



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION
Directorate C - Climate Strategy, Governance and Emissions from non-trading sectors

CALL FOR TENDERS

CLIMA.C.4/ETU/2019/0007

Technical assessment of transport fuel quality parameters

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 Procurement¹ concluded within the World Trade Organisation applies, the participation to this procedure is also open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions it lays down.

For British candidates or tenderers:

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/EU².

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.

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.

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.

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 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.

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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. 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 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 560.000,00 (five hundred sixty 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 the minimal annual turnover, the tender has to provide:

- 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 transport fuel quality, including alternative fuels, as well as in policy impact assessment, cost-benefit analyses, quantitative data analyses, and survey techniques.

Evidence A1: The tenderer must provide references for two projects delivered in these fields in the last three years with a minimum value for each project of EUR100.000.

- **Criterion A2:** The tenderer must prove capacity to work in six EU official languages including at least English and German, French, Italian, Spanish, and Dutch.

Evidence A2: The tenderer must provide references for two 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 English 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.

- **Criterion A4:** The tenderer must prove its capacity to work in all EU countries.

Evidence A4: The tenderer must provide references for two projects delivered in the last five years. The combination of projects must cover the required geographical scope.

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 10 years' experience in project management, including ex ante impact assessments, overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in projects of a similar size (at least EUR 200.000) and coverage (at least six EU countries covered), with experience in management of teams of at least eight people. Specific experience in the field of environment and climate action, demonstrated knowledge and experience on the Better Regulation guidelines.

Evidence B1: CV

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

Evidence B2: A language certificate or past relevant experience.

Criterion B3 – Six Experts in the field of environment and climate action, in fuel quality, policy impact assessment, and cost-benefit analysis: Relevant higher education degree or equivalent professional experience and at least five years' professional experience in each of these fields. The expertise can be provided by different experts.

Evidence B3: CV

Criterion B4 - Team for data collection: Collectively the team of at six least people should have knowledge of the following EU languages: English, German, French, Italian, Spanish, and Dutch, and proven experience of five years in data collection techniques.

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

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.

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

2.5. Award criteria

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

A maximum of 60 points will be attributed to criterion 1, a maximum of 30 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 30, 15, 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 specifications, without going into details or without giving any added value, will only result in a very low score. In addition, if certain essential points of these specifications are not expressly covered by the tender, the Commission may decide to give a zero mark for the relevant qualitative award criteria.

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

The proposed methodology must address each point listed in Section 3.2.

2 Organisation of the work and allocation of resources (30 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.

Reserve clause:

Please note that budgetary implementation in 2019 is subject to the approval of the budget for 2019.

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.

The following aspects should in particular be taken into consideration when drafting the tender:

- (a) methodology for implementation;
- (b) reasons for the proposed methodology;

(c) project management and procedures for internal evaluation;

(d) level of involvement and activity of other stakeholders;

(e) role of each partner in case of a joint bid and/or use of subcontractors, the role of each partner and subcontractor in the implementation of the contract;

(f) team proposed for implementation of the contract. The composition of the team, which will be implementing the project must be properly described. Team staff should be singled out by function (E.g. project managers, administrator, secretary, expert, technical assistant);

(g) a plan of action with description of activities and their timing;

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 incomplete financial or technical proposals may have a considerable negative impact the evaluation on award criteria. Proposals deviating from the technical specifications risk to be considered as non-conform to the specifications.

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 at EUR 280.000 (two hundred 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 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.

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. Context/General information

Background

The Fuel Quality Directive ("FQD", Directive 98/70/EC⁴) aims to ensure a high level of environmental and health protection in relation to fuel used in road transport as well as non-road mobile machinery by reducing pollution from the transport sector, and enhancing air quality. It also aims to enhance the functioning of the single market for transport fuels and vehicles by setting minimum standards for the quality of transport fuels and ensuring the technical compatibility of such fuel with internal combustion engines and after-treatments.

The FQD also sets a target for the reduction of life cycle greenhouse gas (GHG) emissions from transport fuels by 2020.

The fuel specifications also have an impact on the blending of alternative fuels in petrol and diesel blends (such as biofuels or synthetic fuels), which contribute to the reduction of GHG emissions from the transport sector. Furthermore, the efficiency and fuel consumption of vehicle engines is dependent on certain fuel parameters regulated by the FQD.

REFIT evaluation

In 2017, as part of the Commission's Regulatory Fitness and Performance (REFIT) programme, the FQD was subject to an ex-post evaluation in order to examine its actual implementation compared to what was expected, as well as its relevance, effectiveness, efficiency, coherence, and EU value added (SWD(2017) 178 final⁵ and 179 final⁶).

The evaluation concluded that the FQD is generally fit for purpose and should remain in place. Nevertheless, some points have been identified in the evaluation process, which deserve further consideration. These primarily relate to the functioning of the internal market for transport fuels and, in particular, concern provisions of blending of alternative fuels.

The evaluation did not address aspects related to GHG emission reduction (Article 7a). The implementation of Article 7a is dependent on the transposition of Council Directive (EU)

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:01998L0070-20151005>

⁵ <http://ec.europa.eu/transparency/regdoc/rep/10102/2017/EN/SWD-2017-178-F1-EN-MAIN-PART-1.PDF>

⁶ <https://ec.europa.eu/transparency/regdoc/rep/10102/2017/EN/SWD-2017-179-F1-EN-MAIN-PART-1.PDF>

2015/652, which defines a calculation method and reporting requirements for the greenhouse gas intensity of transport fuels. The Council Directive was not yet fully transposed into national legislation at the time of the evaluation.

Biofuel sustainability criteria (Articles 7b to 7e) were also excluded because they were the subject of an earlier evaluation.

Linkages between the FQD and RED II

The FQD and the Renewable Energy Directive (“RED”, Directive 2009/28/EC⁷) share a common methodology for assessing the sustainability for transport biofuels. The recast of the RED (“RED II”, Directive (EU) 2018/2001⁸) modified the sustainability criteria applicable under the RED, but due to the nature of the legislative process, the sustainability criteria included in the FQD could not be changed. The changes of the sustainability criteria in the RED II will become operational as of 30 June 2021.

An alignment of the sustainability criteria in the FQD to the RED II will have to be considered in order to avoid the application of different sustainability criteria for transport fuels marketed from the calendar year 2021 onwards.

This also concerns the methodology for assessing the greenhouse gas intensity of renewable fuels of non-biological origin and recycled carbon fuels, which is relevant under the two Directives.

In view of the policy developments, the following aspects need to be assessed:

1. Potential barriers for reaching the targets for renewable energy in transport under RED II;
2. Coverage of high blends of alternative fuels;
3. Further evolution of fuel quality requirements and monitoring.

3.2. Subject of the request

The study should provide an assessment of the aspects mentioned in the previous chapter. The study should identify:

⁷ <https://eur-lex.europa.eu/legal-content/FR/ALL/?uri=CELEX%3A32009L0028>

⁸ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018L2001>

- Options for improving relevant provisions in the FQD, in particular in view of the linkages to RED II;
- Implications of each of the options in terms of:
 - Protection of human health and of the environment from transport related pollution, including greenhouse gas emission;
 - Internal market for transport fuels;
 - Compatibility between transport fuels and vehicle components;
 - Economic implications for different stakeholders, including public administration.

The study should be suitable to become a basis for a possible impact assessment underpinning a legal proposal from the Commission for amending the FQD. It must therefore be in line with the Commission guidelines for Better Regulation⁹.

The study must be based on the most recent quantitative data available. It must involve quantitative estimates of the impact of options, utilising appropriate quantitative tools and models.

The study will, in particular assess the following points:

3.2.1. Potential barriers for reaching the targets for renewable energy in transport under RED II

The fuel specifications set out in the FQD define limits for certain chemical constituents of transport fuels. In petrol, the content of oxygenates is limited, as well as the overall oxygen content. There are specific limits for ethanol (10%), methanol (3%), and other alcohols, as well as for ethers containing five or more carbon atoms per molecule. In diesel, the content of fatty acid methyl ester (FAME) is generally limited at a level of 7%. However, Member States may permit the marketing of diesel with higher FAME content. The limits for oxygenates and FAME reduce the chemical variability of transport fuels with respect to relevant chemical parameters, and they ensure the compatibility of fuels with engines and after-treatment.

The voluntary industry standards for petrol (EN228) and for diesel (EN590) incorporate the legal standards set out by the FQD. Industry standards for fuel types with higher blends of alternative fuels exist and they are being further developed. The European Standard EN 16734 applies to diesel with a maximum of 10% FAME (B10), and EN 16709 applies for High FAME diesel fuel (B20 and B30). Research work is being undertaken in preparation of a future standard for petrol with up to 20% or 25% ethanol (E20 and E25).

The RED II requires Member States to oblige fuel suppliers to ensure that the share of renewable energy supplied for final consumption in the transport sector is at least 14% by 2030. The uptake of renewable energy also provides a contribution to reducing greenhouse

⁹ https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en

gas emissions from the transport sector. Contributions to the RED II target can come from biofuels, renewable liquid and gaseous fuels of non-biological origin, recycled carbon fuels, and renewable electricity. The RED II also includes a sub-target for advanced biofuels at a level of 3.5% by 2030. There are quantitative limits provided for biofuels produced from food/feed crops, and for biofuels produced from waste oils and fats. Specific rules apply for biofuels produced from feedstocks categorised as having a high or low risk of indirect land use change (ILUC). Certain types of biofuels are double-counted to the transport target.

The limits for oxygenates and FAME set out in the fuels specifications apply to some alternative fuels that are expected to be relevant in reaching the RED II target (in particular, ethanol, FAME, and possibly methanol). These alternative fuels may be of biological or of non-biological origin (e.g. ethanol and methanol). Other alternative fuels can be blended in petrol and diesel without any limit as there is no compatibility risk with engines and after treatments (e.g. hydro-treated vegetable oil [HVO], as well as synthetic petrol and diesel).

The study should assess whether the limits currently included in the fuel specifications set out by the FQD could become a barrier for reaching the transport target under the RED II. This assessment should take into account the expected contribution of different alternative fuels to the RED II target by 2030, taking into account the RED II targets and specific limits for certain alternative fuels, the stage of technical development of alternative fuels, and expected costs. It should take into account an earlier study conducted for the Commission on the possible introduction of higher levels of bio-components in transport fuels¹⁰.

The study should identify different options to modify the limits and assess the implications of these options, including with regard to possible co-benefits for engine design and compatibility issues with existing vehicles.

The study should also quantify the potential for greenhouse gas reduction provided by enhanced blending of alternative fuels.

3.2.2. Coverage of high blends of alternative fuels

The FQD applies to fuels meeting the definition of petrol, diesel and gas-oil, which can include up to 30% alternative fuels that are not produced from petroleum¹¹. Fuels with an alternative, non-petroleum based, fuel content higher than 30%, such as E85, ED95 or pure vegetable oil, are excluded from the scope of the Directive. Currently, E85 is marketed in several Member States, including Finland, France, Sweden and the Czech Republic.

¹⁰ *Impact of higher levels of bio components in transport fuels in the context of the Fuel Quality Directive*, ICF International, 2015.

¹¹ All of these fuels are listed under the CN code 2710, which is defined “Petroleum oils and oils obtained from bituminous minerals, other than crude; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations; waste oils“

In the future, it may be expected that further drop-in fuels (i.e. alternative fuels that can be blended in conventional fuels without any limits) will be developed, such as synthetic petrol and diesel produced from biomass, and e-fuels. Blending of such fuels above a share of 30% could imply further fuels to be outside the scope of the FQD.

Fuel blends with more than 30% non-petroleum based content are not covered by the monitoring requirement for fuel quality set out in Article 8 of the FQD. Currently, fuel quality monitoring only covers petrol and diesel, and excludes other fuels on the market, in particular E85, ED95, or pure vegetable oil.

Furthermore, there are no legally binding requirements for fuel specifications of high blends, which would concern in particular the sulphur limit, metallic additives, vapour pressure, and upper limits for toxic substances, such as polyaromatics or benzene.

The implications of extending the scope of the FQD to cover all relevant fuels that are currently on the market and that could be expected to reach the market until 2030 should be assessed. This would also include assessing the need to define fuel specifications for fuels currently not yet addressed under the FQD.

The actual definition of possible future fuel specifications for these fuels is beyond the scope of this study, and it may be subject of possible future standardisation work.

3.2.3. Further evolution of fuel quality requirements and monitoring

The REFIT evaluation considered a range of FQD elements, where improvements could be made. The study should revisit these points and assess, as a minimum, the questions detailed below. It should further assess the need for other possible modifications of the FQD. Stakeholder input will be important in this regard.

3.2.3.1. Should the scope of the FQD be extended to cover gaseous fuels (LPG, CNG, LNG)?

Regulating sulphur content, metallic additives, and vapour pressure is not relevant for gaseous fuels. It should be assessed which aspects of fuel quality are relevant from the viewpoints of the protection of the environment or for ensuring compatibility with vehicles that could be included in legally binding fuel specifications. It would also need to be assessed how relevant fuel quality monitoring is for gaseous fuels.

The actual definition of possible future fuel specifications for these fuels is beyond the scope of this study.

3.2.3.2. Should fuel specifications for gas-oil used in non-road mobile machinery (NRMM) be introduced, and should they be aligned to those for diesel?

The fuel specifications for diesel (Annex II) do not apply to gas-oil used in NRMM. The only fuel parameters regulated for gasoil are the sulphur content (Article 4) and metallic additives (Article 8a). The maximum sulphur content in gasoil is 20 mg/kg as opposed to 10 mg/kg for diesel. Less precisely defined specifications for gas-oil may create difficulties for modern and more efficient engines and after-treatments.

3.2.3.3. Should the monitoring of fuel quality be extended to gas-oil used in NRMM?

At present, annual fuel quality monitoring reports only cover petrol and diesel used in road transport¹². Given the need to ensure the compatibility of advanced engines and after-treatment also in the NRMM sector monitoring could be extended to gas-oil used in NRMM. There have been reports of high sulphur levels in gas-oil that can lead to vehicle damage. Such incidents may have been facilitated by lower monitoring requirements for gas-oil.

It needs to be assessed what would be the costs and benefits of such changes. The assessment should take into account a previous study undertaken for the Commission¹³ on this subject, as well as more updated information.

3.2.3.4. Is the requirement for protection grades (i.e. fuels that must be offered at filling stations for vehicles that are incompatible with newer fuel types) still appropriate?

a) Is a protection grade of E5 still needed?

The percentage of E10 incompatible vehicles in the EU fleet is shrinking. The benefit to owners of incompatible cars needs to be evaluated against the cost savings at the fuel distribution infrastructure.

b) Should B7 become an obligatory protection grade?

Following the completion of the B10 industry standard, the introduction of B10 may be advanced in some Member States (e.g. in France). This could raise incompatibility problems in a number of diesel cars¹⁴. The assessment should be based on the current and projected compatibility of diesel cars with FAME content above 7%.

3.2.3.5. Should Article 6 on the marketing of fuels with more stringent environmental specifications be maintained?

Article 6 allows Member States to derogate from the principle of free circulation of transport fuels and to introduce stricter fuel standards for all or part of the vehicle fleet in a specific agglomeration or ecologically or environmental sensitive areas. This provision has never been applied in any Member State. It needs to be evaluated whether this measure is likely to be employed in the future as compared to alternative approaches to

¹² In accordance with Decision 2002/159/EC on a common format for the submission of summaries of national fuel quality data.

¹³ Support for report drafting under Article 9(1)(c) and (j) of Directive 98/70/EC relating to the quality of petrol and diesel fuels from AMEC Environment & Infrastructure UK Limited with the Laboratory of Applied Thermodynamics, Aristotle University, Greece.

¹⁴ <https://www.acea.be/publications/article/b10-diesel-fuel-vehicle-compatibility-list>

address the protection of particularly sensitive zones rather at the level of vehicle emissions or vehicle types.

In this context, it should also be assessed whether specific fuel specifications for captive fleets would be feasible and beneficial as compared to alternative approaches. Recital 22 states “whereas captive vehicle fleets exist (buses, taxis, commercial vehicles, etc.) which are responsible for a large proportion of urban pollution and would benefit from separate specifications;”.

3.2.3.6. Should the provisions on metallic additives be changed?

Metallic fuel additives are potentially problematic, since their metallic components are not degraded during fuel use and eventually enter the environment. The Commission has developed a test methodology to assess the health and environmental risks of using metallic fuel additives (COM(2013) 456 final). The associated report¹⁵ shows that these additives' intrinsic reactivity, toxicity and possible capacity to accumulate within living organisms could have an impact on humans and the environment. This potential impact is affected by several factors: the type of metallic fuel additive, the level of concentration, the level and duration of exposure and the exposure pathway.

Only two metallic additives are regulated by the FQD: lead, which is prohibited¹⁶, and methylcyclopentadienyl manganese tricarbonyl (MMT), for which a limit of 2 mg manganese per litre is set since 1 January 2014. As stated in COM(2017) 284 final¹⁷, the Commission is not aware of the use of other metallic fuel additives sold through the fuel distribution network. While there are reports that other metallic additives (Cerium and Ferrocene) have been used in some captive fleets in the past, there is no information to show that these additives are still in use.

It needs to be assessed whether these provisions are sufficient from an environmental point of view, or whether a general ban on metallic additives would be more appropriate. This assessment should also address possible simplifications if MMT monitoring can be conducted at a qualitative rather than quantitative level.

3.2.3.7. Should more parameters from the industry standard EN228 be introduced into Annex I and from EN 590 into Annex II?

The legally binding annexes in the FQD include only a limited number of parameters as compared to the non-binding industry standards. These parameters include the most relevant ones in terms of reducing the negative impact of transport fuels on the environment and human health. It should be assessed what would be the implications of

¹⁵ https://ec.europa.eu/clima/sites/clima/files/transport/fuel/docs/bio_report_en.pdf

¹⁶ Derogation exists for oldtimers.

¹⁷ <https://ec.europa.eu/transport/sites/transport/files/com20170284-evaluationreportfuelqualitydirective.pdf>

including a greater number of parameters (such as density, or oxidation stability, etc.) in the legally binding fuel specifications.

3.2.3.8. Should the minimum RON for petrol be increased?

In principle, better fuel quality can positively affect exhaust emissions from road vehicles. It may be possible to enhance engine design for use with gasoline with an increased research octane number (RON) to allow for higher compression ratios leading to a reduction in fuel consumption and CO₂ emissions. Fuels with a higher RON than the minimum threshold are already on the market. These fuels have no benefits for engines not specifically adapted to them.

In COM (2017) 284 final, the Commission stated that at present there does not seem to be a case for amending the current fuel specifications with respect enhanced RON as such fuel is already on the market. This finding should be reviewed taking into account the latest state of knowledge on refining emissions and production costs associated with increased RON.

3.2.3.9. Should the vapour pressure derogations for summer petrol be maintained?

The maximum permitted vapour pressure is set at a level of 60 kPa for summer grade petrol to reduce non-methane volatile organic compound (NMVOC) emissions from road vehicles. Based on a preparatory study¹⁸ the Commission concluded in COM (2017) 284 final that this limit should not be further reduced because the associated costs are very high compared to the expected environmental and monetary benefits.

Derogations for the general limit on vapour pressure for summer petrol can be granted in MEMBER STATES with low summer temperature and in case of ethanol blends. The Commission has some discretion to accept or reject applications for a derogation.

If maintained, the vapour pressure waiver for ethanol might need to be adapted to E20/E25.

The analysis should expand the Commission analysis to explicitly look at the option of discontinuing the derogations for the vapour pressure. This should also take into account options for lowering the vapour pressure by means of alternatives to ethanol blending (e.g. ETBE).

3.2.3.10. Should the derogation of sulphur content for outmost regions?

Member States can decide to derogate from the limit on sulphur levels in petrol and diesel in outermost regions without permission from the Commission. According to SWD

¹⁸ Support for report drafting under Article 9(1)(c) and (j) of Directive 98/70/EC relating to the quality of petrol and diesel fuels from AMEC Environment & Infrastructure UK Limited with the Laboratory of Applied Thermodynamics, Aristotle University, Greece.

(2017) 178 final, this derogation is applied by France for the region of Mayotte. In the REFIT consultation, France argued against deleting this option. It should be evaluated whether the derogation is still generally required or could be limited to apply to the region of Mayotte.

3.2.4. Other relevant questions

The contractor will identify potentially other relevant aspects that should be addressed. This will include relevant questions brought up by the stakeholder consultation.

4.

5. Deliverables

The study will consist of 4 tasks:

Task 1: Literature review

Task 1 will provide an overview of fuel quality developments that are relevant from a regulatory perspective. It will review relevant recent scientific publications, policy reports, and grey literature. It will also provide an overview about of the status of development of relevant industry standards, in particular CEN standards.

Task 2: Stakeholder consultation

Task 2 will involve the consultation of relevant stakeholders, in particular from the fuel and automobile industry, national governments, academics, and civil society. The consultation will include the collection of written input via a questionnaire from a broader audience, and a targeted stakeholder workshop. The selection of consulted stakeholders will be done by the contractor in agreement with the Commission. The contractor will organise the workshop and invite attendants. The workshop will take place at Commission premises. No participation fees will be paid to participants.

Task 3: Report on options to improve FQD provisions

Task 3 will be the core task of the study. It will address options for improving relevant provisions in the FQD and describing the implications of each of the options in terms of the points and criteria listed in section 2. It will include input from Tasks 1 and 2.

Task 4 will include general conclusions that can be drawn from Tasks 1 to 3.

All reports are to be drafted in English. The draft and final report will include separate chapters for each Task. The draft and final report will include an executive summary of a maximum of 10 pages highlighting the main findings.

All documents exchanged through the study should be compatible with MS Office. The draft and final report must be provided as a MS Word document. The final report must be submitted both in MS Word and pdf format. Two printed copies must be supplied.

The contractor must deliver the study and all publishable deliverables in full compliance with the corporate visual identity of the European Commission, by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo. The graphic rules, the Manual and further information are available at:

http://ec.europa.eu/dgs/communication/services/visual_identity/index_en.htm

A simple Word template for the final report will be provided to the contractor after contract signature. The contractor must fill in the cover page in accordance with the instructions provided in the template.

Duration of the tasks

The duration of the tasks performed under the contract should not exceed 12 months, commencing from the date of signature of the contract. The contractor will provide the Commission with a detailed work plan at the beginning of the process, taking into account the following indicative time schedule:

Actions/deliverables	Timetable
Kick-off meeting	1 week after signature
Inception report	3 weeks after signature
Inception meeting	4 weeks after signature
Regular progress video conferences or calls	Twice a month throughout the study period, except where decided otherwise
Stakeholder workshop	Approximately 6 months after signature
Draft final report	10 months after signature
Meeting	11 months after signature
Final report	12 months after signature

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.

4. CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE FINAL DELIVERABLES

The contractor must deliver the study and other deliverables as indicated below.

4.1. Content

4.1.1. Final study report

The final study report must include:

- an abstract of no more than 200 words and an executive summary of maximum 6 pages, both in English and French;
- specific identifiers which must be incorporated on the cover page provided by the Contracting Authority;
- the following disclaimer:

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

4.1.2. Publishable executive summary

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

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

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

4.1.3. Requirements for publication on Internet

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

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

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

4.2. Structure

4.3. Graphic requirements

The contractor must deliver the study and all publishable deliverables in full compliance with the corporate visual identity of the European Commission, by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo. The graphic rules, the Manual and further information are available at:

http://ec.europa.eu/dgs/communication/services/visual_identity/index_en.htm

A simple Word template will be provided to the contractor after contract signature. The contractor must fill in the cover page in accordance with the instructions provided in the template. The use of templates for studies is exclusive to European Commission's contractors. No template will be provided to tenderers while preparing their tenders.

**ANNEX 1 - DECLARATION ON HONOUR ON
EXCLUSION CRITERIA AND SELECTION CRITERIA**

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

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

The person is not required to submit the declaration on exclusion criteria if the same declaration has already been submitted for the purposes of another award procedure of the same contracting authority¹⁹, 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	<input type="checkbox"/>	<input type="checkbox"/>

¹⁹ 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;	<input type="checkbox"/>	<input type="checkbox"/>
c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:		
(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract or an agreement;	<input type="checkbox"/>	<input type="checkbox"/>
(ii) entering into agreement with other persons with the aim of distorting competition;	<input type="checkbox"/>	<input type="checkbox"/>
(iii) violating intellectual property rights;	<input type="checkbox"/>	<input type="checkbox"/>
(iv) attempting to influence the decision-making process of the contracting authority during the award procedure;	<input type="checkbox"/>	<input type="checkbox"/>
(v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;	<input type="checkbox"/>	<input type="checkbox"/>
d) it has been established by a final judgement that the person is guilty of the following:		
(i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;	<input type="checkbox"/>	<input type="checkbox"/>
(ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 and Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, and conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the applicable law;	<input type="checkbox"/>	<input type="checkbox"/>
(iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;	<input type="checkbox"/>	<input type="checkbox"/>
(iv) money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;	<input type="checkbox"/>	<input type="checkbox"/>
(v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;	<input type="checkbox"/>	<input type="checkbox"/>

(vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;	<input type="checkbox"/>	<input type="checkbox"/>
e) it has shown significant deficiencies in complying with the main obligations in the performance of a contract or an agreement financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF) or the Court of Auditors;	<input type="checkbox"/>	<input type="checkbox"/>
f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;	<input type="checkbox"/>	<input type="checkbox"/>
g) it has been established by a final judgment or final administrative decision that the person has created an entity under a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business.	<input type="checkbox"/>	<input type="checkbox"/>
h) (<i>only for legal persons</i>) it has been established by a final judgment or final administrative decision that the person has been created with the intent provided for in point (g).	<input type="checkbox"/>	<input type="checkbox"/>
i) for the situations referred to in points (c) to (h) above the person is subject to: <ul style="list-style-type: none"> i. facts established in the context of audits or investigations carried out by the European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office (OLAF) or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body; ii. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics; iii. facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks; iv. information transmitted by Member States implementing Union funds; v. decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law; or vi. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body. 	<input type="checkbox"/>	<input type="checkbox"/>

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

Not applicable to natural persons, Member States and local authorities

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

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

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

IV – Grounds for rejection from this procedure

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

V – Remedial measures

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

VI – Evidence upon request

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

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

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

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

The person is not required to submit the evidence if it has already been submitted for another award procedure of the same contracting authority²⁰. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

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

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

VII – Selection criteria

	YES	NO	N/A
(1) declares that the above-mentioned person complies with the selection criteria applicable to it individually as provided in the tender specifications:			
(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;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

²⁰ The same institution or agency.

(b) It fulfills the applicable economic and financial criteria indicated in section 2.3.3 of the tender specifications;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) It fulfills the applicable technical and professional criteria indicated in section 2.3.4 of the tender specifications.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

VIII – Evidence for selection

The person is not required to submit the evidence if it has already been submitted for another procurement procedure of the same contracting authority²¹. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

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

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

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

Full name

Date

Signature

²¹ 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 GROUP MANAGER 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 costs²² (if applicable)					
	Total	.....		.....	.....

Signature of Tenderer

Date

²² 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)	■	■	■	■ ²³
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	■	■	■	■

²³ Only if the subcontractor is required to contribute to the total 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	<p>- Copy of an official document attesting that the representatives of the entity have the capacity to undertake legal obligations on its behalf.</p> <p>- Copy of an official document attesting that the entity has the same operational and financial capacity as that of a legal entity: i.e.</p> <ul style="list-style-type: none"> • 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.