EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate B – Circular Economy & Green Growth
Unit B.3 – Waste Management & Secondary Materials

CALL FOR TENDERS

ENV.B.3/SER/2019/0014

Update and maintenance of the waste electrical and electronic equipment (WEEE) calculation electronic tool developed under the study contract No. 070307/2013/667383/ETU/ENV.A2

TENDER SPECIFICATIONS

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1. INFORMATION ON TENDERING

1.1. How to submit a tender: Registration in the Participant Register and validations by the EU Validation services

In order to submit a tender using e-Submission, tenderers (each member of the group in the case of a joint tender) will need to register in the European Commission's Participant Register - an online register of organisations participating in EU calls for tenders or proposals. On registering, each organisation obtains a Participant Identification Code (PIC, 9-digit number) which acts as its unique identifier in the above register. Instructions on how to create a PIC can be found in the PIC-management Quick Guide for Economic Operators. Tenderers already registered in the Participant Register shall reuse their existing PICs when preparing tenders in e-Submission.

In the e-Submission application the tenderers should fill out the required identification information in line with the instructions in the e-Submission Quick Guide available at: https://webgate.ec.europa.eu/e-Submission/assets/documents/manual/quickGuide_en.pdf . The sole tenderer or all members of a joint tender must be identified with a PIC – Participant Identification Code. No PIC is needed for subcontractors.

It is not required at the level of the tender submission, to attach either Legal Entity Form or Financial Identification Form.

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. To that end, tenderers are invited to upload a self-declaration under the heading 'other documents' as part of their offer in e-Submission. See checklist in Annex 5.

1.2. 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:

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

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.

1.3. 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.

1.4. 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].

1.5. Joint tenders

Tenderers may choose between presenting a **joint tender** and introducing a tender as a **sole economic operator**. A joint tender is a situation where a tender is submitted by a group of economic operators (natural or legal persons). Joint tenders and sole tenders may also include subcontractors.

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.

Whichever type of bid is chosen, the tender shall stipulate the legal status and role of each legal entity in the tender proposed and the monitoring arrangements that exist between them and, failing this, the arrangement they foresee to establish if they are awarded the contract.

The sole tenderer or all members of a joint tender must be identified with a PIC – Participant Identification Code. No PIC is needed for subcontractors.

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.

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[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).

To this end, all members of the group should sign a **power of attorney** (see models in Annex 3). This document must be scanned and included in the offer. For groups not having formed a common legal entity, model 1 should be used, and for groups with a legal entity in place model 2 should be used.

1.6. 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. Consequently, the bid must document their willingness to accept the tasks assigned to them by submitting the form in Annex 2, duly completed and signed. In case a tenderer relies on subcontracting to meet the required level under selection criteria, the subcontractor(s) concerned must upload the relevant supporting documents to that effect with their tender.

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.

2. EVALUATION AND AWARD

2.1. Evaluation steps

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

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

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

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

2.2. Verification of non-exclusion

All tenderers must provide a declaration on honour (see Annex 1), stating that they are not in one of the situations of exclusion listed in that declaration on honour.

The declaration(s) shall be signed by an authorised representative either with advanced electronic signature based on qualified certificates or by scanning and uploading a hand signed copy.

The hand-signed originals of the declaration on honour must be sent by letter to the contracting authority. See Invitation document for more details.

In case of joint tender, each member of the group 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 including 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 in the e-Submission 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.

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.

2.3.1. Declaration and evidence

The tenderers (and each member of the group in case of joint tender) and subcontractors must provide the declaration on honour (see Annex 1), 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 no 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 in the e-Submission 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.

2.3.2. 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.

In the course of the procedure the EU Validation Services (at Research Executive Agency) may contact tenderers (each member of the group in the case of a joint tender) via the Participant Register and ask for supporting documents with respect to the legal existence and status. The notifications concerning the legal status validation will be sent to the e-mail address of the contact person indicated in the Participant Register. It is the responsibility of the tenderer (each member of the group in the case of a joint tender) to provide a valid e-mail address and to check it. Please note that a request for supporting documents in no way implies that the tenderer has been successful.

The documents that may be requested by the EU Validation Services during the course of the procedure are listed in Annex 6.

The documents that shall be submitted with the tender in e-Submission are listed in the checklist available in Annex 5.

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. **To that end, tenderers are required to upload the supporting evidence under the heading 'other documents' as part of their offer in e-Submission.**

The tenderer must comply with the following selection criteria:

Annual turnover of the last two financial years above EUR 90,000; 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.

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

- Failing that, appropriate statements from banks;

- If applicable, evidence of professional risk indemnity insurance.

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

2.3.4 Technical and professional capacity criteria and evidence

a. Criteria and evidence relating to tenderers

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

The project references indicated below consist of a list of relevant services provided (i.e. not ongoing but fully completed) in the past three years, with the sums, dates and clients, public or private, accompanied by statements issued by the clients.

- **Criterion A1**: The tenderer must prove experience in the field of waste statistics and data modelling tools as well as in survey techniques, data collection and statistical analyses.

Evidence A1: The tenderer must provide references for 2 projects delivered in these fields in the last three years with a minimum value for each project of EUR 75,000.

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

Evidence A2: The tenderer must provide one document of at least 10 pages (report, study, etc.) in this language that 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 upload in e-Submission 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 four years' experience in project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in projects of a similar size (at least EUR 75,000) and coverage, with experience in management of teams of at least four people.

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 - Experts in waste statistics and/or waste reporting: Relevant higher education degree or equivalent professional experience and at least four years' professional experience in the field of survey techniques, data collection and statistical analyses related to waste.

Evidence B3: CV

Criterion B4 - Experts in data modelling: Relevant higher education degree or equivalent professional experience and at least two years' professional experience in the field.

Evidence B4: CV

In order to prove their capacity, the tenderer must upload in e-Submission 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.

A maximum of 70 points will be attributed to criterion 1, a maximum of 20 points will be attributed to criterion 2, and a maximum of 10 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 35, 10 and 5 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

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

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** (70 points – minimum threshold 50%)

The degree to which the methodology shows the capacity to analyse, review and evaluate documents and figures, in accordance with the needs of the contracting authority will be assessed under this criterion. Furthermore the tender must demonstrate the capacity to resolve the questions underlying in the tender in a realistic and well-structured way, as well as demonstrate that the methods proposed are suited to the needs set out by the Commission in the Technical Specifications (see part 3).

2 **Organisation of the work and allocation of resources** (20 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** (10 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.

2.5.1 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.Technical proposal

The technical proposal needs to be uploaded in the step "Tender Data" of the wizard of the e-Submission application. The e-Submission application allows attachment of as many documents as necessary.

Tenderers shall include in their bids a **technical proposal addressing the aspects detailed in the technical specifications** in section 3.

The technical proposal shall comply with the technical specifications and provide, as a minimum, the information specifically requested.

Due consideration should be given to the award criteria and method as stipulated under section 2.5 in this document.

Please note that, to grant equal treatment of all tenders**, it is not possible to modify offers after their submission in relation to the technical and financial proposals**.

Please note that proposals deviating from the technical specifications risk being rejected for non-compliance.

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

2.7. Financial offer

The maximum budget allocated to this contract is fixed € 180,000 *(*one hundred and eighty thousand Euros) excluding VAT (including fees, travel and all other costs. **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 4.

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.

A complete financial proposal (see Annex 4 for guidance) needs to be uploaded in step "Tender Data" of the wizard of the e-Submission application.

The total price (including any options and renewals) needs also to be encoded directly in the e-Submission application (Total amount).

It is the responsibility of each tenderer to ensure that the total amount of the tender inserted in the relevant tab of the e-Submission application corresponds exactly to the value reflected in the uploaded financial proposal. In case of discrepancies, only the value reflected in the financial proposal will be taken into account.

3. TECHNICAL SPECIFICATIONS

3.1. General background and (Internet based) reference documents

Following the adoption of Directive 2012/19/EU on waste electrical and electronic equipment (hereafter mentioned as 'the WEEE Directive'), the Commission, in line with Article 7(5) of the WEEE Directive, awarded a study contract to the United Nations University (UNU) (lead partner), Statistics Netherlands- Centraal Bureau voor de Statistiek (CBS), Bio Intelligence Service and the Regional Environment Center for Central and Eastern Europe to carry out a list of tasks including the development of a common methodology for the calculation of the quantity of WEEE generated by weight in each Member State and the development of a common methodology for the calculation of the weight of EEE placed on the national market of each Member State[4]. An integral part of this methodology and one of the deliverables of this study contract was an electronic tool (excel file) to be used for the calculation of the quantity of WEEE generated in each Member State and for the calculation of the weight of EEE placed on the national market of each Member State under different categories of equipment. This tool hereafter is referred to as the 'WEEE calculation tool'. A single 'WEEE calculation tool' has been developed for each Member State.

In view of available statistical information, the calculation of the weight of EEE placed on the market is based on data on domestic production of EEE in the Member State concerned as well as on data on imports of EEE into that Member State coming from other Member States or from third countries and on exports of EEE leaving that Member State to another Member State or a third country (apparent consumption method). Data is obtained using Eurostat's database (Eurobase) where, in particular, domestic production of EEE is registered under the Community Production system (with PRODCOM codes), and these codes are also connected

4 *Study on "Collection rates of waste electrical and electronic equipment (WEEE) - possible measures to be initiated by the Commission as required by Article 7(4), 7(5), 7(6) and 7(7) of Directive 2012/19/EU on waste electrical and electronic equipment (WEEE)":* *http://ec.europa.eu/environment/waste/weee/pdf/Final_Report_Art7_publication.pdf*

with the codes in trade statistics (the Combined Nomenclature (CN) codes). Statistics on the trade of goods reflect the quantity of goods traded between EU Member States (intra-EU trade) and goods traded between EU Member States and non-EU Member countries (extra-EU trade).

The study also introduced 54 categories of EEE defined as UNU-keys as a classification method to allow for a correlation of EEE categories set out in the WEEE Directive with the CN codes.

The WEEE calculation tool needs to regularly be updated in order to include latest available data for each Member State in relation to the quantities of electrical and electronic equipment placed on the market in each Member State but also in order to include any need for revisions raised by the Member States, for instance to update on 'lifetime profiles' of different product groups as provided in the Implementing Regulation 2017/699 or to simplify some parameters in the tools in order to make them more friendly for the users.

In order to carry out the related work, a service to maintain and, when necessary, update the 'WEEE calculation tool' developed for each Member State, as specified above, is needed.

3.2. General and specific objectives

The present contract shall assist the Commission in updating the WEEE calculation tool taking into consideration recent available data as regards the quantities of electrical and electronic equipment placed on the market of each one of the EU Member States, and any other information available by Member States such as market surveys and data resulting from consultation with stakeholders. The updates of the tools may also include any need to update the parameters of the tools and any other data that are used for the calculation of the WEEE generated.

The contract shall also assist the Commission in preparation of material and ways to support Member States in updating data in the WEEE calculation tools, so that the data in the tools matches data on the quantities of EEE placed on the market reported by the producers of electrical and electronic equipment to the national register.

3.3. Tasks

The main tasks to be conducted are the following:

Task 1: Update the 'WEEE calculation tool'
The contractor shall describe in a report the needs for updating the WEEE calculation tool developed for each one of the EU Member States. In particular, the contractor shall present in a report any possible needs for:

- revising the description of UNU-Keys, if necessary;
- updating the correlation of UNU-Keys with the CN codes, as necessary;
- updating any of the parameters of the WEEE calculation tool;
- assessing possible options as regards the update of the 'WEEE calculation tool' on the basis of proposals from key relevant stakeholders (governmental and non-governmental e.g. producer responsibility organisations);
- improving the functionality of the tool (user friendliness)
- loading and if necessary re-programming the WEEE-tool.

The contractor shall update the WEEE calculation tool developed for each one of the EU Member States by adding data on the quantities of EEE placed on the market of each Member State for the years after 2014, according to the common methodology established by Commission Implementing Regulation (EU) 2017/699. By the end of the contract, the contractor shall update the tools, with the view to adding data on the quantities of EEE placed on the market of each Member State, as many times as necessary in order to include the data on the most recent quantities of EEE placed on the market of each Member State.

On the basis of the necessary needs, the contractor shall prepare, when necessary, revised versions of the 'WEEE calculation tool' for all EU Member States and shall also prepare, if and when justified, revised versions of the 'WEEE calculation tool' for specifc Member States.

If and when necessary, the contractor shall also prepare a revised manual for the use of the 'WEEE calculation tool'.

During the contract, the contractor may need to report on the necessary needs of the Member States and to update the WEEE calculation tool and the manual for the use of the tool more than once.

In carrying out this task, the contractor shall consult key relevant stakeholders (governmental and non-governmental e.g. producer responsibility organisations) and establish a practical way for initiating the dialogue (e.g. questionnaires/ email exchange/ workshops), during the whole duration of the contact, on the needs of different Member States as regards updates in the relevant tools.

Task 2: Analysis of different options for increasing the use of the WEEE calculation tools

The contractor shall consult with key relevant stakeholders (governmental and non-governmental e.g. producer responsibility organisations) to understand their needs in order to support them in using the WEEE calculation tool for the calculation of the WEEE generated on their territory.

Based on their needs, the contractor shall describe different options with the view to building capacity and developing training material to facilitate Member States in using the WEEE calculation tool. The contractor shall also consider the feasibility of establishing a communication line with Member States to be available during the duration of the contract, for instance for replying to questions by the Member States, etc.

3.4. Methodology aspects

The contractor shall contact selected experts (governmental and non-governmental e.g. producer responsibility organisations) for data gathering as necessary and shall establish an exchange of information/ communication regime between the experts.

The contractor shall also cooperate with different services of the European Commission (DG Environment, TAXUD, Eurostat, the JRC).

Frequent contact with the Commission will take place during the elaboration of the contract in order to provide for a smooth and effective exchange as necessary.

3.5. Deliverables

An inception meeting will be organised with the Commission and the contractor.

Because of the long duration of the contract, the work plan shall indicate the main tasks and present the necessary flexibility for their conclusion.

The deliverables will include:

i. **Inception report**: This report shall present the conclusions of the (phone) kick-off meeting. The report shall be submitted to the Commission within **2 months after the signature of the contract**.

ii. **Progress reports every 12 months**: These reports shall present the progress in relation to each one of the tasks mentioned above every 12 months starting from the signature of the contract. **The fourth progress report that will be submitted within 48 months from the signature of the contract will be regarded as the final report**.

iii. **Report on the identified needs of Member States to increase the use of the tools**. This report shall summarize the analysis of the needs and the outcome of possible relevant workshops. The **first report on the identified needs shall be submitted within 6 months after the signature of the contract**.

    Such a report shall be prepared every time there is a proposal for the revision of the WEEE calculation tool.

iv. **Revised versions of the 'WEEE calculation tool' for all EU Member States** as regards the quantities of the EEE placed on the market of each Member State. During the contract, the contractor may provide such revised versions more than once. Any revision of the 'WEEE calculation tool' shall be accompanied by a short report (max. 10 pages) and a PowerPoint presentation explaining the updates conducted.

v. **Revised versions of the 'WEEE calculation tool' for all EU Member States as regards different parameters defining the tools, if identified as appropriate and when appropriate**. Any revision of the 'WEEE calculation tool' shall be accompanied by a short report (max. 10 pages) and a PowerPoint presentation explaining the updates conducted.

vi. **Revised versions of the 'WEEE calculation tool' for specific EU Member States** as regards different parameters defining the relevant tools, if identified as appropriate and when appropriate. Any revision of the 'WEEE calculation tool' shall be accompanied by a short report (max. 10 pages) and a PowerPoint presentation explaining the updates conducted.

vii. **Revised manual** for the use of the 'WEEE calculation tool' when appropriate. Any revision of the manual shall be accompanied by a short report (max. 10 pages) and a PowerPoint presentation explaining the updates carried out and included in the tool.

viii. **Training material** to facilitate Member States in using the WEEE calculation tool, including PowerPoint presentations.

The deliverables shall be written in English.

After approval by the Commission, all the deliverables shall be submitted both on paper (one copy) and electronically (CD/USB with a pdf document and a Word document under MS-Office 2010 version for the different reports).

The contractor does not have the authority to publish the deliverables without prior authorisation from the European Commission. All matters related to this study should be treated with confidentiality as long as the European Commission has not given its authorisation.

3.6. Duration of the tasks

The tasks should be completed within 4 years (48 months) of the signature of the contract. The execution of the tasks may not start before the contract has been signed.

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.

<u>ANNEX 1 - DECLARATION ON HONOUR ON EXCLUSION CRITERIA AND SELECTION CRITERIA</u>

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')

The person is not required to submit the declaration on exclusion criteria if the same declaration has already been submitted for the purposes of another award procedure of the same contracting authority[5], provided the situation has not changed, and that the time that has elapsed since the issuing date of the declaration does not exceed one year.

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

Date of the declaration	Full reference to previous procedure

I – Situation of exclusion concerning the person

➢ declares that the above-mentioned person is in one of the following situations:	YES	NO
a) it is bankrupt, subject to insolvency or winding-up procedures, its assets	☐	☐

[5] The same EU institution, agency, body or office.

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 EU or national laws or regulations;		
b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;	☐	☐
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 or an agreement;	☐	☐
(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 3 of Directive (EU) 2017/1371 and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;	☐	☐
(ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 and Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, and conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the applicable law;	☐	☐
(iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;	☐	☐
(iv) money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;	☐	☐
(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 offences concerning trafficking in human	☐	☐

beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;		
e) it has shown significant deficiencies in complying with the main obligations in the performance of a contract or an agreement financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF) or the Court of Auditors;	☐	☐
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) it has been established by a final judgment or final administrative decision that the person has created an entity under a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business.	☐	☐
h) (*only for legal persons*) it has been established by a final judgment or final administrative decision that the person has been created with the intent provided for in point (g).	☐	☐
i) for the situations referred to in points (c) to (h) above the person is subject to: **i. facts established in the context of audits or investigations carried out by the European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office (OLAF) or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;** **ii. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;** **iii. facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks;** **iv. information transmitted by Member States implementing Union funds;** **v. decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law; or** **vi. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.**	☐	☐

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

Not applicable to natural persons, Member States and local authorities

	YES	NO	N/A
➢ The signatory declares that a natural or legal person who is a member of			

the administrative, management or supervisory body of the above-mentioned legal person, or who has powers of representation, decision or control with regard to the above-mentioned legal person (this covers e.g. company directors, members of management or supervisory bodies, and cases where one natural or legal person holds a majority of shares), or a beneficial owner of the person (as referred to in point 6 of article 3 of Directive (EU) No 2015/849) is in one of the following situations:			
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)	☐	☐	☐
Situation (g) above (creation of an entity with the intent to circumvent legal obligations)	☐	☐	☐
Situation (h) above (person created with the intent to circumvent legal obligations)	☐	☐	☐

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

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

V – Remedial measures

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

VI – Evidence upon request

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

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

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

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

The person is not required to submit the evidence if it has already been submitted for another award procedure of the same contracting authority[6]. 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

(1) declares that the above-mentioned person complies with the selection criteria applicable to it individually as provided in the tender specifications:	YES	NO	N/A
(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;	☐	☐	☐

[6] The same institution or agency.

(c) It fulfills the applicable technical and professional criteria indicated in section 2.3.4 of the tender specifications.	☐	☐	☐

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

VIII – Evidence for selection

The person is not required to submit the evidence if it has already been submitted for another procurement procedure of the same contracting authority[7]. 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

[7] The same institution of agency.

ANNEX 2 – SUBCONTRACTING LETTER OF INTENT

"Title of the call for tender"

The undersigned**:** ………………………………………………………………………….

Name of the company/organisation**:** ……………………………………………………

Address: ……………………………………………………………………………………

Declares hereby the intention to collaborate in the execution of the tasks subject to the above call for tender, in accordance with the terms of the offer to which the present form is annexed, if the contract is awarded to … …. *(name of the tenderer).*

Declares hereby accepting the general conditions attached to the tendering specifications for this call for tender, and in particular art. II.24 in relation with checks and audits.

Full name	**Date**	**Signature**

....

ANNEX 3 – POWER OF ATTORNEY/AGREEMENT MODEL 1

(DESIGNATING ONE OF THE COMPANIES OF THE GROUP AS LEADER AND GIVING A MANDATE TO IT)

We the undersigned:

– Signatory 1 (Name, Function, Company, Registered address, VAT Number)

– Signatory 2 (Name, Function, Company, Registered address, VAT Number)

– …..

– Signatory N (Name, Function, Company, Registered address, VAT Number),

Each of them having the legal capacity required to act on behalf of his/her company, HEREBY AGREE AS FOLLOWS:

In case the European Commission awards Contract …. (« **the Contract** ») to Company 1, Company 2, …, Company N (« **the Group Members** »), based on the joint offer submitted by them on … ….. for the supply of ….. and/or the provision of services for … (« **the Supplies and/or the Services** »).

(1) As co-signatories of the Contract, all the Group Members:

(a) Shall be jointly and severally liable towards the European Commission for the performance of the Contract.

(b) Shall comply with the terms and conditions of the Contract and ensure the proper execution of their respective share of the Supplies and/or the Services.

(2) To this effect, the Group Members designate Company X as **Group Leader**. *[N.B.: The Group Leader has to be one of the Group Members*]

(3) Payments by the European Commission related to the Supplies or the Services shall be made through the Group Leader's bank account .[*Provide details on bank, address, account number, etc.*].

(4) The Group Members grant to the Group Leader all the necessary powers to act on their behalf in connection with the Supplies and/or the Services. This mandate involves in particular the following tasks:

(a) The Group Leader shall sign any contractual documents —including the Contract and Amendments thereto— and issue any invoices related to the Supplies or the Services on behalf of the Group Members.

(b) The Group Leader shall act as single point of contact for the European Commission in connection with the Supplies and/or the Services to be provided under the Contract. It shall co-ordinate the provision of the Supplies and/or the Services by the Group Members to the European Commission, and shall see to a proper administration of the Contract.

Any modification to the present agreement / power of attorney shall be subject to the European Commission's express approval.

This agreement / power of attorney shall expire when all the contractual obligations of the Group Members towards the European Commission in connection with the Supplies and/or the Services to be provided under the Contract have ceased to exist. The parties cannot terminate it before that date without the Commission's consent.

Signed in ………… on ……….. ………

Name
Function
Company

Name
Function
Company
ETC

ANNEX 3 – POWER OF ATTORNEY/AGREEMENT MODEL 2

(CREATING THE GROUP AS SEPARATE ENTITY, APPOINTING A GROUPMANAGER AND GIVING A MANDATE TO HIM/HER)

We the undersigned:

– Signatory 1 (Name, Function, Company, Registered address, VAT Number)

– Signatory 2 (Name, Function, Company, Registered address, VAT Number)

– …..

– Signatory N (Name, Function, Company, Registered address, VAT Number),

Each of them having the legal capacity required to act on behalf of his/her company, HEREBY AGREE AS FOLLOWS:

In case the European Commission awards Contract …. (« **the Contract** ») to Company 1, Company 2, …, Company N (« **the Group Members** »), based on the joint offer submitted by them on … ….. for the supply of ….. and/or the provision of services for … (« **the Supplies and/or the Services** »).

(1) As co-signatories of the Contract, all the Group Members:

(a) Shall be jointly and severally liable towards the European Commission for the performance of the Contract.

(b) Shall comply with the terms and conditions of the Contract and ensure the proper execution of their respective share of the Supplies and/or the Services.

(2) To this effect, the Group Members have set up under the laws of ……. the Group ….. (« **the Group** »). The Group has the legal form of a …… [*Provide details on registration of the Group: VAT Number, Trade Register, etc.*].

(3) Payments by the European Commission related to the Supplies or the Services shall be made through the Group's bank account . [*Provide details on bank, address, account number, etc.*].

(4) The Group Members appoint Mr/Ms ……. as **Group Manager**.

(5) The Group Members grant to the Group Manager all the necessary powers to act alone on their behalf in connection with the Supplies and/or the Services. This mandate involves in particular the following tasks :

(a) The Group Manager shall sign any contractual documents —including the Contract and Amendments thereto— and issue any invoices related to the Supplies or the Services on behalf of the Group Members.

(b) The Group Manager shall act as single point of contact for the European Commission in connection with the Supplies and/or the Services to be provided under the Contract. He/she shall co-ordinate the provision of the Supplies and/or the Services by the Group Members to the European Commission, and shall see to a proper administration of the Contract.

Any modification to the present agreement / power of attorney shall be subject to the

European Commission's express approval.

This agreement / power of attorney shall expire when all the contractual obligations of the Group Members towards the European Commission in connection with the Supplies and/or the Services to be provided under the Contract have ceased to exist. The parties cannot terminate it before that date without the Commission's consent.

Signed in ……... on ……….. ………

Name

Function

Company

ANNEX 4 – FINANCIAL OFFER TEMPLATE

(for guidance purposes only)

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

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[8] (*if applicable)*					
	Total	……		……	……

Signature of Tenderer ....

Date ....

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

ANNEX 5 – CHECKLIST OF DOCUMENTS TO BE SUBMITTED IN THE E-SUBMISSION APPLICATION

The purpose of the table below is to facilitate the preparation of the tender by providing an overview of the documents that must be included (marked by ■) depending on the role of each economic operator in the tender (joint tender leader in joint bid, partner in joint bid, sole tenderer, subcontractor).

Some of the documents are only relevant in cases of joint bids or when subcontractors are involved. Additional documents might be necessary depending on the specific characteristics of each tender.

Description	Joint tender leader in joint bid	Partners in joint bid	Sole tenderer	Sub-contractor(s)
Power of attorney of partners in joint bid indicating the group leader (see Annex 3)		■		
Evidence that the person signing the documents is an authorised representative of the tenderer	■	■	■	■
Letter of intent of subcontractor (see Annex 2)				■
SME declaration (See section 1.1)	■	■	■	
Exclusion and selection Criteria form (See Annex 1)	■	■	■	■
Evidence of Economic and financial capacity (see section 2.3.3)	■	■	■	■[9]
Evidence of Technical and professional capacity (see section 2.3.4) **Go to the following page to fill in the CV: http://europass.cedefop.europa.eu/en/documents/curriculum-vitae**	■	■	■	■

[9] If relied upon to fulfil economic and financial capacity

The following sections must be provided in the bid, their absence would mean rejection of the bid for incompleteness:

Description	Joint tender leader or sole tenderer
Technical Offer (see section 2.6)	■
Financial Offer (See section 2.7 and Annex 4)	■

Once all information and documents have been encoded and uploaded in the e-Submission application and you consider that the tender is complete, the application will require you to download the Tender Report generated by the e-Submission application. It will have to be signed (hand signature or electronic signature) and uploaded, as explained in the e-Submission Quick Guide for economic operators.

Description	Joint tender leader in joint bid	Partners in joint bid	Sole tenderer	Sub-contractor	Where to upload a document in e-Submission
Tender Report	■		■		In Step "Tender Report" of the e-Submission wizard

ANNEX 6 – DOCUMENTS WHICH MAY BE REQUESTED BY THE EU VALIDATION SERVICES DURING THE COURSE OF THE PROCEDURE

- Signed **legal entity identification form**

- Natural Person

- Private Law Body

- Public Law Body

- **Official VAT document** or — if the entity is not registered for VAT — the proof of VAT exemption, not older than 6 months.
- Signed **Financial Identification Form, and**
- the following additional documents, where relevant:

Private body	Registration extract (not older than 6 months).
Public body	Copy of the act, law, decree or decision that established the organisation as a public body (or, if this doesn't exist, any other official legal document that proves this).
Non-profit organisation	Copy of an official document attesting that the organisation has a legal or statutory obligation not to distribute profits to shareholders or individual members. The certificate of tax exemption may only constitute an indication of the non-profit status of the entity which has to be assessed together with other elements.
Research organisation	Copy of an official document attesting that one of the main objectives of the entity is carrying out research or technological development.
Secondary or higher education establishment	Copy of an official document attesting that the organisation is recognised such as 'secondary or higher education establishment' by the national education system and is entitled to deliver diplomas recognized by the State.
International organisation	Copy of the relevant international treaty creating the organisation under international public law.

International organisation of European interest	
Natural person	Copy (legible) of valid identity card or passport
Entities without legal personality	- Copy of an official document attesting that the representatives of the entity have the capacity to undertake legal obligations on its behalf. - Copy of an official document attesting that the entity has the same operational and financial capacity as that of a legal entity: i.e. • a document showing patrimony/asset/capital that is separated and different from those of the members/owners of the entity, and • a copy of the rules providing that creditors can rely on this patrimony/asset/capital and — in case of liquidation/insolvency — are reimbursed before the patrimony/asset/capital is divided between the owners/members.

ANNEX 7 – TRAVEL AND SUBSISTENCE COSTS

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

Travel costs must be based on the following:

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

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

Maximum rates for accommodation and meals.

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

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