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EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate B – Circular Economy & Green Growth
Unit B1 – Sustainable Production, Products and Consumption

CALL FOR TENDERS

ENV.B.1/SER/2018/0010

Service Contract to ensure

Input and participation of SME associations and environmental NGOs into Environmental Footprint TAB and PEFCR/OEFSR development (2 Lots)

TENDER SPECIFICATIONS

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1 INFORMATION ON TENDERING – APPLICABLE TO BOTH LOTS

1.1 Participation

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

It is also open to all natural and legal persons established in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the plurilateral Agreement on Government Procurement[1] concluded within the World Trade Organisation applies, the participation to this procedure is also open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions it lays down.

For British candidates or tenderers:

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

1.2 Contractual conditions

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

1.3 Compliance with applicable law

The tender must comply with applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU[2].

1.4 Joint tenders

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

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[1] See http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm

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

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

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

1.5 Subcontracting

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

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

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

1.6 Structure and content of the tender

The tenders must be presented as follows:

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

Part B: Non-exclusion (see section 2.2)

Part C: Selection (see section 2.3)

Part D: Technical offer (see section 3)

Part E: Financial offer (see section 2.6)

1.7 Identification of the tenderer

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

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

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

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

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

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

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

2 EVALUATION AND AWARD - APPLICABLE TO BOTH LOTS

2.1.Evaluation steps

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

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

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

The tenders will be assessed in no particular order. The successful tenderer must pass all criteria to be awarded the contract.

2.2.Verification of non-exclusion

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

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

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

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

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

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

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

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

2.3.Selection criteria

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

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

2.1.1 2.3.1. Declaration and evidence

The tenderers (and each member of the group in case of joint tender) and subcontractors whose capacity is necessary to fulfil the selection criteria must provide the declaration on honour (see Annex 5), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them individually. In case of joint tender or subcontracting, the criteria applicable to the tenderer as a whole will be verified by combining the various declarations for a consolidated assessment.

This declaration is part of the declaration used for exclusion criteria (see section 2.2) so only one declaration covering both aspects should be provided by each concerned entity.

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

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

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

2.1.2 2.3.2. Legal and regulatory capacity criteria and evidence

Tenderers must prove that they are allowed to pursue the professional activity necessary to carry out the work subject to this call for tenders. The tenderer (including each member of the group in case of joint tender) must provide the following information in its tender if it has not been provided with the Legal Entity Form:

- For legal persons, a legible copy of the notice of appointment of the persons authorised to represent the tenderer in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation applicable to the legal person requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.

- For natural persons, if required under applicable law, a proof of registration on a professional or trade register or any other official document showing the registration number.

2.1.3 2.3.3 Economic and financial capacity criteria and evidence

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

Annual turnover of the last two financial years above EUR 80,000 (eighty-thousand Euros); this criterion applies to the tenderer as a whole, i.e. the combined capacity of all members of a group and identified subcontractors in case of a joint tender.

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

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

- Failing that, appropriate statements from banks;

- If applicable, evidence of professional risk indemnity insurance.

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

2.1.4 2.3.4 Technical and professional capacity criteria and evidence

Tenderers must prove that they are representing the views of the following interest groups during the contract:

- Lot 1: Environmental NGOs
- Lot 2: Organisations representing SMEs

The tenderers must be able to provide input on behalf of the stakeholder groups described above at EU level. The tenderer, when providing information about its activities, should be able to demonstrate its ability to provide input on behalf of stakeholder groups.

a. Criteria and evidence relating to tenderers

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

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

- **Criterion A1**: The tenderer must prove experience in the field environmental product policy (e.g. Ecolabel, Ecodesign, Environmental Footprint methods).

Evidence A1: the tenderer must provide references for 3 projects delivered in these fields in the last three years.

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

Evidence A2: the tenderer must provide references for at least three projects delivered in the last three years showing the necessary language coverage.

- **Criterion A3:** The tenderer must prove capacity to draft reports in English.

Evidence A3: 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 two years. The verification will be carried out on 5 pages of the document.

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

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

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

Criterion B1 - Project Manager: At least three years' experience in project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in projects of a similar size (at least € 40 000) provided at EU level, or of similar nature (input into EU-level product environmental criteria development).

Evidence B1: CV

Criterion B2 - Language quality check: at least one member of the team should have at least C1 level in the Common European Framework for Reference for Languages[3] in English.

Evidence B2: a language certificate or past relevant experience.

Criterion B3 – Expert(s) in life cycle assessment: Relevant higher education degree and at least three years of professional experience in the field.

Evidence B3: CV

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

2.4. Compliance with the minimum requirements

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

2.5. Award criteria

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

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

A maximum of 52 points will be attributed to criterion 1, a maximum of 24 points will be attributed to criterion 2, and a maximum of 24 points will be attributed to criterion 3. In addition a minimum threshold will be set up under this system of points:

- Technical sufficiency levels: Selected companies will have to score a minimum of 26, 12 and 12 points under criteria 1, 2 and 3 respectively, with a minimum total of 65 points.

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

1 Quality of the proposed methodology (52 points – minimum threshold 50%)

The degree to which the methodology shows the capacity to provide input into the Environmental Footprint transition phase (formulating comments on technical and process-related documents). All input must be representative of NGO viewpoints. The methods proposed must be suited to the needs set out by the Commission in the Technical Specifications (see part 3).

2 Organisation of the work and allocation of resources (24 points – minimum threshold 50%)

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

3 Quality control measures (24 points – minimum threshold 50%)

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

2.1.5 2.5.1 Ranking and Award

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

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

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

- All bids that do not reach the stated technical sufficiency levels for each individual award criteria will not be considered for contract award.

- All bids that have passed the individual levels and score 65 or higher are deemed to be technically sufficient. Then the price is divided by the total number of points awarded to obtain the price-quality ratio. The award of the contract will be made in accordance with the lowest ratio.

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

2.6.Financial offer

The maximum budget allocated to this contract is fixed at €40 000 (forty-thousand Euros) per Lot excluding VAT (including fees, travel and all other costs. **NB Travel and subsistence expenses should be part of the lump sum and will not be refunded separately**. Any offers received that do not respect this maximum budget will be automatically excluded from the evaluation procedure. For guidance purposes see Annex 3.

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

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

3 TECHNICAL SPECIFICATIONS

3.1 Background

There is growing pressure on companies to demonstrate that their activities are environmentally friendly, both at the level of individual goods and services being produced and as organisations, towards consumers and other business stakeholders. However, the provision of environmental-related information in a transparent and reliable way is complicated by the fact that a wide range of different methodologies for the assessment of the

environmental performance of products and organisations have been developed, all with their own features, rules, and scope.

As a response to this, the Commission adopted a Communication on *Building the Single Market for Green Products*[4] and a Recommendation on *The use of common methods for measuring and communicating the life cycle environmental performance of products and organisations*[5]. The Recommendation introduced two methods, the Product Environmental Footprint (PEF) and the Organisation Environmental Footprint (OEF).

A four-year pilot phase was carried out between 2013 and 2018. Among other elements, the development of product and sector-specific rules was tested, alongside with ways to communicate and verify environmental footprint information.

The pilot phase confirmed the important role of Product Environmental Footprint Category Rules (PEFCRs) and Organisation Environmental Footprint Sectoral Rules (OEFSRs). They translate the general rules of PEF and OEF to a specific product group or sector. The rules are meant to set methodological choices in a way that it results in reproducible and consistent outcomes, enabling comparisons between the environmental performance of products and organisations, whenever feasible, appropriate and useful.

Between the end of the pilot phase (April 2018) and the moment where Environmental Footprint methods might be implemented in further policies, a transition phase is set in place. The aim of the transition phase is to provide a framework for:

- monitoring the implementation of existing PEFCRs and OEFSRs;
- developing new PEFCRs/ OEFSRs;
- new methodological developments.

The process for developing PEFCRs and OEFSRs includes occasions for providing comments on drafts. Furthermore, the drafts are discussed in meetings of the Integrated Product Policy / Sustainable Consumption and Production (IPP/SCP) expert group, which includes representatives of the European Commission, Member States, main stakeholder groups (environmental NGOs, consumers and SMEs) and economic sectors.

Technical developments are discussed in the Technical Advisory Board. The membership is open to any Environmental Footprint and Life Cycle Assessment expert.

3.2 Objectives

The objective of this contract is to ensure input from and the participation of environmental NGOs and organisations representing SMEs into the development of PEFCRs or OEFSRs, discussions in the IPP/SCP expert group and in the Technical Advisory Board.

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[4] COM(2013) 196, http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52013DC0196:EN:NOT

[5] 2013/179/EU, http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2013:124:SOM:EN:HTML

The Lots are defined as follows:

Lot 1: Stakeholder representation: Environmental NGOs
Lot 2: Stakeholder representation: SMEs

Offers can be made for a single lot. Offers for all lots are acceptable if they include experts representing the stakeholder groups requested in the lots through the offer. In case of a joint offer, the independence of experts in expressing opinions on behalf of the distinct stakeholder groups must be safeguarded. The tenderer will describe in its offer how it will guarantee this. Should a tenderer apply for more than one lot, a separate offer must be submitted for each lot.

3.3 Description of the tasks

The tasks to perform are identical for the two lots, what changes is the point of view that the experts are providing

- Lot 1: environmental NGOs
- Lot 2: SMEs

Activities will include:

- Participating in at least 4 Technical Secretariats developing PEFCRs or OEFSRs,
- Participating in the discussions of the IPP/SCP expert group and Technical Advisory Board,
- Consulting member NGOs and conveying consolidated comments/ input on issues of the contractor's choice related to the transition phase,
- Comments on draft PEFCRs and OEFSRs,
- Drafting of or comments to issue papers and working group drafts of the Technical Advisory Board.

Participating in Technical Secretariats developing PEFCRs or OEFSRs is the highest priority task. The prioritisation of tasks will be discussed with the European Commission team during the kick-off meeting and progress meetings.

The tenderer will describe in its offer how it will ensure timely input and how it will actively liaise with relevant NGOs or NGO experts at EU or Member State level. It will also describe the representativeness at EU level that the tenderer can offer (e.g. EU umbrella organisation grouping x NGOs/ organisations from x Member States).

As listed above, tasks include drafting of comments or input into discussions of the IPP/SCP expert group and the Technical Advisory Board. In case the winning tenderer is not a member

of the IPP/SCP expert group, these comments will be channelled through the relevant members of this body[6].

3.4 Deliverables

Deliverable	Timing
Kick-off meeting (in-person or through teleconference – main topics: approach and prioritisation of tasks)	2 weeks after the signature of the contract
Participating in the Technical Secretariat of at least 4 PEFCRs or OEFSRs	Continuous
Input into documents or meetings, reports initiated by the contractor	Continuous; at least 5 instances/year
Interim activity report Short report listing the activities done and under development.	6 months after the signature of the contract
Final report The final report will provide a summary of activities carried out during the contract, and will have as its annexes the written input provided under the contract.	12 months after the signature of the contract

All reports/ input should be written in clear, understandable and correct English. The documents should be concise, straightforward and easy to follow, with a clear layout and structure and appropriate contents page and chapter headings.

Reports will be delivered in electronic format, both in .pdf and .doc(x) formats.

3.5 Meetings

All meetings (including the kick-off meeting and the meeting discussing the final results) may take place through a tele- or videoconference. The contractor is expected to take up contact regularly with the European Commission team according to the needs of the project (progress meetings).

The contractor will also plan to participate in 3 one-day meetings of the IPP/SCP Expert Group. These meetings take place in Brussels.

The Technical Advisory Board is expected to meet 3 times per year. The meetings could be one-day or two-day meetings.

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[6] See details about the group and its membership: http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=470

4 further meetings per year should be included for participating in Technical Secretariat meetings.

3.6 Duration of the tasks

The tasks should be completed within 12 months of the signature of the contract. The execution of the tasks may not start before the contract has been signed.

The contract is renewable twice for a period of 12 months on identical terms, up to a total duration of maximum 36 months, provided that the contractor's performance is satisfactory in all respects and depending on budget availability.

3.7 Place of performance

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

ANNEX 1 - ADMINISTRATIVE INFORMATION FORM

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

Organisation or individual:

NAME: …….....
ADDRESS: …….....

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

…….....

PERSON AUTHORISED TO SIGN CONTRACT:

Name and position: .....

PERSON FOR ROUTINE CONTACT:

Name and position: .....
ADDRESS: .....

Telephone and E-mail: .....

Signature of Tenderer .....

ANNEX 2 – QUESTIONNAIRE FOR JOINT BIDS AND SUBCONTRACTING

(To be completed and signed by the lead tenderer)

Joint bid (refer to paragraph 1.4)

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

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

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

   _____

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

   _____

   _____

   _____

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

   _____

Subcontracting (refer to paragraph 1.5)

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

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

6.

List of sub-contractors:	Percentage of subcontracting:
……	…….
..……..…….……	……..…….

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

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

Name of the sub-contractor:

……..……..

Official legal form:

……..……..

Country of registration:

……..……..

Statutory registration number:

……..……..

(Internet address, if applicable):

……..……..

Official address in full:

……..……..

……..……..

Contact person:

……..……..

Telephone number:

……..……..

Reasons for subcontracting:

……..……..

Role, activities and responsibilities of the sub-contractor:

……..……..

The volume or the proportion of the sub-contracting:

……..……..

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

……..……..

Tenderer: **Date:** **Signature:**

ANNEX 3 – FINANCIAL OFFER TEMPLATE

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

(for guidance purposes only)

Price and Estimated budget breakdown

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

Type of service provider	Position within the project team	Number of working days	Allocation of tasks	Proportion of the contract in %	Costs in €
Lead contractor					
	……	…….	……..	……..	……..
	……	…….	……..	……..	……..
	……	…….	……..	……..	……..
	Sub-total	…….		……..	……..
Sub-contractor 1					
	……	…….	……..	……..	……..
	……	…….	……..	……..	……..
	Sub-total	…….		……..	……..
Sub-contractor 2					
	……	…….	……..	……..	……..
	……	…….	……..	……..	……..
	Sub-total	…….		……..	……..
Sub-contractor 3					
	……	…….	……..	……..	……..
	……	…….	……..	……..	……..
	Sub-total	…….		……..	……..
Travel/other costs[1] **(*if applicable)***					
	Total	……		……	……

Signature of Tenderer **.....**

Date **.....**

[1] Will be reimbursed on a lump-sum basis.

ANNEX 4 - LEGAL ENTITY AND FINANCIAL IDENTIFICATION FORMS

These forms can be downloaded from

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

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

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

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

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

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

Comments [in grey italics in square brackets] are to be deleted and/or replaced by appropriate data.

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

(*only for natural persons*) himself or herself	(*only for legal persons*) the following legal person:
ID or passport number: (‘the person’)	Full official name: Official legal form: Statutory registration number**:** Full official address: VAT registration number: (‘the person’)

I – SITUATION OF EXCLUSION CONCERNING THE PERSON

➢ declares that the above-mentioned person is in one of the following situations:	YES	NO
a) it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations;	☐	☐
b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract;	☐	☐
c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibity where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:		

(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract;	☐	☐
(ii) entering into agreement with other persons with the aim of distorting competition;	☐	☐
(iii) violating intellectual property rights;	☐	☐
(iv) attempting to influence the decision-making process of the contracting authority during the award procedure;	☐	☐
(v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure***;***	☐	☐
d) it has been established by a final judgement that the person is guilty of the following:		
(i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;	☐	☐
(ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the contracting authority is located, the country in which the person is established or the country of the performance of the contract;	☐	☐
(iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA;	☐	☐
(iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council;	☐	☐
(v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;	☐	☐
(vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;	☐	☐
e) the person has shown significant deficiencies in complying with the main obligations in the performance of a contract financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an Authorising Officer, OLAF or the Court of Auditors;	☐	☐
f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;	☐	☐
g) for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or	☐	☐

irregularity, the applicant is subject to: i. facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body; ii. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics; iii. decisions of the ECB, the EIB, the European Investment Fund or international organisations; iv. decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law; or v. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.		

II – SITUATIONS OF EXCLUSION CONCERNING NATURAL PERSONS WITH POWER OF REPRESENTATION, DECISION-MAKING OR CONTROL OVER THE LEGAL PERSON

Not applicable to natural persons, Member States and local authorities

➢ declares that a natural person who is a member of the administrative, management or supervisory body of the above-mentioned legal person, or who has powers of representation, decision or control with regard to the above-mentioned legal person (this covers company directors, members of management or supervisory bodies, and cases where one natural person holds a majority of shares) is in one of the following situations:	YES	NO	N/A
Situation (c) above (grave professional misconduct)	☐	☐	☐
Situation (d) above (fraud, corruption or other criminal offence)	☐	☐	☐
Situation (e) above (significant deficiencies in performance of a contract)	☐	☐	☐
Situation (f) above (irregularity)	☐	☐	☐

III – SITUATIONS OF EXCLUSION CONCERNING NATURAL OR LEGAL PERSONS ASSUMING UNLIMITED LIABILITY FOR THE DEBTS OF THE LEGAL PERSON

➢ declares that a natural or legal person that assumes unlimited liability for the debts of the above-mentioned legal person is in one of the following situations:	YES	NO	N/A
Situation (a) above (bankruptcy)	☐	☐	☐

Situation (b) above (breach in payment of taxes or social security contributions)	☐	☐	☐

IV – GROUNDS FOR REJECTION FROM THIS PROCEDURE

➢ declares that the above-mentioned person:	YES	NO
h) has distorted competition by being previously involved in the preparation of procurement documents for this procurement procedure.	☐	☐

V – REMEDIAL MEASURES

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

VI – EVIDENCE UPON REQUEST

Upon request and within the time limit set by the contracting authority the person must provide information on the persons that are members of the administrative, management or supervisory body. It must also provide the following evidence concerning the person itself and concerning the natural or legal persons which assume unlimited liability for the debt of the person:

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

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

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

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

Document	Full reference to previous procedure
Insert as many lines as necessary.	

VII – SELECTION CRITERIA

➢ declares that the above-mentioned person complies with the selection criteria applicable to it individually as provided in the tender specifications:	YES	NO	N/A
(a) It has the legal and regulatory capacity to pursue the professional activity needed for performing the contract as required in section 2.3.2 of the tender specifications;	☐	☐	☐
(b) It fulfills the applicable economic and financial criteria indicated in section 2.3.3 of the tender specifications;	☐	☐	☐
(c) It fulfills the applicable technical and professional criteria indicated in section 2.3.4 of the tender specifications.	☐	☐	☐

➢ if the above-mentioned person is the **sole tenderer** or the **leader in case of joint tender**, declares that:	YES	NO	N/A
(d) the tenderer, including all members of the group in case of joint tender and including subcontractors if applicable, complies with all the selection criteria for which a consolidated asseessment will be made as provided in the tender specifications.	☐	☐	☐

VII – EVIDENCE FOR SELECTION

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

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

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

Document	Full reference to previous procedure
Insert as many lines as necessary.	

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

Full name Date Signature

ANNEX 6 - ACKNOWLEDGEMENT OF RECEIPT



EUROPEAN COMMISSION
DIRECTORATE-GENERAL ENVIRONMENT
Directorate ENV.A – POLICY
A.5 - Finance

(Please fill in your address)

ACKNOWLEDGEMENT OF YOUR TENDER

Our reference: ENV.B.1/SER/2018/0010

Your reference:

We wish to confirm the receipt and opening of your offer[1]. Your offer will now be evaluated by the Commission and its experts. You will be informed of the result in due course.

We thank you for your interest.

MarketsTeam
ENV.A.5

[1] Your personal contact data has been recorded in a database used by the Markets Team of unit ENV.A.5 for the administrative management of offers. The Commission is bound by Regulation 45/2001 on the protection of individuals with regard to the processing of personal data by the Union institutions and bodies. For more information, and to exercise your rights to access and eventually correct data concerning you, please don't hesitate to contact us.