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CALL FOR TENDERS

Uptake of CSR by European SMEs and start-ups

EASME/2020/OP/0004

TENDER SPECIFICATIONS

Open Procedure

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1. TECHNICAL SPECIFICATIONS

1.1. INTRODUCTION

The Executive Agency for Small and Medium-sized Enterprises (henceforth "EASME" or "the Contracting Authority")¹, acting under the powers delegated by the European Commission, is launching this invitation to tender with a view to conclude a service contract for mapping, assessing and analysing **the Take-up of Corporate Social Responsibility by European SMEs and start-ups**.

1.2. BACKGROUND INFORMATION AND CONTEXT

Corporate Social Responsibility (CSR) has been defined as the "the responsibility of enterprises for their impacts on society".² This means that companies "should have in place a process to integrate social, environmental, ethical, human rights and consumer concerns into their business operations and core strategy in close collaboration with their stakeholders, with the aim of maximising positive impacts and identifying, preventing and mitigating possible adverse impacts."

The European Union has a strong interest in supporting the further integration of sustainability and corporate social responsibility into enterprise strategies and operations. There is an increasing need for enterprises to become more economically, environmentally, and socially sustainable. This also has a growing influence on the financial success of enterprises.

Over the last decade and since the adoption of the EU renewed strategy for CSR³ of 2011, the European Commission has done much to promote Corporate Social Responsibility (CSR), Responsible Business Conduct (RBC), and Business and Human Rights (BHR) issues as part of its wider work on Agenda 2030 and the UN Sustainable Development Goals (SDGs)⁴.

Following up on its CSR strategy, the Commission published a staff working document (SWD(2019) 143) in March 2019⁵. It gives an overview of the Commission's and the European External Action Service's (EEAS) progress implementing CSR/RBC and business and human rights

Given the overlaps between CSR/RBC and the work on implementation of SDGs, the Commission has taken a holistic and integrated approach focusing on practical action irrespective of whether it is labelled 'CSR', 'RBC' or 'SDG'. It took the most effective and proportionate action to remedy a problem or improve a situation, be it through legislation, through non-legislative measures such as benchmarks or industry codes of conduct or through other supportive policies and actions.

This approach was embedded in the Commission's 2016 Communication "Next steps for a sustainable European future: European action for sustainability"⁶ with CSR/RBC featuring as a contributory set of actions under SDG 8. The Commission reported on the SDGs implementation in the EU in its Reflection Paper "Towards sustainable Europe 2030"⁷. It noted that "there is clearly space to do more on all levels [including]

¹ EASME was set up by Commission Implementing Decision (2013/771/EU) of 17 December 2013 establishing the "Executive Agency for Small and Medium-sized enterprises" and repealing Decisions 2004/20/EC and 2007/372/EC (OJ L 341 of 18.12.2013). EASME replaces and supersedes former Executive Agency for Competitiveness and Innovation (EACI)..

² Source: A renewed EU strategy 2011-14 for Corporate Social Responsibility, p.6

³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions: A renewed EU strategy 2011-14 for Corporate Social Responsibility, 25.10.2011 COM (2011)681 final
http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/70/1&Lang=E

⁴ <https://ec.europa.eu/docsroom/documents/34482/attachments/1/translations/en/renditions/native>

⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016DC0739&from=EN>

⁶ https://ec.europa.eu/commission/sites/beta-political/files/rp_sustainable_europe_30-01_en_web.pdf

working to identify a number of appropriate measures and tangible ways in which more sustainable business conduct can be promoted, bring further results and reinforce the EU companies competitive edge in this area."

99% of companies in Europe fall under the category of SMEs; they provide two thirds of private sector jobs and contribute to more than half of the total added value created by businesses in the EU. They are undoubtedly the most important basis for the generation of a change towards sustainability.

Even though there is a large quantity of manuals, guides, laws and other tools to implement CSR/RBC within companies, they are mainly focused on/aimed at big corporations and are not easily adjustable to the characteristics of SMEs. In order to help SMEs to take up CSR the Commission provided some dedicated support. This included the publication of two guidance documents for SMEs who seek advice on how to become more involved in responsible business practices. (My Business and Human Rights: A Guide to Business and Human Rights for SMEs; CSR Handbook for SMEs). To support implementation of CSR in SMEs, a networking event for SMEs' advisory organisations was organised. The event took place in June 2012, and in March 2013 a Guidebook for SME advisors was published.

Although most SMEs may not know or use the term CSR or RBC, through their close relations with employees, the local community, and their business partners, they often have a naturally responsible approach to business. For most SMEs, the process by which they meet their social responsibility goals is likely to remain informal and intuitive.

Up to now, there has been little analysis or data on the uptake of CSR by smaller companies and start-ups, the impact of measures on their ability to grow and innovate, and the ways in which adoption of strong CSR can help them to grow and become more sustainable. In principle SMEs and start-ups should be well placed to benefit from CSR/RBC, using it to develop new markets and tapping into changing consumer demands (e.g. for ethically-sourced food or garments) but there is little dedicated information and analysis on this.

Such an understanding will be more and more valuable and critical as the EU steps up action on this file and on the related issues of Business and Human Rights and the implementation of the UN Sustainable Development Goals (SDGs). It will also be important as the commission develops a dedicated new SME strategy. Without a better understanding, there is a risk of inadvertent negative regulatory or market impacts on SMEs and start-ups or at best foregone commercial opportunities and growth.

The present call for tenders is based on the Regulation (EU) No 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of the Enterprises and small and medium-sized enterprises (hereafter "COSME") (2014-2020) and repealing Decision No 1639/2006/EC. More particularly, it is based on the Commission Implementing Decision concerning the adoption of the Work Programme for 2019 and the financing for the implementation of Programme for the Competitiveness of Enterprises and Small and Medium-sized Enterprises (C(2018) 8098 final of 05/12/2018) and its Annex. It is foreseen under item "GRO/SME/19/D/03- Corporate Social Responsibility" of the COSME 2019 Work Programme.

1.3. GENERAL AND SPECIFIC OBJECTIVES

EASME wishes to enter into a service contract whose objective is to map, assess and report on current levels of take-up of CSR/RBC codes of conduct and internal action plans for CSR and sustainability within European SMEs and start-ups, paying particular attention to variations between Member States, regions of Europe and specific sectors of the economy. Furthermore, the contractor shall look at what the best delivery mechanisms at national and EU level are to promote a greater take-up, in particular by building on existing support tools such as the Enterprise Europe Network, and report on these.

The specific objectives of this study are:

(a) **assess** the current level of uptake of CSR/RBC and sustainability strategies by SMEs and start-ups, and **identify barriers and obstacles** that refrain SMEs from developing such activities;

(b) **collect, analyse and discuss good practices** SMEs regarding CSR/RBC and sustainability activities. These good practices will have to be identified by screening existing sustainable business models and activities. The portfolio of good practices selected should present illustrative examples of relevant and replicable dimensions of CSR/RBC activities of SMEs;

(c) **collect and analyse** national and EU level support measures that help SMEs draw up and implement CSR/RBC and sustainability strategies;

(d) **propose recommendations for effective delivery mechanisms of CSR/RBC support at national and EU level**; these recommendations should address several levels and types of stakeholders: businesses, intermediaries and public authorities at relevant levels.

In carrying out the assignment, the contractor must involve relevant stakeholders including individual SMEs, SME associations, SME support organisations including the Enterprise Europe Network, CSR/RBC support organisations and policy makers at national and EU levels. This will require a methodology based on efficient cooperation and coordination mechanisms.

1.4. TASKS AND GEOGRAPHICAL SCOPE

1.4.1. Tasks

The offer should be based on a **robust and suitable methodology** with coherent and well-described tasks, costs and effort allocation to address all the requirements of these tender specifications. The contractor shall implement tasks grouped under the following work packages (WPs).

The WPs shall include:

Work package 1 (WP 1): Mapping and **assessment of** the current level of uptake of CSR/RBC and sustainability strategies by SMEs, and **of barriers and obstacles** that refrain SMEs from developing such activities;

Work package 2 (WP 2): **Collection and analysis** of good practices and presenting these in the form of 30 specific cases and lessons-learnt synthesis;

Work package 3 (WP 3): **Collection and analysis** of national and EU level support measures that help SMEs draw up and implement CSR/RBC and sustainability strategies and initiatives;

Work package 4 (WP 4): **Policy recommendations** for effective delivery mechanisms of CSR and sustainability support at national and EU level.

For details of each WP please consult Section 1.6 below.

1.4.2. Geographical scope of the tasks

The study must cover at least 15 EU Member States and at least 3 countries selected among the candidate/potential candidate countries⁸ participating in COSME programme⁹. The country selection must be justified in the technical offer and must be geographically balanced^{1,10}.

⁸ Please see: https://ec.europa.eu/neighbourhood-enlargement/countries/check-current-status_en

⁹ For the list of COSME countries please consult: http://ec.europa.eu/research/participants/data/ref/other_eu_prog/cosme/legal/3rd-country-participation_en.pdf

¹⁰ Country selection should include CSR frontrunner countries and should be balanced between “old” Member states (EU 15) and “new” Member states joining the EU after 2003 (EU 13)

1.5. INPUT BY THE CONTRACTING AUTHORITY

- Not applicable to this call for tenders

1.6. GENERAL GUIDANCE ON METHODOLOGY

Work package 1 (WP 1): Mapping and assessment of the current level of uptake of CSR/RBC and sustainability strategies by SMEs and start-ups, and of barriers and obstacles that refrain SMEs from developing such activities.

This WP will be based on a desk research and on a survey addressed to SMEs and SME support organisations (SME associations, CSR/RBC support organisations, industry and sector organisations etc...) in target countries. The contractor shall draw up two questionnaires: one for SMEs and one for SME support organisations. After the approval of the questionnaires by the contracting authority, the contractor shall collect responses from SMEs also using the SME panel consultation tool of the Enterprise Europe Network. The contractor must analyse and present the main obstacles and drivers for CSR/RBC and sustainability in SMEs in Europe in the final report.

Work package 2 (WP 2): Collection and analysis of good practices and presenting these in the form of a Good practice document with 30 specific cases; a synthesis report on lessons learnt and an SME checklist.

Based on the research conducted under WP1 the contractor shall gather information, select, analyse and present in a Good practice document 30 cases of SMEs and start-ups (covering at least 15 EU Member States and 3 countries selected among the candidate countries/potential candidate countries participating in COSME programme) that have successfully designed and implemented CSR and sustainability related activities. Descriptions of the examples should include a presentation of the business model, the specific activity with background information, in particular regarding the SME's history, EU and national public funding and support received (such as the EEN partnership database¹¹), specific barriers and opportunities, social and environmental impact and lessons learnt. The collection must be analysed in a synthesis report, presenting the general findings and lessons learnt. The synthesis report must be complemented by a checklist for SMEs helping them assessing their CSR related activities.

Work package 3 (WP 3): Collection and analysis of national and EU level support measures and tools that help SMEs draw up and implement CSR and sustainability strategies.

This work package will be based on desk research, complemented by targeted interviews with policy makers and CSR and sector specific organisations (national and EU level).

Work package 4 (WP 4): Policy recommendations for effective delivery mechanisms of CSR and sustainability support for SMEs at national and EU level.

Based on the results of WP 1, WP 2 and WP3 the contractor shall propose **recommendations directed at:**

- SMEs in order to encourage them and engage in proven business models and strategies for CSR/RBC and sustainable business conduct in the EU and beyond;
- the **European Commission**, to enable the Commission to identify, develop or improve **policy actions** to unlock the potential of SMEs for CSR/RBC activities;
- the **Member States**, to enable them to identify, develop or improve **policy actions** (financial, regulatory, legislative, advisory etc.) to unlock the potential of SMEs for CSR/RBC activities;
- the **European Commission** and **Member States**, to assist them in finding the most effective delivery mechanisms of CSR/RBC and sustainability support at national and EU level.

¹¹ <https://een.ec.europa.eu/content/international-partnerships-0>

- SME **support organisations, and intermediaries** (such as enterprise federations, financial institutions, export service providers or cluster organisers; NGOs/CSOs), by indicating suitable and effective ways and means to **improving existing supportive tools** and at different policy levels;

For the purpose of this WP, the contractor must establish a typology of suitable and effective ways of public support actions aimed at uptake of CSR/RBC by SMEs, and indicate their suitability for SMEs.

The summary of recommendations **will be included in the final report as a dedicated chapter and will enrich the good practices presented.**

1.7. PERFORMANCE AND QUALITY REQUIREMENTS

The following list shows the expected results in concise and approximate terms, so as to give a general idea of what will be requested from the contractor.

The results must inform policy-makers at different level of governance, on effective policies, partnerships and initiatives reinforcing CSR/RBC and sustainability among SMEs.

To measure the quality of the results, the following elements will be taken into account:

- Good quality and adequacy of the methodological approaches and the overall consistency of the research design;
- Comprehensive analysis of the situation and clear description of the findings
- A high quality selection and analysis of good practices;
- Applicability of the proposed checklist for SMEs
- Extent and applicability of the proposed recommendations;
- The perceived possible impact on national and regional policymaking.

The Contracting Authority will measure the following key performance indicators:

- Number of SMEs surveyed: a total of minimum 10000 SMEs in the target countries
- Number of replies collected from SMEs: minimum 1000 (covering all target countries)
- Number of other stakeholders surveyed (minimum 2 in each country, and minimum 5 in countries with a population over 20 million inhabitants)
- Number of sectors covered: minimum 7 sectors (including agrofood, textile and garment, transport)
- Coverage of stakeholders of different types e.g. SME, public authorities
- Quality of recommendations for policy makers.

1.8. STARTING DATE OF THE CONTRACT AND DURATION

It is expected that the contract is signed approximately in the first half of 2020.

The contract shall enter into force on the date on which it is signed by the last contracting party. The duration of the tasks shall not exceed 12 months from that date. The execution of the tasks shall not start before the contract has been signed. The work will follow the timetable detailed in section 1.10.3. below.

1.9. VALUE OF THE MARKET

The maximum amount for the execution of all the tasks referred to in this call for tenders is EUR 150.000,00 including all charges and expenses. No contract offer above this amount will be considered.

1.10. PLANNING, OUTPUTS AND DELIVERABLES

The contractor must submit the required reports and documents accompanied by the invoices for payments, where applicable, in accordance with these tender specifications and the conditions of the draft contract (see Article I.5 of the draft service contract – Annex 1 to these tender specifications).

All reports, final, draft and working documents, and the executive summaries must be delivered in English. The executive summary and the best-practice brochure drafts and final versions must also be delivered in French and German-see Section 2.1.2) in Microsoft Word (MS Word) and Portable Document Format (PDF) compatible formats. The contractor shall submit at the end of the contract a digital library of all digital materials on a USB key.

Each final deliverable (if it is a report or other document) must also be submitted in three copies in paper version.

The contractor shall submit the following deliverables and other documents to the Contracting Authority:

Inception report following the kick-off meeting (month 1);

Draft survey for SMEs and SME support organisations (month 1)

Final survey for SMEs and SME support organisations for approval by the Contracting Authority (month 2)

Draft interim report (month 6)

Interim report (month 7)

Draft final report (month 10)

Draft executive summary (month 10)

Executive summary (month 12)

Good-practice document including 30 good practice cases, synthesis report on good practices and an SME checklist (month 12)

Final report (month 12)

1.10.1. Inception report

The **inception report** shall detail the approach presented in the offer (such as proposed methodology and definitions for the tasks to be carried out, the scope and content of the tasks, and the work plan and time line) taking into account the conclusions of the kick-off meeting. It should be a maximum of 20 pages document.

It should specify in more detail:

- the sources to be exploited and methodologies to be applied for carrying out WP1, WP2 and WP3;
- the draft survey for SMEs and SME support organisations;
- the methodologies to be applied for carrying out WP3 (notably regarding collaboration with third parties, selection and presentation of good practices, format of the document, diffusion of the lessons learnt, balanced representation of the good practice examples in relation to the relevant dimensions).

EASME will comment on the document submitted within **30 calendar days**.

1.10.2. Intermediate outputs and deliverables

An **interim report** must be delivered, comprising the following:

- feedback and results of consultation of key stakeholders;
- first data collection of good practices;
- description and an in-depth analysis of the policies and initiatives fostering uptake of CSR/RBC in SMEs;
- structure of the Good-practice document and structure of the Executive summary as Annexes.

The length and the sections of the interim report will be agreed with EASME and the Commission, based on a proposal from the contractor submitted within 2 months of the signature of the contract. The contractor shall submit the draft interim report to the Contracting Authority in month 6.

The interim report shall be later integrated in the final report. Updates shall be made, if appropriate.

The Contracting Authority will comment on the document submitted **within 30 calendar days**.

1.10.3. Final outputs and deliverables

The following final deliverables must be submitted within the deadlines specified in the table below:

- a) **A Good practice document** with 30 good practice cases that reflect the different dimensions of CSR/RBC, with a synthesis report and a Checklist for SMEs to draw-up and implement CSR/RBC and sustainability strategies. These documents must be designed according to drafting rules and publication standards of the European Commission, as stated in Sections 2.1.3 and 2.1.5 of the present terms of Reference.
- b) **A Final report comprising the following elements** (see also Section 2.1.1. "Final report"):
 1. Description of the state of play (update of the Interim report where appropriate) with key challenges regarding the issues at stake;
 2. Description of most relevant policies and support initiatives at EU and national level relating to the issues at stake;
 3. Recommendations addressed to a) public authorities at different level of governance to help them create favourable conditions for uptake of CSR/RBC and sustainable business conduct; b) SMEs and organisations working with them/intermediaries aimed at helping SMEs to raise awareness on the issue at stake.
 4. Executive summary.
- c) **A PowerPoint presentation** summarising the most important findings (including illustrative examples) and recommendations.

The detailed structure, length and the sections of the **Final report** will be agreed with the Contracting Authority, based on a proposal made by the contractor submitted within 2 months of the signature of the contract. The structure of the **Executive summary** will be agreed with the Contracting Authority based on a proposal submitted by the contractor together with the draft Interim report (month 6). The contractor shall submit the drafts of the **Good practice document with a** a synthesis report and a Checklist for SMEs, **Final report and Executive summary** in month 10.

The **dissemination** process and strategy will be agreed with the Contracting Authority based on a proposal to be submitted by the contractor together with the draft Interim report (month 6).

EASME/EC will comment on the documents submitted within **30 calendar days**.

Timetable (months/weeks/days)	Meetings	Actions/Deliverables	Payments
Signature of the contract = reference date		Start date of the contract	
Ref. date + 2 weeks	Kick-off meeting with EASME and the Commission	Kick-off meeting minutes to be drafted by the Contractor	
Ref. date + 1 month		Inception report, including the first draft of the survey for SMEs and SME support/sectoral organisations	
Ref. date + 2 month		Submission of the proposal for the structure of the Interim and Final reports and the final survey for SMEs and SME support/sectoral organisations	
Ref. date + 6 months		Submission of the: - draft Interim report incl. annexes: structure of the Executive summary and structure of the Good-practice document - proposal for the dissemination process and strategy	
Ref. date + 6.5 months	First meeting with EASME and the Commission	Decision of the draft Interim report and of the other submitted deliverables Meeting minutes	
Ref. date + 7 months		Submission of the final version of the Interim report and the invoice for interim payment (payable against approval of the Interim report and all previous deliverables)	Beginning of period to pay Interim payment 40%
Ref. date + 10 months		Submission of the draft Final report Submission of the draft Executive summary Submission of the draft Good-practice document, including a synthesis report and a checklist for SMEs	

Ref. date + 10.5 months	Second meeting with EASME and the Commission	Discussion on the draft Final report and of the other submitted deliverables Meeting minutes	
Ref. date + 12 months		Submission of the: - definitive version of the Final report and the Executive summary - definitive version of the Good-practice document Submission of the invoice for balance payment (payable against approval of the Final report and all deliverables)	Beginning of period to pay the 60% balance.
Ref. date + 12 months	Final meeting with EASME and the Commission	Presentation of the final report and the executive summary Presentation of the Good-practice document and on the lessons learnt Meeting minutes	

1.11. INTELLECTUAL PROPERTY RIGHTS

The intellectual property rights related to the service are outlined in the draft Service contract (Annex 1 to these tender specifications).

Parts of results pre-existing the contract

If the results are not fully created for the purpose of the contract this should be clearly pointed out in the tender. Information should be provided about the scope of pre-existing materials, their source and when and how the rights to these materials have been or will be acquired.

Plagiarism in the tender

In the tender all quotations or information originating from other sources and to which third parties may claim rights have to be clearly marked (source publication including date and place, creator, number, full title etc.) in a way allowing easy identification.

2. CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE DELIVERABLES

2.1. CONTENT

2.1.1. Final report

The Final report must include:

- ✓ an abstract of no more than 200 words and an Executive summary of maximum 6 pages, both in English and French, the Executive summary also in German

- ✓ specific identifiers which must be incorporated on the cover page provided by the Contracting Authority;
- ✓ the following disclaimer:

“The information and views set out in this Report are those of the author(s) and do not necessarily reflect the official opinion of EASME or of the Commission. Neither EASME, nor the Commission can guarantee the accuracy of the data included in this study. Neither EASME, nor the Commission or any person acting on their behalf may be held responsible for the use which may be made of the information contained therein.”

2.1.2. Publishable executive summary

The publishable executive summary must be provided in English, German and French and must include:

- ✓ specific identifiers which must be incorporated on the cover page provided by the Contracting Authority;
- ✓ the following disclaimer:

“The information and views set out in this Report are those of the author(s) and do not necessarily reflect the official opinion of EASME or of the Commission. Neither EASME, nor the Commission can guarantee the accuracy of the data included in this study. Neither EASME, nor the Commission or any person acting on their behalf may be held responsible for the use which may be made of the information contained therein.”

2.1.3. Requirements for publication on Internet

EASME is committed to making online information as accessible as possible to the largest possible number of users including those with visual, auditory, cognitive or physical disabilities, and those not having the latest technologies. EASME supports the Web Content Accessibility Guidelines 2.0 of the W3C.

For full details on the Commission policy on accessibility for information providers see: https://ec.europa.eu/ipg/standards/accessibility/index_en.htm

For the publishable versions of the Report, abstract and Executive summary, the contractor must respect the W3C guidelines for accessible pdf documents as provided at: <https://www.w3.org/WAI/>.

2.1.4. Structure

- Not applicable to this call for tenders

2.1.5. Graphic requirements

The contractor must deliver the publishable Final report and the Executive summary in full compliance with the corporate visual identity of the European Commission, by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo. The graphic rules, the Manual and further information are available at: http://ec.europa.eu/dgs/communication/services/visual_identity/index_en.htm.

Professional graphic design

The contractor must apply the rules set out in Visual Identity Manual for the graphic design of both the cover page and the internal pages of the Report. The professional font (EC Square Sans Pro) to be used for the Report will be made available to the contractor free of charge upon acceptance of the terms and conditions of its use after contract signature. The use of those templates is exclusive to EASME contractors. No template will be provided to tenderers while preparing their tenders.

3. INFORMATION ON TENDERING

3.1. 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.¹²

States covered by the plurilateral Agreement on Government Procurement concluded within the World Trade Organisation are not included in this call for tenders as the Executive Agencies are not signatories of the Agreement.

In the case of a joint tender (see section 3.4), each member of the group must have access to this procurement procedure.



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.

3.2. 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.

3.3. 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/EU¹³.

Information about the environmental policy of EASME is provided in Annex 9 to these specifications.

3.4. 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.

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

¹² Third countries with a special agreement in the field of public procurement that have been given access to procurement procedures of the Union institutions, agencies and bodies regardless of the value of the purchase are: Albania, Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway and Liechtenstein and Serbia.

¹³ 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).

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.

3.5. SUB-CONTRACTING

Subcontracting is the situation where a contract has been or is to be established between the contracting authority and a contractor/tenderer only and where the contractor or tenderer, in order to carry out that contract, enters into legal commitments with other entities for performing parts of the contract. The contracting authority has no direct legal commitment with the subcontractor(s).

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

The following shall not be considered subcontracting:

1. Use of workers posted to the contractor by another company owned by the same group and established in a Member State ("intra-group posting" as defined by Article 1, 3, (b) of [Directive 96/71/EC concerning the posting of workers in the framework of the provision of services](#)).
2. Use of workers hired out to the contractor by a temporary employment undertaking or placement agency established in a Member State ("hiring out of workers" as defined by Article 1, 3, (c) of [Directive 96/71/EC concerning the posting of workers in the framework of the provision of services](#)).
3. Use of workers temporarily transferred to the contractor from an undertaking established outside the territory of a Member State and that belongs to the same group ("intra-corporate transfer" as defined by Article 3, (b) of [Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer](#)).
4. Use of staff without employment contract ("self-employed persons working for the contractor"), without the tasks of the self-employed persons being particular well-defined parts of the contract.
5. Use of suppliers and/or transporters by the contractor, in order to perform the contract at the place of performance, unless the economic activities of the suppliers and/or the transporting services are within the subject of this call for tender (see **Section 1.4**).
6. Performance of part of the contract by members of an EEIG (European Economic Interest Grouping), when the EEIG is itself a contractor or a group member.

The persons mentioned in points 1), 2), 3) and 4) above will be considered as "personnel" of the contractor as defined in the contract.

All contractual tasks may be subcontracted unless the *Technical specifications* expressly reserve the execution of certain critical tasks to the sole tenderer itself, or in case of a joint tender, to a member of the group.

The rules of access to EU public procurement (Section 3.1) do not apply to subcontractors.

Tenderers are required to identify all subcontractors whose share of the contract is above 30% or whose capacity is necessary to fulfil the selection criteria.

During contract performance, the change of any subcontractor identified in the tender or additional subcontracting whose share of the contract exceeds 30%, will be subject to prior written approval of the Contracting Authority.

3.6. COSTS

Tenderers themselves will bear the costs of drawing up their tenders and EASME will not be liable to pay any compensation if a tender is rejected or if it decides not to select any tender.

3.7. CONTENT OF THE TENDER

The tenders must be presented as follows:

- Part A: Identification of the tenderer (see Section 3.8)
- Part B: Non-exclusion (see Section 4.2)
- Part C: Selection (see Section 4.3)
- Part D: Technical offer (including Annex 6)

The technical offer must cover all aspects and tasks required in the tender specifications (see section 1.4) and provide all the information needed to apply the award criteria (see section 4.4). Offers deviating from the requirements or not covering all minimum requirements may be rejected on the basis of non-compliance with the tender specifications and will not be evaluated.

For the appraisal, the written submission shall include a clear and detailed description of the organisation, human resources and methodology proposed. The tenderers will provide a practical and detailed description of the human resources and services proposed to achieve the objectives and results set out in Sections 1.3, 1.4, 1.6 and 1.7 above.

The technical offer must include a detailed plan of the allocation of time and human resources to the project and to each task or deliverable, in form of a table or similar (GANTT chart, etc.), as well as the rationale behind the choice of this allocation. Such a table should not contain any price elements.

Part E: Financial offer (Annex 7)

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 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.

The quoted price must be a fixed amount which includes all charges (including travel and subsistence expenses, if applicable). Travel and subsistence expenses are not refundable separately.

3.8. IDENTIFICATION OF THE TENDERER

The tender must include a cover letter (letter of submission of tender - Annex 2) presenting the name of the tenderer (including all entities in case of joint offer) and identified subcontractors if applicable, and the name of the single point of contact (leader) in relation to this procedure.

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 (Annex 4). 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 (Annex 5.1) signed by an authorised representative stating their willingness to provide the services 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/EC¹⁴. This information is used for statistical purposes only.

In the course of this tender procedure the EU Validation Services may contact tenderers via the *Participant Register* and ask for supporting documents with respect to the legal existence and status. Please note that a request for supporting documents in no way implies that the tenderer has been successful.

Nevertheless, the Contracting Authority may ask, in the course of the procedure, for complementary supporting documents, other than those requested by the EU Validation Services. Such complementary documents may be asked so as to complete the checks on the compliance of successful entities with the selection criteria and/or to ensure that the entity is not in one of the exclusion situations referred to in this call for tenders.

4. EVALUATION AND AWARD

4.1. 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.

4.2. VERIFICATION OF NON-EXCLUSION

All tenderers must provide a declaration on honour (Annex 3), 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, all subcontractors whose share of the contract is above 30% or 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 the supporting documents listed in the declaration of honour.

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 all subcontractors whose share of the contract is above 30% or whose capacity is necessary to fulfil the selection criteria.

¹⁴ OJ L 124/36, 20.5.2003

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.

4.3. SELECTION CRITERIA

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

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links, which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal (model attached in Annex 5.2).

If the contract is awarded to a tenderer intending to rely on another entity to meet the minimum levels of economic and financial capacity, the Contracting authority may require the entity to sign the contract or, alternatively, to provide a joint and several first-call financial guarantee for the performance of the contract.

With regard to technical and professional selection criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required (i.e. the latter will assume the role of subcontractors).

👉 Relying on the capacities of other entities is only necessary when the capacity of the tenderer is not sufficient to fulfil the required minimum levels of capacity. Abstract commitments that other entities will put resources at the disposal of the tenderer will be disregarded.

The tender must include the proportion of the contract that the tenderer intends to subcontract.

4.3.1. 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 3), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them. In case of joint tender or subcontracting, the criteria applicable to the tenderer as a whole will be verified by combining the various declarations for a consolidated assessment.

This declaration is part of the declaration used for exclusion criteria (see Section 4.2) 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 declarations on honour (Annex 3) and the information included in the tables in Annex 2.1 and Annex 2.2, fully completed**, and the evidence where requested.

After contract award, the successful tenderer will be required to provide the necessary evidence before signature of the contract and within a deadline given by the Contracting Authority. This requirement applies to each member of the group in case of joint tender and to subcontractors whose capacity is necessary to fulfil the selection criteria.

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

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

4.3.2. Legal and regulatory capacity

This section is not applicable to this call for tenders.

4.3.3. Economic and financial capacity criteria

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

Its average yearly turnover for the last two financial years for which the accounts have been closed, shall be above 300.000 EUR. This criterion applies to the tenderer as a whole, i.e. the combined capacity of all members of a group in case of a joint tender and subcontractors whose capacity is necessary to fulfil this criterion.

To this effect, the following should be provided with the tender in eSubmission from all tenderers and subcontractors whose capacity is necessary to fulfil the combined capacity:

- ✓ **Statement of Turnover in accordance with Annex 2.1** of these tender specifications completed with the information requested.

For tenderers (including all members of the group) except subcontractors:

In the course of this tender procedure the EU Validation Services may contact tenderers via the *Participant Register* and ask for supporting documents with respect to their economic and financial capacity. Please note that a request for supporting documents in no way implies that the tenderer has been successful.

Nevertheless, the Contracting Authority may ask, in the course of the procedure, for complementary supporting documents, other than those requested by the EU Validation Services. Such complementary documents may be asked so as to complete the checks on the compliance of successful entities with the selection criteria.

For subcontractors and other entities on whose capacity the tenderer relies:

Subcontractors contributing to the combined financial and economic capacity of tenderers and other entities on whose capacity the tenderer relies should submit with the tender the following documents in eSubmission:

- ✓ Copy of the Profit and Loss accounts for the last two years for which the accounts have been closed from each concerned legal entity;

Failing that,

- ✓ Appropriate statements from banks;
- or
- ✓ 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 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 Contracting Authority reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

4.3.4. Technical and professional capacity criteria and evidence

Tenders must provide in their tender the table in Annex 2.2 of these tender specifications, exhaustively completed with all the necessary information.

The evidence mentioned below must be provided only on request, except for evidences A3 (document in English), B1, B2 and B3 (CVs) that should be a part of the submitted offer.

A. Criteria 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 in a list of relevant services provided in the past 5 (five) years, with the sums, dates and clients, public or private, accompanied by statements issued by the clients, where available.

Criteria relating to tenderers	Evidence
✓ Criterion A1: The tenderer must have an internal CSR or sustainability policy in place.	✓ Evidence A1: the tenderer must provide a copy of its internal CSR/sustainability policy document
✓ Criterion A2: The tenderer must prove experience in comparative research on SMEs and/or CSR/RBC and/or Sustainability issues having done all of the following activities: <ul style="list-style-type: none"> ○ desk research on SMEs/CSR/RBC/ Sustainability ○ survey techniques, including targeted interviews ○ data collection ○ statistical analyses ○ collecting and documenting good practices ○ drafting recommendations 	✓ Evidence A2: the tenderer must provide references for at least 2 (two) projects covering all the requested activities completed in the last 5 (five) years, with a minimum value for each project of € 50.000.
✓ Criterion A3: The tenderer must prove capacity to work and draft reports in English.	✓ Evidence A3: the tenderer must provide references for at least 2 (two) projects delivered

	in the last 5 (five) years showing that the work has been done in English. Furthermore the tenderer must provide one document of at least 10 pages (report, study, etc.) in this language that it has drafted and published or delivered to a client in the last 5 (five) years.
✓ Criterion A4: The tenderer must prove its capacity to implement projects carried out in 5 (five) EU countries simultaneously.	✓ Evidence A4: the tenderer must provide references for at least 2 (two) projects delivered in the last 5 (five) years, where each project has been carried out in at least 5 (five) EU countries at the same time. In addition, the tenderer must prove that it has contacts in the rest of the EU countries that are not covered by its project experience but which form part of the geographical coverage of its offer, to ensure the required geographical coverage.

Any tenderer with a professional conflict of interest will be rejected on the basis not fulfilling selection criteria for professional capacity.

B. Criteria relating to the team delivering the service:

The team delivering the service should include, as a minimum, the profiles specified below.

In addition to the minimum profiles, a tenderer may add other profiles to the team. It should also explain the role and the involvement concerning the task requested by this call for tenders.

Evidence will consist in CVs of the team responsible to deliver the service. Each CV should indicate the intended function in the delivery of the service.

Criteria relating to the team delivering the service	Evidence
✓ B1 - Project Manager: At least 5 (five) 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 EUR 150.000,00) and coverage (at least 5 (five) countries covered, with experience in management of teams of at least 5 (five) people.	✓ Evidence B1 - CV
✓ B2 - Language quality check: at least 3 (three) members of the team should have at least C1 level in English according to the Common European Framework for Reference for Languages.	✓ Evidence B2 - A language certificate, or past relevant experience, or mother tongue
✓ B3 – Team of Experts composed of a. at least 1 expert having at least 5 (five) years of professional experience in the field of comparative research on SMEs and/or CSR/RBC and/or Sustainability.	✓ Evidence B3 – CV

b. at least 1 expert having at least 5 (five) years of professional experience in the field of survey techniques, data collection/analysis, and collecting of good practice.	
✓ B4 - Team for data collection: collectively, the team of at least 3 (three) people should have knowledge of 5 (five) EU languages (corresponding to official languages of countries covered by the tenderer's offer) and proven experience of 3 (three) years in data collection techniques.	✓ Evidence B4 – CV and a language certificate (at least level B2 according to the Common European Framework of Reference for Languages), or past relevant experience, or mother tongue

The detailed CV should include the relevant educational and professional qualifications and should be up to 2 (two) A4 pages for each of the team members and must specify:

- The different diplomas obtained (copies of which may be requested by EASME where appropriate);
- Languages spoken;
- Expertise and experience relevant to the subject matter of the present invitation to tender;

The contractor shall ensure that the staff members listed in the technical offer are effectively available and assigned to the project when it begins.

4.4. AWARD CRITERIA

The contract will be awarded based on 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.

Tenders that receive less than 60% of the maximum possible mark for the whole quality evaluation or less than 50% for any one of the quality criteria will be eliminated and their final score will not be calculated. Tenders that do not reach the minimum quality levels will be rejected and will not be ranked.

Quality award criteria	Maximum possible mark
1: Relevance and coherence of the proposed conceptual framework	30 points
2: Quality of the proposed methodology This criterion will evaluate, inter alia: <ul style="list-style-type: none"> - Quality and pertinence of methods proposed to collect and verify data; - Quality and pertinence of the approaches proposed to ensure coherence in the use of research methods and in the presentation of the results of the data analysis; - Pertinence and feasibility of methods proposed to reach out to stakeholders', including national and EU policy makers 	20 points
3: Quality, appropriateness, coherence and completeness of the organisation of the proposed activities and of the work plan (detailed tasks description, including a clear timetable)	20 points

<p>This criterion will evaluate, inter alia:</p> <ul style="list-style-type: none"> - if the tasks are well described, coherent, consistent and if the degree of completeness of the description of the work plan is sufficient; - if the proposed activities are supported by clear and rational justifications; - if the quality and clarity of the information provided is sufficient regarding: <ul style="list-style-type: none"> o identification of sources of information, o information and data collections and assessment, o preparation, organisation and exploitation of surveys and interviews, o analysis and presentation of detailed findings and selection of good practices, o formulation of relevant conclusions and policy recommendations. 	
<p>4: Effectiveness, relevance and credibility of the proposed management and control measures concerning the relationships with stakeholders, consistency of service performance, quality of deliverables, language quality check, and continuity of the service in case of difficulties such as the absence of a member of the team, etc.</p> <p>This criterion will evaluate, inter alia:</p> <ul style="list-style-type: none"> - the quality of the project management plan and the sufficiency of the quality checks and control measures put in place to identify and assess delivery risks, and propose mitigation measures - the proposed arrangements related to supervision of work and continuity of services, - if the roles and responsibilities of the proposed team and of the different economic operators (in case of joint tenders, including identified subcontractors, if applicable) are well distributed, - if the global allocation of time and human resources to the project and to each task or deliverable is adequate for the work. The tender should provide details on the allocation of time and human resources and the rationale behind the choice of this allocation. Details should be provided as part of the technical offer without any reference to prices, costs, fees, etc. that should only be part of the financial offer. 	30 points

4.5. RANKING OF TENDERS

The contract will be awarded to the most economically advantageous tender, i.e. the tender offering the best price-quality ratio determined in accordance with the formula below. A weight of 70/30 is given to quality and price.

score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}}$	*	100	*	price weighting (30 %)	+	total quality score (out of 100) for all award criteria of tender X	*	quality criteria weighting (70 %)
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The tender ranked first after applying the formula will be awarded the contract.

4.6. INFORMATION TO TENDERERS ON THE FINAL EVALUATION

EASME will inform tenderers of decisions reached concerning the award of the contract, including the grounds for any decision not to award a contract or to recommence the procedure.

EASME will inform all rejected tenderers of the reasons for their rejection and all tenderers submitting an admissible tender of the characteristics and relative advantages of the selected tender and the name of the successful tenderer.

However, certain information may be withheld where its release would impede law enforcement or otherwise be contrary to the public interest, or would prejudice the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

5. ANNEXES

The following documents are annexed to these specifications and form an integral part of them:

Annex 1: Draft contract (for information)

Annex 2: Letter of submission of tender (to be filled in and signed by the tenderer)

- Annex 2.1. – Statement of turnover
- Annex 2.2. – Technical capacity

Annex 3: Declaration on honour (exclusion and selection criteria)

Annex 4: Power of attorney

Annex 5.1: Letter of intent for sub-contractors

Annex 5.2: Commitment letter by an entity on whose capacities is being relied

Annex 6: Technical tender form

Annex 7: Financial offer (price and breakdown of costs)

Annex 8: Checklist for Submission

Annex 9: EASME's Environmental Policy