

briefly the envisaged contractual roles/tasks of subcontractors meeting any of these conditions (hereafter referred to as *identified subcontractors*):

- on whose capacities the tenderer relies upon to fulfil the selection criteria as described under **Section 3.2**;
- whose individual share of the contract, known at the time of submission, is above 20%.

Any such subcontractor must provide the tenderer with a commitment letter drawn up in the model attached in **Annex 5.1** and signed by its authorised representative.

Changes concerning subcontractors identified in the tender (withdrawal/replacement of a subcontractor, additional subcontracting) during the procurement procedure (after the submission deadline and before contract signature) require the prior written approval of the *Contracting authority* subject to the following verifications:

- any new subcontractor is not in an exclusion situation;
- the tenderer still fulfils the selection criteria and the new subcontractor fulfils the selection criteria applicable to it individually, if any;
- the terms of the originally submitted tender are not altered substantially, i.e. all the tasks assigned to the former subcontractor are taken over by another involved entity, the change does not make the tender non-compliant with the tender specifications, and the evaluation of award criteria of the originally submitted tender is not modified.

Subcontracting to subcontractors identified in a tender that was accepted by the *Contracting authority* and resulted in a signed contract, is considered authorised.

2.4.3. Entities on whose capacities the tenderer relies to fulfil the selection criteria

In order to fulfil the selection criteria a tenderer may also rely on the capacities of other entities, regardless of the legal nature of the links it has with them. It must in that case prove that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment letter in the model attached in **Annex 5.2**, signed by the authorised representative of such an entity, and the supporting evidence that those other entities have the respective resources.

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.

👉 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.

3. EVALUATION AND AWARD

The evaluation of the tenders that comply with the submission conditions will consist of the following elements:

- Check if the tenderer has access to procurement (see *Section 2.2*);
- Verification of administrative compliance (if the tender is drawn up in one of the official EU languages and the required documents signed by duly authorised representative(-s) of the tenderer);
- 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 specified in the procurement documents;
- Evaluation of tenders on the basis of the award criteria.

The *Contracting authority* will evaluate the abovementioned elements in the order that it considers to be the most appropriate. If the evaluation of one or more elements demonstrates that there are grounds for rejection, the tender will be rejected and will not be subjected to further full evaluation. The unsuccessful tenderers will be informed of the ground for rejection without being given feedback on the non-assessed content of their tenders. Only tenderer(s) for whom the verification of all elements did not reveal grounds for rejection can be awarded the contract.

The evaluation will be based on the information and evidence contained in the tenders and, if applicable, on additional information and evidence provided at the request of the *Contracting authority* during the procedure. If any of the declarations or information provided proves to be false, the *Contracting authority* may impose administrative sanctions (exclusion or financial penalties) on the entity providing the false declarations/information.

For the purposes of the evaluation related to exclusion and selection criteria the *Contracting authority* may also refer to publicly available information, in particular evidence that it can access on a national database free of charge.

3.1. Exclusion criteria

The objective of the exclusion criteria is to assess whether the tenderer is in any of the exclusion situations listed in Article 136(1) of the Financial Regulation.

Tenderers found to be in an exclusion situation will be rejected.

As evidence of non-exclusion each tenderer needs to submit with its tender a Declaration on Honour⁴ in the model available in *Annex 2*.⁵ The declaration must be signed by an authorised representative of the entity providing the declaration.

⁴ The European Single Procurement Document (ESPD) may not be used yet in European Commission's calls for tenders.

⁵ Unless the same declaration has already been submitted for the purposes of another award procedure of the European Commission, the situation has not changed, and the time elapsed since the issuing date of the declaration does not exceed one year.

The initial verification of non-exclusion of tenderers will be done on the basis of the submitted declarations and consultation of the [European Union's Early Detection and Exclusion System](#). The documents mentioned as supporting evidence in the Declaration on Honour need to be provided whenever requested and where this is necessary to ensure the proper conduct of the procedure within a deadline given by the *Contracting authority*⁶.

Annex 1 specifies which of the *involved entities* participating in a tender need to provide the Declaration on Honour and, when requested by *the Contracting authority*, the supporting evidence.

Before the award decision, the Contracting Authority may request documentary evidence on compliance on the exclusion criteria set out in the present tender specifications. All tenderers are invited to prepare in advance the documents related to the evidence, since they may be requested to provide such evidence within a short deadline. Failure to provide valid documentary evidence within the deadline set by the Contracting Authority shall lead to the rejection of the tender for the award of the contract, unless the tenderer can justify the failure on the grounds of material impossibility.

Please note that a request for evidence in no way implies that the tenderer has been successful.

3.2. Selection criteria

The objective of the selection criteria is to assess whether the tenderer has the legal, regulatory, economic, financial, technical and professional capacity to perform the contract.

The selection criteria for this call for tenders, including the minimum levels of capacity, the basis for assessment and the evidence required, are specified in the following subsections.

Tenders submitted by tenderers not meeting the minimum levels of capacity will be rejected.

When submitting its tender each tenderer shall declare on honour that it fulfils the selection criteria for the lots for which it applies. The model Declaration on Honour available in **Annex 2** shall be used.

The initial assessment of whether a tenderer fulfils the selection criteria will be done on the basis of the submitted declaration(s).

The subsections below specify which selection criteria evidence must be provided with the tender or may be requested later, at any time during the procurement procedure⁷. In any case, to the extent that there is no ground for a waiver, the evidence must be provided, upon request

⁶ The obligation to provide the supporting evidence will be waived in the following situations:

- if the same documents have already been provided in a previous award procedure of the European Commission, have been issued no more than one year before the date of their request by the *Contracting authority* and are still valid at that date;
- if such evidence can be accessed by the *Contracting authority* on a national database free of charge, in which case the economic operator shall provide the *Contracting authority* with the internet address of the database and, if needed, the necessary identification data to retrieve the document;
- if there is a material impossibility to provide such evidence.

⁷ The obligation to provide the supporting evidence will be waived in the following situations:

- if the same documents have already been provided in a previous award procedure of the European Commission and are still up-to-date;
- if such evidence can be accessed by the *Contracting authority* on a national database free of charge, in which case the economic operator shall provide the *Contracting authority* with the internet address of the database and, if needed, the necessary identification data to retrieve the document.

and within a deadline given by the *Contracting authority*. The evidence must be provided in accordance with the applicable basis for assessment of each criterion: in case of a consolidated assessment – only by the *involved entities* who contribute to the fulfilment of the criterion, and in case of individual assessment – by each *involved entity* to whom the criterion applies individually.

3.2.1. Legal and regulatory capacity

Tenderers do not need to prove specific legal and regulatory capacity to perform the contract.

3.2.2. Economic and financial capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary economic and financial capacity to perform the contract.

Criterion F1	
Minimum level of capacity	<p>The minimum yearly turnover exceeds:</p> <p>For lot 1 EUR 5,888,000</p> <p>For lot 2 EUR 1,856,000</p>
Basis for assessment	<p>This criterion applies to the tenderer as a whole, i.e. a consolidated assessment of the combined capacities of all <i>involved entities</i> will be carried out.</p>
Evidence	<ul style="list-style-type: none"> • Simplified balance sheet as per the template in <i>Annex 7</i> and • Copy of the profit and loss accounts, balance sheets and audit report for the last two years for which accounts have been closed from each concerned <i>involved entity</i>, or, failing that, appropriate statements from banks. The most recent year must have been closed within the last 18 months. <p>If, for some exceptional reason which the Contracting Authority considers justified, a tenderer is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other document which the Contracting Authority considers appropriate. In any case, the Contracting Authority must at least be notified of the exceptional reason and its justification. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.</p>

☞ All of the above specified evidence of economic and financial capacity must be provided with the tender.

3.2.3. Technical and professional capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary technical and professional capacity to perform the contract.

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 five years, with the sums, dates and clients, public or private, accompanied by statements issued by the clients.

Criterion T A1.	
The tenderer must prove experience in civil protection / disaster management	
Minimum level of capacity	<p>For lot 1:</p> <p>The tenderer must demonstrate its close cooperation with national civil protection authorities from at least four Member and Participating States of the Union Civil Protection Mechanism.</p> <p>For lot 2:</p> <p>The tenderer must demonstrate its close cooperation with national civil protection authorities from at least two Member and Participating States of the Union Civil Protection Mechanism.</p>
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> .
Evidence	<ul style="list-style-type: none"> - At least four (for lot 1) – two (for lot 2) national civil protection authorities are members of the consortium. or - Letter of support from at least four (for lot 1) – two (for lot 2) Member and Participating States' national civil protection authorities stating the support to the tenderer for the implementation of project.

Criterion T A.2	
The tenderer must prove experience in adult international training	
Minimum level of capacity	<p>The tenderer must have:</p> <ul style="list-style-type: none"> - in the last ten years, at least five years of experience in developing, organising and delivering training in the field of

	<p>European civil protection and disaster management of a similar nature, scale and complexity at European or international level (e.g. both standard as well as tailor-made courses in a multi-cultural and intercultural context);</p> <p>- in the last ten years, experience of at least five years in didactic and pedagogic adult teaching in the areas relevant to the subject of this tender;</p> <p>- must have conducted at least two adult training projects in the field of European civil protection and disaster management in the last ten years.</p>
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> .
Evidence	<p>A list of relevant services carried out in the last ten years.</p> <p>The list shall include details of their start and end date, total project amount and scope, role and amount invoiced. In case of projects still on-going only the portion completed during the reference period will be taken into consideration.</p> <p>Certificates or any evidence proving experience and knowledge in didactic and pedagogic adult teaching in the areas relevant to the subject of this tender and in developing training courses both standard as well as tailor-made courses in a multi-cultural and intercultural context.</p> <p>As supporting documents for each project reference the <i>Contracting authority</i> may request statements issued by the clients and take contact with them.</p>

Criterion T A.3	
The tenderer must prove experience in developing and delivering blended training courses	
Minimum level of capacity	The tenderer must prove capability to develop and deliver

	training courses following blended methodology.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> .
Evidence	<p>List of minimum two projects or other works delivered in the last five years showing the necessary capacity.</p> <p>The list shall include details of their start and end date, total project amount and scope, role and amount invoiced. In case of projects still on-going only the portion completed during the reference period will be taken into consideration.</p>

B. Criteria relating to the team delivering the service:

The team delivering the training must comply with the following selection criteria in order to prove that they have the necessary technical and professional capacity to perform the contract.

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.

The team delivering the service must include, as a minimum, the following profiles.

Criterion T B.1	
The Project Coordinator	
Minimum level of capacity	<p>Must have at least ten years of professional experience in project management, including overseeing project delivery, quality control measures, client orientation and conflict resolution experience in project in the field of the training programme development and delivery or related areas of a similar size and geographical coverage of this contract.</p> <p>Must have civil protection and disaster management expertise.</p> <p>Must have held a coordination role (or equivalent) in at least one European civil protection training project in the last 5 years.</p> <p>Must have at least C1 level in the Common European Framework for Reference for Languages⁸ in English.</p>
Evidence	CV including a language certificate.

Criterion T B.2

⁸ See http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp

Course Director(s)	
Minimum level of capacity	<p>Must have five years of professional experience in designing, structuring and developing training activities / courses and be familiar with most recent didactic and pedagogics of adult learning methodology.</p> <p>Must have at least five years of professional experience in the field of European civil protection and disaster management, of which at least three years must be connected with international training programmes.</p> <p>Must have conducted at least one European civil protection training project.</p> <p>Must have at least C1 level in the Common European Framework for Reference for Languages in English.</p>
Evidence	CV including a language certificate.

Criterion T B.3	
Course Developer(s)	
Minimum level of capacity	<p>Must have at least five years professional experience in the last ten years with instructional design, including the development of classroom-based learning, e-learning and blended learning solutions. This should include experience in design and development of curriculum, content, instructional material, developing material for classroom and online courses that is innovative, engaging and interactive, developing modules that incorporate visual media, branching and storytelling using newer eLearning tools and video material as part of video-based learning, and similar.</p> <p>Must have at least five years of professional experience in the field of European civil protection and disaster management, of which at least three years must be connected with international training programmes.</p> <p>Experience with most recent didactic and pedagogics of adult learning methodology will be considered an asset.</p> <p>Must have at least C1 level in the Common European Framework for Reference for Languages in English.</p>
Evidence	CV including a language certificate.

Criterion T B.4	
Learning Technologist	
Minimum level of capacity	<p>In the last seven years, must have at least three years professional experience in carrying out learning needs analysis, the design and development of interactive resources using pedagogic and technical knowledge, evaluating impact and effectiveness of online and blended materials, designing, producing and eventually delivering e-learning resources and VR emulated products.</p> <p>Experience in the field of European civil protection and disaster management is considered an asset.</p> <p>Must have at least C1 level in the Common European Framework for Reference for Languages in English.</p>
Evidence	CV including a language certificate.

Criterion T B.5	
Team of Subject Matters Experts (minimum 3 persons)	
Minimum level of capacity	<p>Each person must have at least five years professional experience in the field of European civil protection, disaster management of which at least three years must be connected to international training. He/she must have excellent analyses and synthesis capacities as well as excellent communication skills in particular in written.</p> <p>Must have at least C1 level in the Common European Framework for Reference for Languages in English.</p>
Evidence	CV including a language certificate.

Criterion T B.6	
Monitoring and Evaluation Specialist	
Minimum level of capacity	<p>Must have at least five years professional experience in developing and implementing monitoring and evaluation frameworks of training activities of which at least three years must be connected with international training programmes.</p> <p>Experience in the field of European civil protection and disaster management is considered an asset.</p> <p>Must have at least C1 level in the Common European</p>

	Framework for Reference for Languages in English.
Evidence	CV including a language certificate.

Criterion T B.7	
Trainers	
Minimum level of capacity	Must have the experience and requirements specified in Annex 9 of Part 2, Technical Specifications.
Evidence	CVs including a language certificate. The Tenderers will submit at least 2 CVs per blended courses.

Only for lot 1:

Criterion T B.8	
Pedagogy and Methodology Specialist	
Minimum level of capacity	Must have at least five years of professional experience in training and educational activities, including the development and implementation of training participant's performance assessment and evaluation tools and methods. Must have at least C1 level in the Common European Framework for Reference for Languages in English.
Evidence	CV including a language certificate.

👉 All of the above specified evidence of technical and professional capacity must be provided with the tender.

3.3. Compliance with the minimum requirements specified in the procurement documents

By submitting a tender a tenderer commits to perform the contract in full compliance with the terms and conditions of the procurement documents for this call for tenders. Particular attention is drawn to the minimum requirements specified in the Technical specifications document (Tender specifications – part 2) and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

The minimum requirements shall be observed throughout the entire duration of the contract. Compliance with these requirements is mandatory and cannot be subject to any assumptions, limitations, conditions, or reservations on the part of a tenderer.

👉 **Tenders that are not compliant with the applicable minimum requirements shall be rejected.**

3.4. Award criteria

The objective of the award criteria is to evaluate the tenders with a view to choosing the most economically advantageous tender.

Tenders will be evaluated, for both lots, on the basis of the following award criteria and their weighting:

1. Price - 35%

The price considered for evaluation will be the total price of the tender, covering all the requirements set out in the tender specifications.

2. Quality - 65%

The quality of the tender will be evaluated based on the following criteria:

❑ Award criterion 1 – Quality of the proposed methodology - 45 points (minimum score 50%)

This criterion will assess the suitability and strength of the offer as measured against the requirements of the specifications in terms of the technical content, relevance, completeness and originality of ideas for the training activities.

• Sub-criterion 1.1. Methodology for the training activities – 15 points (minimum score 50%)

The tender will be assessed based on the overall quality and accuracy of the proposed methodology for the design, development and delivery of the courses described in each respective lot.

• Sub-criterion 1.2. – Quality of the training activity – 15 points (minimum score 50%)

The tenderer will be assessed based on the quality of the proposed example of curriculum and course timetable:

For lot 1: for the Operational Deployment Course (ODC)

For lot 2: for the Mechanism Course for National Authorities UCPM Contact Points

(see the course descriptions in Annex 1 and the template of the course curriculum in Annex 5 of Part 2 - technical specifications)

• Sub-criterion 1.3. – Methodology for the operationalisation of the Assessment and Evaluation of participants' performance – 15 points (minimum score 50%)

This sub-criterion will assess the proposed methodology to develop and operationalise the Assessment and Evaluation Framework of participants' performance (based on the document provided in Annex 8 of the Tender specifications – part 2).

❑ Award criterion 2 – Project management and organisation of the work and resources, – 35 points (minimum score 50%)

This criterion relates to the quality of the project implementation, the organisation of the work and resources with a view to managing a project of this nature, how the contractor will provide support for the management and administration of all services required. It serves to assess the tenderer ability to implement the project and to manage cooperation with the Commission in practice.

- **Sub-criterion 2.1. – Contract implementation and planning of the activities - 15 points** (minimum score 50%).

This sub-criterion will assess the suitability and strength of the proposed approach to ensure the achievement of the contract objectives, the planning of the activities offered as measured against the requirements of the specifications. The tenderer shall give an outline of the approach proposed for contract implementation and the reasoning for this approach, a list of the proposed activities considered necessary to achieve the contract objectives, including to ensure sustainable training (see section 2.7.1 of the Technical Specifications – part 2).

- **Sub-criterion 2.2. - Organisation of the work and resources - 10 points** (minimum score 50%).

This sub-criterion will assess how the roles and responsibilities of the proposed core team and of the different economic operators are distributed for each task. The tenderer shall provide a description of the input from each of the core team members and of each of the consortium members and the distribution of tasks and responsibilities between them as well as a description of sub-contracting arrangements foreseen, if any, with a clear indication of the tasks that will be entrusted to a sub-contractor.

It will also assess 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 tenderer shall provide details on the allocation of time and human resources and the rationale behind the choice of this allocation. Details shall be provided as part of the technical offer. The allocation of time and resources will not be evaluated from financial point of view, since it is part of the financial offer.

- **Sub-criterion 2.3. - Approach for the team of trainers and lecturers – 10 points** (minimum score 50%).

This sub-criterion will assess the suitability and strength of the proposed approach to ensure the recruitment of sufficient qualified trainers and lecturers taking into consideration gender balance, the assessment of the trainers and lecturer's performance and their continuous development. The tenderer shall give an outline of the approach proposed and the reasoning for this approach,

- **Award criterion 3 - Monitoring and Evaluation process and Quality control measures - 20 points** (minimum score 50%)

This criterion will assess the quality of the methodology for the Monitoring and Evaluation process of the training activities and contract implementation proposed by the tenderer. It shall include the methodology to define performance indicators, the quality of the training activities and deliverables, the continuity of the service in case of absence of the member of the team and the appropriateness of contingency plans foreseen. This criterion will also assess language quality check. The Monitoring and Evaluation process shall be detailed in the tender.

Tenders must score minimum 50% for each criterion and sub-criterion, and minimum 70% in total. Tenders that do not reach the minimum quality levels will be rejected and will not be ranked.

3.5. Award (ranking of tenders)

Tenders shall be ranked according to the best price-quality ratio in accordance with the formula below where the price and quality weighting are specified in section 3.4:

Score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}} * 100$	+	$\frac{\text{total quality score (out of 100) for all award criteria of tender X}}{\text{price weighting (35\%)}} * \text{quality criteria weighting (65\%)}$
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Should the outcome of the formula lead to two or more tenders with the same result, the tenderer who has been awarded the highest marks for quality will be deemed to be the most economically advantageous tender. This approach will continue to be applied to each of the award criteria in the descending order listed in below until a most economically advantageous tender can be determined:

- Award criteria 1 – Quality of the proposed methodology
- Award criteria 2 – Project management and organisation of the work and resources
- Award criteria 3 – Monitoring and Evaluation process and Quality control measures

👉 The contract shall be awarded to the tender ranked first, which complies with the minimum requirements specified in the procurement documents and is submitted by a tenderer having access to procurement, not in an exclusion situation and fulfilling with the selection criteria.

4. FORM AND CONTENT OF THE TENDER

4.1. Form of the tender: how to submit the tender?

Tenders are to be submitted via the eSubmission application according to the instructions laid down in the Invitation to tender letter and the [eSubmission Quick Guide](#).

👉 Make sure you prepare and submit your electronic tender in eSubmission early enough to ensure it is received within the deadline specified under Heading IV.2.2 of the contract notice.

4.2. Content of the tender: what documents to submit with the tender?

The documents to be submitted with the tender in eSubmission are listed in **Annex 1**.

👉 Tenderers willing to submit tenders for more than one lot need to upload a separate technical and financial offer for each of the lots in which they are interested.

The following requirements apply to the technical and financial offer to be uploaded in eSubmission:

- ❑ Technical offer.

The technical offer must provide all the information needed to assess the compliance with the Technical specification document (Tender specifications – part 2) and the award criteria.

Tenders deviating from the minimum requirements or not covering all the requirements may be rejected on the basis of non-compliance and not evaluated further.

The technical specifications and the tenderer's tender shall be integral parts of the contract and will constitute annexes to the contract.

□ Financial offer.

A complete financial offer, including the breakdown of the price needs to be uploaded. For this purpose, the Financial Model in *Annex 6* shall be completed and uploaded in eSubmission. The total amount of the offer must be encoded in the field "Total amount excl. taxes" under the section "Tender data" in eSubmission.

It is the responsibility of each tenderer to ensure that the total amount of the tender inserted in the eSubmission field "Total amount excl. taxes" corresponds to the amount indicated in the uploaded financial offer. In case of discrepancies, only the amount indicated in the financial offer will be taken into account.

The financial offer shall be:

- expressed in euros. 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.
- quoted free of all duties, taxes and other charges, i.e. also free of VAT.

👉 The European Union Institutions are exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union of 8 April 1965 annexed to the Treaty on the Functioning of the European Union. Exemption is granted to the Commission by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption.

In case of doubt about the applicable VAT system, it is the tenderer's responsibility to contact his or her national authorities to clarify the way in which the European Union is exempt from VAT.

4.3. Signature policy: how can documents be signed?

Where a document needs to be signed, the signature must be either hand-written or a qualified electronic signature as defined in [Regulation \(EU\) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market \(the eIDAS Regulation\)](#).

For hand-written signatures see Section 1 of the Invitation to tender.

For electronic signatures see: <https://webgate.ec.europa.eu/fpfis/wikis/x/iwX4Dg>

All documents must be signed by the signatories (when they are individuals) or by their duly authorised representatives.

For the following documents, when signed by representatives, tenderers must provide evidence for the delegation of the authorisation to sign:

- The Declaration on Honour of the tenderer (in case of joint tender – the Declarations on Honour of all group members);
- (If applicable – in the case of joint tender) the power(s) of attorney drawn up using the model attached in *Annex 3*).

The delegation of the authorisation to sign on behalf of the signatories (including, in the case of proxy(-ies), the chain of authorisations) must be evidenced by appropriate written evidence (copy of the notice of appointment of the persons authorised to represent the legal entity in signing contracts (together or alone), or a copy of the publication of such appointment if the legislation which applies to signatory requires such publication or a power of attorney). A document that the *Contracting authority* can access on a national database free of charge does not need to be submitted if the *Contracting authority* is provided with the exact internet link and, if applicable, the necessary identification data to retrieve the document.

4.4. Confidentiality of tenders: what information and under what conditions can be disclosed?

Once the *Contracting authority* has opened a tender, it becomes its property and shall be treated confidentially, subject to the following:

- ❑ For the purposes of evaluating the tender and, if applicable, implementing the contract, performing audits, benchmarking, etc., the *Contracting authority* is entitled to make available (any part of) the tender to its staff and the staff of other Union institutions, agencies and bodies, as well to other persons and entities working for the *Contracting authority* or cooperating with it, including contractors or subcontractors and their staff provided that they are bound by an obligation of confidentiality.
- ❑ After the signature of the award decision tenderers whose tenders were received in accordance with the submission modalities, who have access to procurement, who are not found to be in an exclusion situation referred to in Article 136(1) of the FR, who are not rejected under Article 141 of the FR, whose tenders are not found to be incompliant with the procurement documents, and who make a request in writing will be notified of the name of the tenderer to whom the contract is awarded, the characteristics and relative advantages of the successful tender and the price of the offer and/or contract value. The *Contracting authority* may decide to withhold certain information that it assesses as being confidential, in particular where its release would prejudice the legitimate commercial interests of economic operators or might distort fair competition between them. Such information may include, without being limited to, confidential aspects of tenders such as unit prices included in the financial offer, technical or trade secrets⁹.
- ❑ The *Contracting authority* may disclose the submitted tender in the context of a request for public access to documents, or in other cases where the applicable law requires its disclosure. Unless there is an overriding public interest in disclosure¹⁰, the *Contracting authority* may refuse to provide full access to the submitted tender, redacting the parts (if any) that contain confidential information, the disclosure of

⁹ For the definition of trade secrets please see Article 2 (1) of DIRECTIVE (EU) 2016/943 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure.

¹⁰ See Article 4 (2) of the REGULATION (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents.

which would undermine the protection of commercial interests of the tenderer, including intellectual property.

‡ The *Contracting authority* will disregard general statements that the whole tender or substantial parts of it contain confidential information. Tenderers need to mark clearly the information they consider confidential and explain why it may not be disclosed. The *Contracting authority* reserves the right to make its own assessment of the confidential nature of any information contained in the tender.

5. APPENDIX: LIST OF REFERENCES

<i>Award criteria</i>	See Section 3.4
<i>Contracting authority</i>	See Section 1.1
<i>Entities on whose capacities the tenderer relies to fulfil the selection criteria</i>	See Section 2.4.3
<i>EU Validation services</i>	See Section 2.3 EU Grants and Tenders Rules on Legal Entity Validation, LEAR appointment and Financial Capacity assessment
<i>Exclusion criteria</i>	See Section 3.1
<i>Financial Regulation</i>	Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union
<i>Group leader</i>	See Section 2.4.1
<i>Identified subcontractors</i>	See Section 2.4.2
<i>Involved entities</i>	See Section 2.4
<i>Joint tender</i>	See Section 2.4.1
<i>Participant Register</i>	See Section 2.3 https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/how-to-participate/participant-register
<i>Selection criteria</i>	See Section 3.2
<i>Sole tenderer</i>	See Section 2.4
<i>Subcontracting/subcontractor</i>	See Section 2.4.2
<i>Treaties</i>	The EU Treaties: https://europa.eu/european-union/law/treaties_en

6. ANNEXES

Annex 1. List of documents to be submitted with the tender or during the procedure

Description	Sole tenderer	Joint tender		Identified Subcontractor	Entity on whose capacity is being relied	When and where to submit the document?	Instructions for uploading in eSubmission (if applicable)	
		Group leader	Member of the group				How to name the file?	Where to upload?
<div>(1) Identification and information about the tenderer.</div> <div><i>eSubmission view</i><div><div></div><div>Ways to submit</div><div></div><div>Parties</div><div></div><div>Tender data</div><div></div><div>Submission report</div><div></div><div>Submit</div></div></div>								
Declaration on Honour on Exclusion and Selection Criteria (see Section 3.1) model in annex 2. Declaration on honour	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	With the tender in eSubmission	'Declaration on Honour'	With the concerned entity under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Declaration on Honour'. For entities on whose capacity is being relied and who are not subcontractors, the document must be uploaded in the section of the Sole tenderer or Group leader: → 'Identification tenderer' → 'Attachments' → 'Other'

								documents'.
Evidence that the person signing the documents is an authorised representative of the entity ¹¹	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			With the tender in eSubmission	'Authorisation to sign' documents'.	With the concerned entity under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Other documents'.
Power of attorney (see Section 2.4.1) model in annex 3. Power of Attorney			<input checked="" type="checkbox"/>			With the tender in eSubmission	'Power of attorney'	In the Group leader's section under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Other documents'.
List of identified subcontractors (see Section 2.4.2) model in Annex 4. List of identified subcontractors	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				With the tender in eSubmission	"List of identified subcontractors"	In the Sole tenderer's or the Group leader's section under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Other documents'.
Commitment letter (see Section 2.4.2 and 2.4.3)				<input checked="" type="checkbox"/> (model in Annex 5.1)	<input checked="" type="checkbox"/> (model in Annex 5.2)	With the tender in eSubmission	'Commitment letter'	With the concerned entity under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Other documents'.
Evidence of non-exclusion (see Section 3.1)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Only upon request by <i>the Contracting authority</i> At any time during the	n.a.	n.a.

¹¹ A document that the Contracting authority can access on a national database free of charge does not need to be submitted if the Contracting authority is provided with the exact internet link and, if applicable, the necessary identification data to retrieve the document.

						procedure		
Evidence of legal existence and status	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<p>Only upon request by <i>the EU Validation services</i></p> <p>At any time during the procedure</p> <p>In the Participant Register</p>	n.a.	n.a.
Evidence of legal capacity (see Section 3.2.1)						n.a.		n.a.
Evidence of economic and financial capacity F1 (see Section 3.2.2)	<p>The documents must be provided</p> <p>only by the <i>involved entities</i></p> <p>who contribute to reaching the minimum capacity level</p> <p>for criterion F1</p>					<p>With the tender in eSubmission</p>	<p>Simplified balance_sheet_entity_year"</p> <p>Balance_sheet_entity_year"</p> <p>Profit_Loss_Account_entity_year"</p> <p>Audit_report_entity_year"</p>	<p>With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Economic and financial capacity'.</p>
Evidence of technical and professional capacity TA1 (see Section 3.2.3)	<p>The documents must be provided</p> <p>only by the <i>involved entities</i></p>					<p>With the tender in eSubmission</p>	<p>Letter of support from Member or Participating States civil protection</p>	<p>With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Technical and professional</p>

	who contribute to reaching the minimum capacity level for criterion		authorities or participation of one or several civil protection authorities as member of the consortium.	capacity'.
Evidence of technical and professional capacity TA2 (see Section 3.2.3)	The documents must be provided only by the <i>involved entities</i> who contribute to reaching the minimum capacity level for criterion	With the tender in eSubmission	Project_ reference_TA2_ No.1 Project_ reference_TA2_ No.2 ...	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Tech- nical and professional capacity'.
Evidence of technical and professional capacity TA3 (see Section 3.2.3)	The documents must be provided only by the <i>involved entities</i> who contribute to reaching the minimum capacity level for criterion	With the tender in eSubmission	Project_ reference_TA3_ No.1 Project_ reference_TA3_ No.2 ...	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Tech- nical and professional capacity'.
Evidence of technical and professional capacity TB1 (see Section 3.2.3)	The documents must be provided only by the <i>involved entities</i> who contribute to reaching the minimum capacity level for criterion	With the tender in eSubmission	CV with language certificate_TB1_ No.1 ...	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Tech- nical and professional capacity'.

Evidence of technical and professional capacity TB2 (see Section 3.2.3)	The documents must be provided only by the <i>involved entities</i> who contribute to reaching the minimum capacity level for criterion	With the tender in eSubmission	CV with language certificate_TB2_ No.1 ...	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Technical and professional capacity'.
Evidence of technical and professional capacity TB3 (see Section 3.2.3)	The documents must be provided only by the <i>involved entities</i> who contribute to reaching the minimum capacity level for criterion	With the tender in eSubmission	CV with language certificate_TB3_ No.1 ...	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Technical and professional capacity'.
Evidence of technical and professional capacity TB4 (see Section 3.2.3)	The documents must be provided only by the <i>involved entities</i> who contribute to reaching the minimum capacity level for criterion	With the tender in eSubmission	CV with language certificate_TB4_ No.1 ...	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Technical and professional capacity'.
Evidence of technical and professional capacity TB5 (see Section 3.2.3)	The documents must be provided only by the <i>involved entities</i> who contribute to reaching the minimum capacity level	With the tender in eSubmission	CV with language certificate_TB5_ No.1 CV with language certificate_TB5_	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Technical and professional capacity'.

	for criterion		No.2 CV with language certificate_TB5_ No.3 ...	
Evidence of technical and professional capacity TB6 (see Section 3.2.3)	The documents must be provided only by the <i>involved entities</i> who contribute to reaching the minimum capacity level for criterion	With the tender in eSubmission	CV with language certificate_TB6_ No.1 ...	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Technical and professional capacity'.
Evidence of technical and professional capacity TB7 (see Section 3.2.3)	The documents must be provided only by the <i>involved entities</i> who contribute to reaching the minimum capacity level for criterion	With the tender in eSubmission	CV with language certificate_TB7_ No.1 CV with language certificate_TB7_ No.2 ...	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Technical and professional capacity'.
Evidence of technical and professional capacity TB8 (see Section 3.2.3) ONLY FOR LOT1	The documents must be provided only by the <i>involved entities</i>	With the tender in eSubmission	CV_TB8_No.1 ...	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Technical and professional

	who contribute to reaching the minimum capacity level for criterion							capacity'.
1. Tender data. <i>eSubmission view</i>								
<div><div><div></div><div></div><div></div><div></div><div></div></div><div>Ways to submitPartiesTender dataSubmission reportSubmit</div></div>								
Failure to upload the following documents in eSubmission will lead to rejection of the tender.								
Technical offer (see Section 4.2)	<div><div></div></div>	<div><div></div></div>				With the tender in eSubmission	'Technical offer'	Under section 'Tender Data' →'Technical offer'
Financial offer (see Section 4.2) model in Annex 6	<div><div></div></div>	<div><div></div></div>				With the tender in eSubmission	'Financial offer'	Under 'Tender Data' →'Financial offer'

Annexes are attached separately:

- Annex 2. Declaration on Honour on exclusion and selection criteria
- Annex 3. Power of attorney
- Annex 4. List of identified subcontractors
- Annex 5.1. Commitment letter by an identified subcontractor
- Annex 5.2. Commitment letter by an entity on whose capacities is being relied
- Annex 6. Financial offer form
- Annex 7. Restructured Simplified Accounting Balance Sheets and Profit and Loss Accounts

