provide details on the allocation of time and resources and the rationale behind the choice of this allocation. Details should be provided as part of the technical offer and not simply as part of the financial offer.

3 Quality control measures (15 points – minimum threshold 8 points)

This criterion will assess the quality control system applied to the service foreseen in these tender specifications concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of a member of the team. The quality control system should be detailed in the tender and specific to the tasks at hand; a generic quality control system will result in a low score.

2.5.1 Ranking and Award

Having examined the tenders from a technical point of view, the evaluation committee will proceed considering which is the economically most advantageous offer taking into account **only those tenders that have obtained at least 65 out of the 100 points that are available for the technical quality of the bid**. The evaluation committee will then proceed with the

financial comparison of the tenders retained for further consideration according to the ranking procedure below.

The bid offering the best value for money will be chosen, provided that the minimum number of points cited above is achieved. The ranking of the tenders will be calculated as follows:

- All bids that do not reach the stated technical sufficiency levels for each individual award criteria will not be considered for contract award.
- All bids that have passed the individual levels and score 65 or higher are deemed to be technically sufficient. Then the price is divided by the total number of points awarded to obtain the price-quality ratio. The award of the contract will be made in accordance with the lowest ratio.

The Commission reserves the right not to select any tender if the amounts tendered exceed the budget envisaged for this project.

2.6.Financial offer

This contract consists of four lots. Tenderers may wish to bid one or more lots.

The maximum budget allocated to Lot 1 is fixed at €70.000 excluding VAT (including fees, travel and all other costs).

The maximum budget allocated to Lot 2 is fixed at €170.000 excluding VAT (including fees, travel and all other costs).

The maximum budget allocated to Lot 3 is fixed at €90.000 excluding VAT (including fees, travel and all other costs).

The maximum budget allocated to Lot 4 is fixed at €70.000 excluding VAT (including fees, travel and all other costs).

NB Travel and subsistence expenses should be part of the lump sum and will not be refunded separately.

Any offers received that do not respect this maximum budget will be automatically excluded from the evaluation procedure. For guidance purposes see Annex 3.

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 assume the risks or the benefits deriving from any variation.

Prices must be quoted free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union. The amount of VAT may be shown separately.

3. TECHNICAL SPECIFICATIONS

This contract will consist of the following tasks, separated into 4 different Lots.

LOT 1: International Fluorinated gas/Ozone Depleting Substances Issues and Dissemination

3.1.1 General Background

The Montreal Protocol on Substances that Deplete the Ozone Layer (a protocol to the Vienna Convention for the Protection of the Ozone Layer) is an international treaty designed to protect the ozone layer by phasing out the production and consumption of substances that are responsible for ozone depletion (ODS: ozone-depleting substances).

The Kigali Amendment to the Montreal Protocol was adopted by the 28th Meeting of the Parties to the Montreal Protocol on 15 October 2016 in Kigali, Rwanda. It will enter into force on 1 January 2019, after the threshold for the agreement to enter into force was met on 17 November 2017. Under the Amendment, all countries will also gradually phase down Climate-warming hydrofluorocarbons (HFCs), which are not ODS but are strong greenhouse gases, by more than 80 per cent over the next 30 years and replace them with more climate-friendly alternatives.

Developed countries will start reducing HFCs as early as 2019, while developing countries will start later. Phasing down HFCs under the Protocol is expected to avoid up to 0.5°C of global warming by the end of the century, while continuing to protect the ozone layer.

The phase down of HFCs requires development and uptake of suitable alternative refrigerants, which can substitute the HFCs in relevant equipment such as air conditioners or refrigeration equipment world-wide.

3.1.2 Objectives

The general objectives are:

- to ensure sufficient technical support during the negotiations at international meetings under the Montreal Protocol;
- support DG CLIMA in outreach activities, especially on low Global Warming Potential (GWP) alternatives as well as on policy options and scenarios, including at international level.

3.1.3 Tasks

- Task 1.1 Preparing and supporting Montreal Protocol negotiations on HFC and ODS matters

In advance of relevant international meetings under the Montreal Protocol (Open Ended Working Group (OEWG) 2019, Meeting of the Parties (MOP) 2019, OEWG 2020, MOP 2020, including any extraordinary (unlikely) OEWGs or MOPs), the contractor shall provide briefings on any technical issues related to matters to be discussed under the Montreal Protocol, especially with regard to assessing pre-session documents and relevant assessment reports of the Technology and Economic Assessment Panel (TEAP) and/or the Scientific

Assessment Panel (SAP). The contractor should furthermore provide technical background to any issues to be discussed at these meetings, which relate to ozone depleting substances, HFCs and their alternatives. Advice will also be needed to ensure compliance with EU commitments under the Montreal Protocol (e.g. reporting to the Ozone Secretariat, information requests from parties). This may also include preparing written or oral interventions and submissions for the international negotiations as well as preparatory documents for the EU coordination meetings. During the negotiations, the contractor should be on email stand-by to provide immediate technical support on short notice and respond within 12 hours. This refers to short responses to technical questions of clarifications received by emails.

The budget for this task should not exceed 70% of the total budget of the lot.

Deliverables for Task 1.1:

Task	Deliverable	Content	type and delay/deadline
1.1	A	<i>Technical briefings, background papers, preparatory documents and suggested contributions during international negotiations and EU coordination meetings</i>	briefing packs for already scheduled negotiations (spring and autumn 2019 and 2020), plus for potential extraordinary meetings, not exceeding 10 pages each and to be submitted in English in electronic form; frequent email exchanges providing input; <i>throughout contract and especially in preparation of international meetings as defined above.</i>
1.1	B	<i>Stand-by during negotiations</i>	Provide technical support within 12 hours to requests by e-mail; <i>during international negotiations</i>

- Task 1.2 Participation in outreach activities on ODS/Fgas matters

The contractor should support DG CLIMA in outreach activities in order to facilitate the implementation of the F-gas legislation, communicate know-how on low GWP alternatives as well as policy options and scenarios, including at international level.

The contractor may be asked to organise 1-3 stakeholder workshops in Brussels. The Commission will provide the room. Expenses for travel arrangements, accommodation and catering of participants are not foreseen to be included under this contract. The task includes planning activities, invitations, preparation of material for the workshop (e.g. presentations), moderation during the workshop, and summing up workshop results. This task may in particular involve the production of background material for meetings such as the consultation forum.

This task shall also include participation in 1- 3 international meetings, conferences or workshops for 1- 3 days (not limited to the OEWG and MOP meetings, but may include intercontinental travel). The Contractor shall make active contributions to the relevant discussions and provide the relevant technical input, in particular in written form and through presentations: as panellists, speakers, or the provider of technical input.

Finally, the contractor may be asked to draft relevant guidance material, flyers and brochures, but this activity shall not exceed 5% of the budget.

The budget for this task 1.2 should not exceed 50%⁴ of the total budget of the lot.

Task	Deliverable	Content	type and delay/deadline
1.2	A	<i>Background material for meetings, Summary Minutes etc.</i>	<i>Max. 10 documents, before and after meetings; throughout contract</i>
1.2	B	<i>Organising Stakeholder Workshops including Workshop Summary Reports. Reports are to be submitted in English in electronic form. Reports longer than 10 pages should include an executive summary.</i>	<i>Brussels, 1 to 3 events throughout contract</i>
1.2	C	<i>Participation in international meetings</i>	<i>1 to max. 3 times throughout contract</i>
1.2	D	<i>Production of dissemination material</i>	<i>guidance documents, flyers and brochures; (max. 5% of budget allotted to this task)</i>

- **Interim Report for Lot 1:** should be presented by 13 months after signature of the contract and should progress made on all deliverables, including the briefing packs prepared for the 2019 international meetings. A PDF version should be provided.

– **Final Report for Lot 1:** should summarise work undertaken under all tasks, including all deliverables. A PDF version should be provided. The final report shall be delivered at the end of the contract.

LOT 2: Domestic Support

3.2.1 General background

F-Gas regulation

In May 2014, Regulation (EU) No 517/2014 on fluorinated greenhouse gases (the F-gas Regulation) was published. It foresees, inter alia, a phase-down of the supply of hydrofluorocarbons (HFCs) to the EU market.

⁴ The budget for tasks 1.1 and 1.2 may not exceed 100% overall.

The Regulation requires the Commission to carry out various tasks in implementing the HFC phase-down at EU level. The Commission also assists Member States and stakeholders by providing guidance on interpretation of the Regulation, which often requires technical input.

To ensure that the quantities of HFCs are reduced over time, the Commission allocates annual quotas to producers and importers of HFCs in accordance with Article 16, as well as Annexes V and VI, of the F-gas Regulation. Such entities placing bulk HFCs on the EU market must hold a sufficient quota to do so. Equipment pre-charged with HFCs also falls under the quota system since 1 January 2017. Importers of such equipment prove their compliance via a declaration of conformity usually accompanied by an authorisation to use the quota of a quota holder.

The Commission has put in place a registry ("HFC Registry") in order to enable implementation of the phase-down mechanism from 1st January 2015 onwards. The HFC Registry contains company details and quotas. Similarly, a new reporting scheme for companies has been developed. Both the HFC Registry and the reporting scheme are accessed via the F-Gas Portal (<https://webgate.ec.europa.eu/ods2/resources/home/>) on the DG CLIMA website. Reporting data is collected and stored in a database held by the European Environmental Agency (EEA). Data is reported by companies yearly by 31 March for the preceding year.

The Commission provides guidance on interpretation of the F-gas Regulation and on compliance with the HFC phase-down, including on exemptions as per Article 15.2.

Ozone Regulation

Regulation (EC) No. 1005/2009 on substances that deplete the ozone layer (the Ozone Regulation) provides the legal basis for the protection of the ozone layer within the European Union.

The Ozone Regulation has two objectives:

- To fulfil the obligations of the Montreal Protocol on substances that deplete the ozone layer, to which the EU and all of its Member States are parties.
- To ensure a higher level of ambition in the EU than required by the Protocol, in areas where this is technically and economically feasible.

To achieve the objectives, the Ozone Regulation imposes a number of measures and requirements across the EU, all aimed at minimising the use of ozone-depleting substances. These measures include, among others:

- Phase-out of hydrochlorofluorocarbons (HCFCs), including production (Articles 11(1), 11(3) and 11(5))
- Gradual phase-out of halons for critical uses (Annex VI to the Ozone Regulation).

By way of derogation from the phase-out schedule, the Commission may, following a request by a competent authority of a Member State:

- authorise a time-limited exemption to allow the use and placing on the market of hydrochlorofluorocarbons and of products and equipment containing or relying on hydrochlorofluorocarbons (Article 11(8));
- grant derogations from end dates for existing applications or cut-off dates for new applications in relation to halons for critical uses (Article 13(4));

where it is demonstrated that, for a particular use, technically and economically feasible alternative substances or technologies are not available or cannot be used.

3.2.2 Objectives

The general objective is to support DG CLIMA in implementing the (new) F-gas and Ozone Layer Protection policies.

The specific objectives of this tender are to obtain:

- support for the domestic implementation of the F-gas Regulation, in particular as regards the HFC Registry, reporting, quotas, help desk for companies and compliance issues;
- support in the analysis of the derogation requests under the Ozone Regulation.

3.2.3 Tasks

- Task 2.1: Further development of the Fgas Portal and the BDR reporting sheets

The contractor should help the Commission in further developing and improving the existing F-gas Portal to be a fit-for-purpose and user-friendly tool for a number of necessary functions, which include, *inter alia*, the registration of companies (currently ca. 5000), allocating quotas, storing quotas and quota authorisations, reporting on quota and authorisation use, keeping data confidential, allowing communication with companies and following up on compliance with the quota system. This task does not include actual IT development (which is done by DG CLIMA in-house) but rather developing conceptual approaches for improving these existing functions in close cooperation with DG CLIMA.

Similarly, the contractor shall make detailed technical recommendations for further developing the reporting sheet requirements on company reporting, in close cooperation with DG CLIMA. These require yearly updates and adjustment due to lessons learned from previous reporting cycles as well as new requirements including international developments (Kigali Amendment) and political developments (BREXIT). The technical reporting parameters need to be identified in detail, including any necessary automatic data quality control checks as well as compliance and verification checks. These recommendations will be the basis for IT development undertaken at the European Environmental Agency (EEA) responsible for carrying out the reporting exercise.

The budget for this task should not exceed 40% of the total budget of the lot.

Deliverables for Task 2.1:

Task	Deliverable	Content	type and delay/deadline
2.1	A	<i>Conceptual approaches for improving</i>	1-5 short technical notes in

		<i>different Fgas Portal functions</i>	electronic form, not expected to exceed 1 page each; frequent email exchanges providing input; <i>throughout contract</i>
2.1	B	<i>Detailed technical recommendations for updating/adjusting reporting sheets</i>	2-4 technical notes specifying detailed adjustments to reporting parameters; yearly exercise that is usually performed in June/July

- Task 2.2: Calculation of reference values and quotas for F-gases

The contractor will be asked to calculate the quotas for the years 2020 and 2021 for each company in accordance with the method described in Annex VI of the Regulation. The quotas must be provided in an Excel format.

The quota allocation for a specific year follows an annual cycle: The Commission invites producers and importers to declare their need for quota for the following year. Usually companies must provide their declarations in the Spring (e.g. April-May); the contractor will be requested to calculate quotas based on these declarations and on the relevant reference values as published in Commission Implementing Decision (EU) 2017/1984 of 24 October 2017⁵,⁶.

In addition, as specified in Article 16(3), the contractor shall recalculate the reference values for the period 2021-23 by 1 August 2020. These new reference values will serve as a basis for the quota allocation for the years 2021-2023. The new reference values are the average of quantities placed on the market by each company according to reported data since 2015. The relevant reported data will be provided to the contractor from EEA reporting database as soon as the reported data for 2019 have been consolidated (May 2020).

At a later stage some corrections of the reference values and quota values may become necessary, in particular in the light of verification reports that certain companies are requested to submit by 30 June in accordance with Article 19(6). The maximum quantity of quota available for the EU market may need to be recalculated annually due to the need to include the updated information as it becomes available on e.g. exemptions. This will affect the calculation of quotas which is carried out under the existing contract by June each year.

In addition to the calculations of quotas and reference values, the contractor will be asked to clarify issues and prepare responses to questions from quota holders related to these calculations.

The budget for this task should not exceed 30% of the total budget of the lot.

⁵ These may be corrected due to BREXIT

⁶ For 2021 new reference values are to be used which must be calculated as described in the following paragraph

Deliverables for task 2.2

Task	Deliverable	Content	type and delay/deadline
2.2	A	<i>Calculated quotas for 2020, 2021</i>	1 October 2019, 2020
2.2	B	<i>Calculate reference values for 2021-2023</i>	1 August 2020

- Task 2.3: Helpdesk function and monitoring company compliance for F-gases

The contractor will provide an Email-based helpdesk function, in particular during the peak of the yearly reporting period (February-April), in assisting companies on matters of understanding and complying with their reporting obligations. There are currently over 3000 companies affected by these obligations, but understanding of the rules is improving from year to year (see <https://www.eea.europa.eu/publications/fluorinated-greenhouse-gases-2017>).

The contractor will analyse the reported data for indications of compliance issues, both as regards companies trading in bulk HFCs and those trading in equipment charged with HFCs, and provide a list of possible companies that *inter alia* exceed quotas or authorisations, did not provide sufficient verification or proof of physical bulk supply or did not report at all. This analysis is done by performing relevant queries in the reporting database held by the EEA.

On the basis of these lists the contractor will assist DG CLIMA in following up on companies that are in potential non-compliance. This may involve correspondence with the affected companies as regards their obligations and checking on further information and evidence provided by companies, such as verification reports, to help establish if they are indeed non-compliant. This task is mostly focused on the quota holders (companies dealing with bulk gas), while follow up on other companies (equipment importers, non-reporters) will be performed by Member State authorities.

The budget for this task should not exceed 60% of the total budget of the lot.

Deliverables for task 2.3

Task	Deliverable	Content	type and delay/deadline
2.3	A	<i>Helpdesk function for assisting companies on legal reporting obligations</i>	<i>Peak requests are in February-April; low demand for rest of year</i>
2.3	B	<i>Identification of potentially non-compliant companies</i>	<i>Lists to be provided by 1 June each year throughout duration of the contract</i>
2.3	C	<i>Follow up on non-compliant companies, completeness and accuracy of verification reports</i>	<i>upon request, but likely to be mostly June-July on yearly basis throughout duration of the contract</i>

- Task 2.4: Technical support for F-gases and Ozone

This task also includes providing technical support on a short notice basis on matters related in particular to the phase-down and the quota system of F-gases and ozone-depleting substances. This will provide input to DG CLIMA on technical issues, in particular to

effectively respond to technical questions from stakeholders. Furthermore, some technical input may be required for different obligations of the F-gas and Ozone Regulation, e.g. on the specification of leak checks, possible exemption applications (pursuant to Article 11(3) or 15(4) of the F-gas Regulation and pursuant to Articles 11(8) and 13(4) of the Ozone Regulation) or reporting issues. This task involves generating brief written background notes (maximum 20) with technical analysis/assessment including data compilations. Such notes would generally contain no more than 10 pages, and should be produced within a period of 1-2 weeks, in particular cases e.g. where further research should be needed this may be extended by mutual agreement with DG CLIMA. In the case of exemptions, the contractor should provide a technical analysis (maximum 10 pages) demonstrating whether or not such a request complies with the conditions set out in the relevant Article.

The contractor is also expected to deliver continuous technical support for implementing the phase-down of F-gases and ozone-depleting substances on a stand-by basis. Permanent e-mail availability (within 3 working days) on short technical questions and issues needing clarification is required. Such requests would not require any elaborate background work or analysis, but necessitate a short answer or expert opinion on a narrowly phrased technical issue, in particular concerning technical questions from stakeholders.

The budget for this task should not exceed 40% of the total budget of the lot.

Deliverables for task 2.4

Task	Deliverable	Content	type and delay/deadline
2.4	A	<i>Technical analyses and assessments</i>	<i>Max. 20 notes of no more than 10 pages each, to be provided in electronic form throughout contract</i>
2.4	B	<i>Technical stand-by support</i>	<i>(short email requests) throughout contract</i>

- **Interim Report for Lot 2:** should be presented by 9 months after signature of the contract and should progress made on all deliverables. A PDF version should be provided.

– **Final Report for Lot 2:** should summarise work undertaken under all tasks, including all deliverables. A PDF version should be provided. To be delivered at the end of the contract.

LOT 3: HFC Price and Phase-down Monitoring

3.3.1 General Background

Regulation (EU) No 517/2014 on fluorinated greenhouse gases foresees a phase-down of the supply of hydrofluorocarbons (HFCs) to the EU market. In 2018, only 63% of the baseline for HFCs may be placed on the market. This has led to increased prices for these gases and a dynamic market situation which needs to be monitored.

The supply reduction and increased market price may cause a growth in illegal HFC trade, especially of illegal import in the EU of HFCs not included in the quota system. In order to

assess and monitor the effects of this measure, including on illegal trade, it is essential to follow the development and to analyse the underlying market drivers.

3.3.2 Objectives

The general objective is to analyse the market and economic aspects of the supply of and demand for HFCs and alternative technologies for internal use by DG CLIMA, supporting the monitoring of the effects of Regulation (EU) No 517/2014.

The specific objectives of this contract are to:

- monitor and analyse the market and price developments on the global and EU market for HFCs;
- assess the functioning and impacts of the quota system;
- analyse the impact of the phase-down on innovation in the relevant sectors;
- assess the magnitude of illegal trade and identify non-compliant companies when possible.

3.3.3 Tasks

- Task 3.1: Monitor Prices and Gas Availability in relation to HFCs and their alternatives

The contractor should continue the monitoring of prices currently done under contract **340201/2018/779434/SER/CLIMA.A.2**. This involves monitoring and analysing the EU and global HFC market and following price developments (monthly averages) at different points in the value chain (e.g. large bulk quantities, sale to manufacturers of equipment, small quantities for servicing). Eight quarterly reports should be delivered, starting from N+3 months and ending at N+24 months, by use of a reporting format allowing a consistent comparison with data obtained under the previous contract. In these reports an assessment of the observed trends should be performed, by analysing the underlying drivers for the recent market development, and to the extent possible differentiate by sectors of use and regional availability and taking into account the past price developments reported. To the extent possible, these reports should also provide a forecast of the expected market development. A particular emphasis should be placed on examining possible shortages of gas and their unavailability in the market for certain market players.

The contractor will have to collect input from industrial stakeholders to perform this task. The bidders are asked to provide a detailed outline to their approach for this task.

Deliverables 3.1

Task	Deliverable	Content	type and delay/deadline
3.1	A	<i>8 quarterly reports on the HFC market and price development in the EU and on the global market, on the assessment of drivers of the trends observed including a forecast of future trends. Reports should be provided in electronic form</i>	<i>Quarterly basis from 3 months to 24 months after signature of the contract.</i>

- Task 3.2: Functioning of the quota system for F-gases

The contractor should provide updated information of the function and working of the quota system, including the impact of allocating quotas for free, as well as the situation for pre-charged equipment importers. This task involves an analysis of the reporting, registry and compliance data and may involve consultations with the relevant stakeholders. It is envisaged to produce a relevant analysis paper on a yearly basis. This shall not exceed 20 pages and have an executive summary.

Deliverables 3.2

Task	Deliverable	Content	type and delay/deadline
3.2	A	<i>2 assessment reports on quota system</i>	<i>Yearly basis by end of year, max. 20 pages, have an executive summary</i>

- Task 3.3: Innovation in the F-gas sector

The contractor should examine on the basis of recent company announcements and trade fairs to what degree the phase-down is driving innovation in the field. The analysis should be carried out for the most relevant sectors, with a particular focus on the Air Conditioning and Heatpump Sector. This will be a one-time report not exceeding 5 pages complemented by a detailed Annex showing the particular new technologies that have entered the market recently.

Deliverables 3.3

Task	Deliverable	Content	type and delay/deadline
3.3	A	<i>1 reports complemented by technical Annex</i>	<i>End 2020</i>

- Task 3.4: Identifying illegal trade in F-gases

Building on the results of previous contract 340201/2017/761424/SER/CLIMA.A.2 [see https://ec.europa.eu/clima/sites/clima/files/docs/0106/2018_03_06_illegal_trade_en.pdf] the tenderer should compare the EUROSTAT data (data facilitated by DG CLIMA) sets to data available from company reporting according to Article 19 of the F-gas Regulation at the EEA Business Data Repository (BDR) (2013-2016), as well as data available from Chinese export data (to be provided by DG CLIMA) and possibly any other available relevant data sources the tenderer can identify. In particular, any discrepancies between the different data sources should be highlighted and examined why such discrepancies exist. The aim is to see if there are any indications of illegal trade from the perspective of the F-gas Regulation (i.e. non-compliance with the HFC quota-system and/or reporting obligations) and if so, provide quantification as well as, if possible, identify any non-compliant companies. The comparison should also include data on pre-charged equipment, where available.

Deliverables 3.4

3.4	A	<i>Inter-comparison of BDR company reporting with EUROSTAT dataset, Chinese export data and other relevant data</i>	<i>report as WORD docx/pdf; any additional data as xls; 3 months after signature of the contract.</i>
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- **Interim Report for Lot 3:** should be presented by 13 months after signature of the contract and should progress made on deliverables 3.1 and 3.2, as well as the final report as per deliverable 3.4A. A PDF version should be provided.

– **Final Report for Lot 3:** should summarise work undertaken under all tasks, including all deliverables. A PDF version should be provided. To be delivered at the end of the contract.

LOT 4: SF6 and AC split reports

3.4.1 General Background

The F-Gas Regulation (EU) No 517/2014 aims at protecting the environment by reducing emissions of fluorinated greenhouse gases. It includes, inter alia, prohibitions on the placing on the market of different types of air-conditioning systems, including for small single-split air conditioning (AC) systems from 1 January 2015 (Annex III, point. 15). Conversely, there is currently no prohibition on the use of F-gases in switchgear.

The Regulation requests the Commission to assess the existing prohibition for new small single split air-conditioning systems as well as the feasibility of introducing a prohibition on the placing on the market of new equipment for medium-voltage secondary switchgear.

In particular, article 21.4 of the F-Gas Regulation stipulates that “*No later than 1 July 2020, the Commission shall publish a report assessing whether cost-effective, technically feasible, energy-efficient and reliable alternatives exist, which make the replacement of fluorinated greenhouse gases possible in new medium-voltage secondary switchgear and new small single split air-conditioning systems [...].*”

3.4.2 Objectives

The general objective is to collect, including through EU wide surveys and stakeholder consultations, as well as analyse the pertinent information to support the Commission in issuing assessment reports on switchgears and split A/C systems as referenced above. Furthermore, the work of the consultants should produce recommendations towards further developing EU policies in these areas.

The specific objectives of this tender are to:

- Produce an overview of relevant existing alternatives and of ongoing R&D activities for these sectors in the European Union;

- Assess the EU market potential of existing alternatives in accordance with the 4 criteria of cost-effectiveness, technical feasibility, energy efficiency and reliability;
- Produce recommendations towards further developing EU policies in these areas.

3.4.3 Tasks

- *Task 1: SF6 in switchgear*

The contractor shall investigate the existence of alternatives to sulphur hexafluoride (SF6) in switchgear and assess their feasibility and market potential as described above. An analysis of current uses of alternatives to SF6, e.g. thanks to voluntary commitments, shall also form part of the project. The contractor should also collect information on leakage rates of medium and high-voltage switchgear and other electrical operating equipment during all life cycle stages from manufacturing, transport, installation, use, servicing/maintenance, decommissioning/replacement of old installations etc., collected in a consistent way across EU-27 and assessed at EU level to identify best practice. It should furthermore identify emissions from different types of switchgear/electrical operating equipment and at different life cycle stages, as well as emission reduction potential at EU level from the different electrical installations using SF6 including switchgear, taking into account all life cycle stages and including the replacement of old installations. The analysis should identify appropriate policy measures for different types of electrical installations using SF6 including switchgear, in particular the use of prohibitions and cap/phase-down schemes, and make recommendations as to their design to be fit-for-purpose including the need for exemptions. The scope of the analysis should cover all electrical operating equipment using SF6: switchgear, measuring transformers, electrical lines etc..

It should provide a methodology to perform such an analysis; the methodology shall inter alia ensure that:

- Relevant stakeholders such as electric companies, switchgears manufacturers, producers of alternatives etc. are consulted and their opinion are reported. Questionnaires, targeted consultations, interviews as well as dedicated workshops are some of the tools that may be used;
- The analysis covers a broad geographical and socio-economic scope, representing the situation in different regions of the European Union;
- Recommendations towards further developing EU policies in these areas are issued.

It is expected that the contractor is capable to identify the relevant stakeholders in the sector and the analysis will build on recent existing studies, such as the study on SF6 substitutes available here: https://www.umweltbundesamt.de/sites/default/files/medien/2503/dokumente/final-report-sf6_en_0.pdf

The contractor should clearly indicate how and in which areas the proposed analysis would bring added value and provide additional information compared to the existing studies already carried out.

Since this task involves consultations with the relevant industry stakeholders, the bidders should explain in detail how they will carry it out. Given the variety of actors operating in this field, at least 20-25 stakeholders should be consulted in detail in order to provide a balanced overview of the sector.

The results should be presented throughout the duration of the contract as outlined in the deliverables below.

Deliverables 4.1

4.1	A	<i>Interim report</i>	<i>1 October 2019</i>
4.1	B	<i>Summary paper (4-5 pages) to be presented at the Consultation Forum in Brussels</i>	<i>December 2019 (TBC)</i>
4.1	C	<i>Draft final report</i>	<i>1 February 2020</i>

- ***Task 2: Split Air Conditioning Systems***

The contractor shall investigate the existence of alternatives to hydrofluorocarbons (HFCs) in single and multi-split air-conditioning systems and assess their market potential as described above.

It should provide a methodology to perform such an analysis; the methodology shall inter alia ensure that:

- Relevant stakeholders such manufacturers of AC equipment and/or their components are consulted and their opinion are reported. Questionnaires, targeted consultations, interviews are some of the tools that may be used;
- Recommendations towards further developing EU policies in these areas are issued.

Since this task involves consultations with the relevant industry stakeholders, the bidders should explain in detail how they will carry out this task. Given the variety of actors operating in this field, at least 10-15 stakeholders should be consulted in order to provide a balanced overview of the state of innovation and further potential to innovate.

The results should be presented throughout the duration of the contract as outlined in the deliverables below.

Deliverables 4.2

4.2	A	<i>Interim report on existence of cost-effective, technically feasible, energy-efficient and reliable alternatives to HFCs in split air-conditioning systems</i>	<i>October 2019</i>
4.2	B	<i>Summary paper (4-5 pages) to be presented at the Consultation Forum in Brussels</i>	<i>December 2019 (TBC)</i>
4.2	C	<i>Draft final report on existence of cost-effective, technically feasible, energy-efficient and reliable alternatives to HFCs in split air-conditioning systems</i>	<i>February 2020</i>

- **Interim Report for Lot 4:** should be presented by 13 months after signature of the contract and should progress made on all deliverables, including the interim reports as per deliverables 4.1A and 4.2A. A PDF version should be provided.

– **Final Report for Lot 4:** should summarise work undertaken under all tasks, including all deliverables. A PDF version should be provided. To be delivered at the end of the contract.

Input by the Contracting Authority

The tasks of this tender will be carried out in close consultation with DG CLIMA. Regular meetings/telephone conferences will seek to review the progress of implementation and timing of the remaining tasks. Physical meetings with the contractor will be minimised as possible, preference is given to telephone conferences for coordination purposes.

DG CLIMA will provide, if required, any studies and reports prepared under previous support contracts and relevant data such as reporting data by EU companies⁷ and declarations on quota need. Furthermore, DG CLIMA will share all necessary data and information needed to evaluate the quota allocation system, including reporting data. The contractor will have to treat such documents and data as fully confidential.

DG CLIMA will provide the venue for any stakeholder workshops to be organised by the contractor in Brussels.

Duration of the tasks

The tasks should be completed within 24 months of the signature of the contract. The execution of the tasks may not start before the contract has been signed.

Place of performance

The place of performance of the tasks shall be the contractor's premises or any other place indicated in the tender, with the exception of the Commission's premises in Brussels.

⁷ <https://www.eea.europa.eu/publications/fluorinated-greenhouse-gases-2017>

ANNEX 1 - ADMINISTRATIVE INFORMATION FORM

(To be signed by the tenderer only or the lead tenderer in the case of joint bids)

Organisation or individual:

NAME:

ADDRESS:

Address where contract should be sent to (if different from above):

.....

PERSON AUTHORISED TO SIGN CONTRACT:

Name and position:

PERSON FOR ROUTINE CONTACT:

Name and position:

ADDRESS:

Telephone and E-mail:

Signature of Tenderer

ANNEX 2 – QUESTIONNAIRE FOR JOINT BIDS AND SUBCONTRACTING

(To be completed and signed by the lead tenderer)

Joint bid (refer to paragraph 1.4)

1. Does your bid involve more than one tenderer? Yes ☐ No ☐

Questions 2 - 4 shall be answered only if you have answered yes to question 1.

2. Please fill in the name of the company having power of attorney for the group of tenderers and acting as a co-ordinator:

3. Please fill in the names of the other companies taking part in the joint offer:

4. If a consortium or similar entity exists, please fill in the name and the legal status of the entity:

Subcontracting (refer to paragraph 1.5)

5. Does your bid involve subcontracting? Yes ☐ No ☐

If the answer is yes, please complete question 6, and the next page per sub-contractor.

6.

List of sub-contractors:

Percentage of subcontracting:

.....

.....

.....

.....

Reasons, roles, activities and responsibilities of sub-contractors.

Please complete this page for each sub-contractor (one page per sub-contractor):

Name of the sub-contractor:

.....

Official legal form:

.....

Country of registration:

.....

Statutory registration number:

.....

(Internet address, if applicable):

.....

Official address in full:

.....

.....

Contact person:

.....

Telephone number:

.....

Reasons for subcontracting:

.....

Role, activities and responsibilities of the sub-contractor:

.....

The volume or the proportion of the sub-contracting:

.....

Do you intend to rely on capacities from the sub-contractor in order to fulfil the selection criteria? If yes, specify which selection criterion - financial and economic capacity or technical and professional capacity - and be aware that the tenderer must provide the documents which make it possible to assess the selection criteria.

.....

Tenderer:

Date:

Signature:

ANNEX 3 – FINANCIAL OFFER TEMPLATE

(To be completed and signed by the tenderer only or the lead tenderer in the case of joint bids)

(for guidance purposes only)

Price and Estimated budget breakdown

Calculation of the costs (incl. travel, overheads, consumables and any other related costs)

Type of service provider	Position within the project team	Number of working days	Allocation of tasks	Proportion of the contract in %	Costs in €
Lead contractor					

	<i>Sub-total</i>	.....		.....	.....
Sub-contractor 1					

	<i>Sub-total</i>	.....		.....	.....
Sub-contractor 2					

	<i>Sub-total</i>	.....		.....	.....
Sub-contractor 3					

	<i>Sub-total</i>	.....		.....	.....
Travel/other costs¹ (if applicable)					
	Total	.....		.....	.....

Signature of Tenderer

.....

Date

.....

¹ Will be reimbursed on a lump-sum basis.

ANNEX 4 - LEGAL ENTITY AND FINANCIAL IDENTIFICATION FORMS

These forms can be downloaded from

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm
m (Legal entity form)

(To be signed by the tenderer and all members of the group in the case of joint tender (not necessary for subcontractors))

http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm
(financial identification form)

(One form per offer to be signed by the tenderer or lead tender in the case the of joint tender)

ANNEX 5 - DECLARATION ON HONOUR ON EXCLUSION CRITERIA AND SELECTION CRITERIA

(To be completed by the tenderer, all members of a joint tender and any subcontractor whose capacity is necessary to fulfil the selection criteria)

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

<i>(only for natural persons)</i> himself or herself	<i>(only for legal persons)</i> the following legal person:
ID or passport number: ('the person')	Full official name: Official legal form: Statutory registration number: Full official address: VAT registration number: ('the person')

The person is not required to submit the declaration on exclusion criteria if the same declaration has already been submitted for the purposes of another award procedure of the same contracting authority¹, provided the situation has not changed, and that the time that has elapsed since the issuing date of the declaration does not exceed one year.

In this case, the signatory declares that the person has already provided the same declaration on exclusion criteria for a previous procedure and confirms that there has been no change in its situation:

Date of the declaration	Full reference to previous procedure

I – Situation of exclusion concerning the person

➤ declares that the above-mentioned person is in one of the following situations:	YES	NO
a) it is bankrupt, subject to insolvency or winding-up procedures, its assets are being administered by a liquidator or by a court, it is in an	<input type="checkbox"/>	<input type="checkbox"/>

¹ The same EU institution, agency, body or office.

arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under EU or national laws or regulations;		
b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;	<input type="checkbox"/>	<input type="checkbox"/>
c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:		
(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract or an agreement;	<input type="checkbox"/>	<input type="checkbox"/>
(ii) entering into agreement with other persons with the aim of distorting competition;	<input type="checkbox"/>	<input type="checkbox"/>
(iii) violating intellectual property rights;	<input type="checkbox"/>	<input type="checkbox"/>
(iv) attempting to influence the decision-making process of the contracting authority during the award procedure;	<input type="checkbox"/>	<input type="checkbox"/>
(v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;	<input type="checkbox"/>	<input type="checkbox"/>
d) it has been established by a final judgement that the person is guilty of the following:		
(i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;	<input type="checkbox"/>	<input type="checkbox"/>
(ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 and Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, and conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the applicable law;	<input type="checkbox"/>	<input type="checkbox"/>
(iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;	<input type="checkbox"/>	<input type="checkbox"/>
(iv) money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;	<input type="checkbox"/>	<input type="checkbox"/>
(v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;	<input type="checkbox"/>	<input type="checkbox"/>
(vi) child labour or other offences concerning trafficking in human	<input type="checkbox"/>	<input type="checkbox"/>

beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;		
e) it has shown significant deficiencies in complying with the main obligations in the performance of a contract or an agreement financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF) or the Court of Auditors;	<input type="checkbox"/>	<input type="checkbox"/>
f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;	<input type="checkbox"/>	<input type="checkbox"/>
g) it has been established by a final judgment or final administrative decision that the person has created an entity under a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business.	<input type="checkbox"/>	<input type="checkbox"/>
h) (<i>only for legal persons</i>) it has been established by a final judgment or final administrative decision that the person has been created with the intent provided for in point (g).	<input type="checkbox"/>	<input type="checkbox"/>
i) for the situations referred to in points (c) to (h) above the person is subject to: i.facts established in the context of audits or investigations carried out by the European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office (OLAF) or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body; ii.non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics; iii. facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks; iv.information transmitted by Member States implementing Union funds; v.decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law; or vi.decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.	<input type="checkbox"/>	<input type="checkbox"/>

II – Situations of exclusion concerning natural or legal persons with power of representation, decision-making or control over the legal person and beneficial owners

Not applicable to natural persons, Member States and local authorities

➤ The signatory declares that a natural or legal person who is a member of the administrative, management or supervisory body of the above-mentioned legal person, or who has powers of representation, decision or control with regard to the above-mentioned legal person (this covers e.g. company directors, members of management or supervisory bodies, and cases where one natural or legal person holds a majority of shares), or a beneficial owner of the person (as referred to in point 6 of article 3 of Directive (EU) No 2015/849) is in one of the following situations:	YES	NO	N/A
Situation (c) above (grave professional misconduct)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (d) above (fraud, corruption or other criminal offence)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (e) above (significant deficiencies in performance of a contract)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (f) above (irregularity)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (g) above (creation of an entity with the intent to circumvent legal obligations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (h) above (person created with the intent to circumvent legal obligations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

III – Situations of exclusion concerning natural or legal persons assuming unlimited liability for the debts of the legal person

➤ declares that a natural or legal person that assumes unlimited liability for the debts of the above-mentioned legal person is in one of the following situations:	YES	NO	N/A
Situation (a) above (bankruptcy)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (b) above (breach in payment of taxes or social security contributions)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IV – Grounds for rejection from this procedure

(4) declares that the above-mentioned person:	YES	NO
Was previously involved in the preparation of the procurement documents used in this award procedure, where this entailed a breach of the principle of equality of treatment including distortion of competition that cannot be remedied otherwise.	<input type="checkbox"/>	<input type="checkbox"/>

V – Remedial measures

If the person declares one of the situations of exclusion listed above, it must indicate measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. This may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines or of any taxes or social security contributions. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to this declaration. This does not apply for situations referred in point (d) of this declaration.

VI – Evidence upon request

Upon request and within the time limit set by the contracting authority the person must provide information on natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control, including legal and natural persons within the ownership and control structure and beneficial owners.

It must also provide the following evidence concerning the person itself and the natural or legal persons on whose capacity the person intends to rely, or a subcontractor and concerning the natural or legal persons which assume unlimited liability for the debts of the person:

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

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

The person is not required to submit the evidence if it has already been submitted for another award procedure of the same contracting authority². The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

Document	Full reference to previous procedure
<i>Insert as many lines as necessary.</i>	

VII – Selection criteria

(1) declares that the above-mentioned person complies with the selection criteria applicable to it individually as provided in the tender specifications:	YES	NO	N/A
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² The same institution or agency.

(a) It has the legal and regulatory capacity to pursue the professional activity needed for performing the contract as required in section [insert] of the tender specifications;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) It fulfills the applicable economic and financial criteria indicated in section [insert] of the tender specifications;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) It fulfills the applicable technical and professional criteria indicated in section [insert] of the tender specifications.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(2) if the above-mentioned person is the sole tenderer or the leader in case of joint tender , declares that:	YES	NO	N/A
(d) the tenderer, including all members of the group in case of joint tender and including subcontractors if applicable, complies with all the selection criteria for which a consolidated assessment will be made as provided in the tender specifications.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII – Evidence for selection

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

The person is not required to submit the evidence if it has already been submitted for another procurement procedure of the same contracting authority³. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

Document	Full reference to previous procedure
<i>Insert as many lines as necessary.</i>	

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

Full name

Date

Signature

³ The same institution of agency.

ANNEX 6

Travel and subsistence costs

(Only applicable if the organisation of workshops/conferences is specified in the tender specifications –
Not applicable to contractor's own staff)

Travel costs must be based on the following:

- **Train**: first-class rail travel for journeys less than 400 km (one way).
- **Flight**: economy class air travel for distances of more than 400 km. Business class is allowed for a flight of 4 hours or more without stopovers.
- **Private car**: the travel shall be reimbursed at the same rate as the first-class rail ticket, or by default at the rate of 0.22 € per km.

Different travel options will not be accepted and will entail the refusal of the offer. Amounts must be quoted in EURO. Prices must be fixed amounts and be calculated exclusive of all duties and taxes.

Maximum rates for accommodation and meals.

Destination	Hotel ceiling in euros	Daily allowance in euros
Belgium	148	102
Bulgaria	135	57
Czech Republic	124	70
Denmark	173	124
Germany	128	97
Estonia	105	80
Ireland	159	108
Greece	112	82
Spain	128	88
France	180	102
Croatia	110	75
Italy	148	98
Cyprus	140	88
Latvia	116	73
Lithuania	117	69
Luxembourg	148	98
Hungary	120	64
Malta	138	88
Netherlands	166	103
Austria	132	102
Poland	116	67
Portugal	101	83
Romania	136	62
Slovenia	117	84
Slovak Republic	100	74
Finland	142	113
Sweden	187	117
United Kingdom	209	125

Rates for hotel and subsistence for countries not included in the above table will be provided by the Commission services if necessary.

ANNEX 7 - ACKNOWLEDGEMENT OF RECEIPT



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION
A4 – Financial Resources and Planning Unit

(Please fill in your address)

ACKNOWLEDGEMENT OF YOUR TENDER

Our reference: CLIMA/A.2/SER/2018/0011

Your reference:

We wish to confirm the receipt and opening of your offer¹. Your offer will now be evaluated by the Commission and its experts. You will be informed of the result in due course.

We thank you for your interest.

Procurement Team
CLIMA A.4

¹ Your personal contact data has been recorded in a database used by the Markets Team of unit SRD.2 for the administrative management of offers. The Commission is bound by Regulation 45/2001 on the protection of individuals with regard to the processing of personal data by the Union institutions and bodies. For more information, and to exercise your rights to access and eventually correct data concerning you, please don't hesitate to contact us.