

Tender Specifications

Attached to the Invitation to tender

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Invitation to tender No. EMSA/OP/16/2019 for Web reporting and statistical tool for the STCW-IS

1. Introduction

The European Maritime Safety Agency (EMSA) was established under Regulation (EC) No 1406/2002 of the European Parliament and of the Council¹ for the purpose of ensuring a high, uniform and effective level of maritime safety, as amended. Among its tasks, the EMSA Founding Regulation establishes in Article 2 that *“the Agency shall facilitate cooperation between the Member States and the Commission: ... (e) in gathering and analysing data on seafarers provided and used in accordance with Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers”*. Furthermore, Article 5a of Directive 2008/106/EC, as amended (the Directive) requires Member States to *“make available to the Commission on a yearly basis the information ... on certificates of competency and endorsements attesting the recognition of certificates of competency, as well as, on a voluntary basis, certificates of proficiency issued to ratings ... for the purposes of statistical analysis only and exclusively for use by Member States and the Commission in policy-making”*.

In support of the above-mentioned provisions, EMSA has developed and implemented the STCW Information System (STCW-IS) to be used for gathering such information from the Member States and to conduct the relevant statistical analysis.

To feed the STCW-IS with information on certificates and endorsements issued to masters, officers and, on a voluntary basis, to ratings, data is extracted from the EU Member States' and EFTA States' national seafarers' registry systems and transferred to EMSA using a common software module that anonymises said data to make it compliant with the provisions of Article 25a, paragraph 3 of the Directive, on the protection of personal data, while maintaining its comparability.

The availability of such data in the STCW-IS has resulted in EMSA producing Seafarers' Statistical Annual Reviews, which have been published annually since 2016. These reviews are available at <https://portal.emsa.europa.eu/web/stcw/documents>. After the third consecutive year of producing the reports, it is the objective of EMSA to provide Member States, stakeholders and all other interested parties with an interactive web-based module where statistics on the number of seafarers holding EU certificates and endorsements (STCW-IS data) can be tailored according to the users' needs.

2. Objective, scope and description of the Contract

2.1 Scope

The scope of this tender encompasses the establishment of an 18 months Service Contract for the development and maintenance of a web-based module for reporting. The Contract is also to include a study on seafarers' statistical information published at EU level², together with an analysis of the needs of the

¹ Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p.1.).

² Hereinafter, and unless otherwise referred, where the wording EU level or EU Member State(s) appears, Norway and Iceland, albeit not EU Member States, are also to be included as part of the group to be considered.

industry in this area. The information collected from the study shall be integrated into the reporting module taking into account the existing fields of data available in the system.

The Contract shall therefore cover different work packages as follows:

- Work Package 1 - Development of an interactive web-based reporting module. This Work Package contains two tasks:
 1. Development of an interactive web-based reporting module for statistical review by EMSA and public users based on the data available in the STCW-IS database; and
 2. Development of a set of reports related with Identity Management accounts and surrounding configurations;
- Work Package 2 - Maintenance of the interactive web-based reporting module developed under Work Package 1;
- Work Package 3 - Study on seafarers' statistics at EU level. This Work Package contains two tasks:
 1. Identification and analysis of the statistical information on seafarers published at EU level and the needs of the shipping industry at this level;
 2. Integration of the industry needs in terms of statistics into the system.

2.2 Objectives

Within the deadlines established in Section 4, the contractor is expected to:

- Build a web environment reporting module, in line with EMSA technical landscape, to allow EMSA users to interact with the available data extracted, filtered and aggregated annually through the STCW-IS and that results in the "Seafarers' Statistics in the EU - Statistical review";
- Build a web environment reporting module, in line with EMSA technical landscape, to allow the public users to interact according to their needs with the available data in the STCW-IS on the number of seafarers holding valid certificates;
- Build a web environment reporting module, in line with EMSA technical landscape, for reporting information from the IDM user management at EMSA;
- Conduct a study to:
 - Identify the existing statistical information published by EU Member States, based on their registers on seafarers and/or the seafarers' documents; and
 - Identify the statistical needs of different players in the maritime sector (e.g. maritime administrations, shipowners, ship operators, researchers, seafarers) vis-a-vis the information that is available in the STCW-IS;

with the perspective of integrating the results of the study into the new seafarer's statistics web module to be developed.

In addition, the contractor is expected to guarantee the maintenance of the developed web-based module.

2.3 General description

The contractor shall perform the following tasks:

- Identify the existing statistical information published by EU Member States, Norway and Iceland, based on their registers on seafarers and/or the seafarers' documents;
- Identify and analyse the statistical needs of different players in the maritime sector (e.g. maritime administrations, shipowners, ship operators, researchers, seafarers) vis-a-vis the information that is available in the STCW-IS;
- Use the information acquired from the above two tasks to propose and build new statistics and reports that could address the identified needs;
- Analyse the STCW-IS reporting and database and propose an approach to structure the data contained therein, in order to optimise the degree of automation with which the annual statistical review is generated (with minimum human/manual intervention);
- Analyse the existing domains and propose new domain(s) and/or solutions to explore the available data, bearing in mind the architecture of the system;
- Propose a new or upgraded model(s) for analysing the data and producing reports;
- Build new domains to support the proposed reports;
- Configure a public and private (EMSA users only and/or other authorised users) access to the web-based interactive reporting module;
- Integrate the results of the study into the web-based interactive reporting module;
- Propose and build new crosstabs, graphs, tables, maps or charts available to users to aggregate their search results while ensuring that they are available for download/print/export by users;
- Provide maintenance for the developed reporting module.

2.4 Requirements as to the Contract

2.4.1 Work packages 1 and 2

Detailed information about the requirements to be considered and adhered to in the performance of the Contract is specified in the appendices attached to these tender specifications:

- Appendix 1: STCW-IS Reporting Module;
- Appendix 2: IdM-V2 Reporting Module;
- Appendix 3: JASPER Horizontal Platform Technical Overview;
- Appendix 4: Project Delivery;

- Appendix 5: Working Procedures and Service Requirements.

2.4.2 Work package 3

To accomplish the tasks related to the study, the following shall be taken into consideration:

- The identification of the existing statistical information at EU level shall be conducted within the EU Member States, Norway and Iceland;
- The identification of the existing statistics at EU level shall detail how the data is collected, compiled and made available;
- Published statistics related to seafarers shall be scrutinized as much as possible. These may include, but are not limited to, statistics on the number of seafarers employed in the maritime sector, number of seafarers holding certificates or number of seafarers serving in active service on board ships;
- The identification of the statistical needs of the different players in the maritime sector shall be collected from a reasonable sample among the EU Member States, Norway and Iceland;

All information collected shall be compared with the data already available in the STCW-IS and proposals to improve the statistical review already conducted by EMSA shall be presented with a view to any such improvements being integrated into the new seafarer’s statistics web module. For the ICT-related part of the study the contractor is expected to comply with the requirements set in Work Package 1.

The contractor shall deliver a medium-term report on the progress of the study and a draft report of the study before delivering the final report. Following the delivery of these reports, EMSA may produce comments regarding their content. The contractor shall duly consider these comments, provide EMSA with a response and if necessary, review the version of the report to reflect relevant elements arising from the comments. EMSA may then approve the report or repeat the comment/revision stage until final approval is reached.

3. Contract management responsible body

EMSA – Unit B.1, Visits & Inspections, will be responsible for managing the Contract.

4. Project Planning

4.1 Milestones

The contractor must comply with the following major milestones:

	Dates	Milestones
T0	Nov-2019	Signature of the Contract
T1	T0 + 2 weeks	Kick-off meeting
T2	T0 + 4 months	Work Package 1: Delivery of the Functional Prototype Word Package 3, Task 1: Delivery of the Study medium-term report
T3	T0 + 8 months	Work Package 1: Final version Work Package 3, Task 1: Study Draft Report
T4	T0 + 10 months	Work Package 1: Final Acceptance in PRODUCTION

		Work Package 3, Task 1: Study Final Report
T5	T0 + 11 months	Work Package 2: Kick-off meeting Work Package 3, Task 2: Kick-off meeting
T6	T0 + 17 months	Work Package 2: Maintenance Report Work Package 3, Task 2: Final Acceptance in PRODUCTION
T7	T0 + 18 months	Contract end

Detailed Planning and concrete delivery dates of all deliverables will be defined during the initiation phase and recorded in the project plan.

Deliverables for the ICT development part are further detailed in Appendix 4 Project Delivery.

4.2 Meetings

The following meetings are envisaged:

- Kick-off meeting: within two weeks from the signature of the Contract, a kick-off meeting shall be held to present a work breakdown structure of the tasks and to define the details of the work to be undertaken;
- Technical and Project Management Meetings during the web module development project, as detailed in Appendix 4 Project Delivery;
- Maintenance meetings: apart from the kick-off meeting, other meetings can be scheduled to discuss relevant topics, if needed. Further details can be found under chapter 5 of Appendix 5 Working Procedures and Service Requirements;
- Final meeting: prior to the end of the Contract a final meeting shall be held to enable the contracting parties to discuss the work accomplished;
- EMSA may call for additional meetings if this is considered necessary for the better execution of the Contract;
- Meetings will be held in EMSA premises in Lisbon, Portugal, although some meetings could take another form (e.g. virtual) if mutually agreed by EMSA and the contractor. No traveling or accommodation costs will be reimbursed. When estimating the price under point 13, the tenderer should bear in mind the terms established under this point.

4.3 Minutes of the meetings

For each meeting, the contractor is responsible for providing a draft agenda to EMSA two working days before the meeting. The contractor shall draw up the minutes of the meeting and provide them within two working days after the meeting. The minutes of the meetings shall include at least the topics discussed, decisions taken and action items, with indication of the responsible person and deadline for the actions. Should the minutes of a meeting be rejected by EMSA, the contractor shall have two working days to revise them in line with the comments provided by EMSA.

5. Timetable

The estimated date for signature of the Service Contract is November 2019.

6. Estimated Value of the Contract

The maximum budget available for this Contract is EUR 200000 excluding VAT.

7. Terms of payment

Payments shall be issued in accordance with the provisions of the **draft Service Contract** available under the dedicated section of the procurement procedure on the e-Tendering platform at <http://simap.ted.europa.eu/>.

8. Terms of Contract

When drawing up a bid, the tenderer should bear in mind the terms of the draft Service Contract.

EMSA may, before the Contract is signed, cancel the award procedure without the tenderers being entitled to claim any compensation.

9. Financial guarantees

Not applicable.

10. Subcontracting

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners, it shall indicate in its offer which part will be subcontracted, as well as the name and qualifications of the subcontractor or partner. It should be noted that the overall responsibility for the work remains with the tenderer.

The tenderer must provide required evidence for the exclusion and selection criteria on its own behalf and, when applicable, on behalf of its subcontractors. The evidence for the selection criteria on behalf of subcontractors must be provided where the tenderer relies on the capacities of subcontractors to fulfil selection criteria³. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided will be checked to ensure that the tenderer and its subcontractors as a whole fulfil the criteria. However, the selection criteria may apply individually where it is relevant in view of their nature.

11. Requirements as to the tender

Bids can be submitted in any of the official languages of the EU. However, as the main working language of the Agency is English, bids should preferably be submitted in English and should in particular include an English version of the documents requested under points 15.5 and 16 of the present Tender Specifications.

The tenderer must comply with the minimum requirements provided for in these Tender Specifications. This includes compliance with applicable obligations under environmental, social and labour law established by

³ To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

Union law, national law and collective agreements or by the international environmental, social and labour law provisions listed in Annex X to Directive 2014/24/EU of the European Parliament and of the Council.⁴

The tenderer shall complete the Tenderer's Checklist.

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners (Joint Offers) it shall indicate it in its offer by completing the form "Statement of Subcontracting / Joint Offer". This document is available on the Procurement Section / Calls for Tenders (Documents for tenderer) of EMSA's website (www.emsa.europa.eu).

12. Submission via the e-Submission application

Tenderers shall submit tenders electronically via e-Submission in one of the official languages of the European Union through the e-Tendering website and before the closing date for the tenders' reception as described in the Invitation to Tender.

The detailed steps on how to access and use e-Submission are provided in Appendix I – *E-Submission Guidelines*, attached to these Tender Specifications.

The tenderer must provide the following information using e-Submission:

- a) **Cover letter** indicating the name and position of the person authorised to sign the Contract, the bank account to which payments are to be made and the email address to be used for contacts during the procurement procedure.
- b) **The Financial Identification Form** - completed. This document is available on the Procurement Section (Financial Identification Form) of EMSA's website (www.emsa.europa.eu).
- c) **The Legal Entity Form** - completed, along with the requested accompanying documentation. This document is available on the Procurement Section (Legal Entity Form) of EMSA's website (www.emsa.europa.eu).
- d) All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the points **10, 14, 15.2 and 15.6** of these specifications (part of the exclusion criteria).
- e) All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Economic and Financial capacity** (part of the selection criteria) set out under point **15.4** of these specifications.
- f) All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Technical and professional capacity** (part of the selection Criteria) set out under point **15.5** of these specifications.
- g) All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Award Criteria** set out under point **16** of these specifications.
- h) Setting out **prices** in accordance with **point 13** of these specifications.
- i) Tender Preparation Report – generated by e-Submission.

Tenderers are exempt from submitting the Legal Entity Form and Financial Identification Form requested if such a form has already previously been completed and sent either to EMSA or any EU Institution. In this

⁴ 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).

case the tenderer shall simply indicate on the cover letter the bank account number to be used for any payment in case of award.

In e-Submission please fill in all mandatory fields (marked with a star *) and other fields as appropriate. All tenders must be clear, complete and consistent with all the requirements laid down in the Tender Specifications including the above instructions. The documentary evidence/documents required in the Tender Specifications must be uploaded in e-Submission. Tenders not uploading the necessary documents may be rejected.

13. Price

- a) Total price for the Web reporting and statistical module for the STCW-IS shall include the following price elements:
- Price for the ICT related development part (Work Package 1);
 - Price per month for the maintenance of the reporting module (Work Package 2);
 - Price for the conclusion of the study including all phases and resources involved (Work Package 3);

Prices shall be all-inclusive and cover all related costs e.g. travelling, accommodation, cost of software licenses and any costs deemed necessary for the completion of the Contract.

- b) Prices must be quoted in Euro.
- c) Prices must be fixed amounts, non-revisable and remain valid for the duration of the Contract.
- d) Under Article 3 and 4 of the Protocol on the privileges and immunities of the European Union, EMSA is exempt from all duties, taxes and other charges, including VAT. This applies to EMSA pursuant to the Regulation (EC) No 1406/2002. These duties, taxes and other charges can therefore not enter into the calculation included in the bid. The amount of VAT must be shown separately.

14. Joint Offer

Groupings, irrespective of their legal form, may submit bids. Tenderers may, after forming a grouping, submit a joint bid on condition that it complies with the rules of competition. Such groupings (or consortia) must specify the company or person heading the project and must also submit a copy of the document authorising this company or person to submit a bid.

Each member of the consortium must provide the required evidence for the exclusion and selection criteria. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria the evidence provided by each member of the consortium will be checked to ensure that the consortium as a whole fulfils the criteria.

If awarded, the contract will be signed by the person authorised by all members of the consortium. Tenders from consortiums of firms or groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member or group.

15. Information concerning the personal situation of the tenderer and information and formalities necessary for the evaluation of the minimum economic, financial and technical capacity required

15.1 Legal position – means of proof required

When submitting their bid, tenderers are requested to complete and enclose the **Legal Entity Form** and requested accompanying documentation, available in the Procurement Section (Legal Entity Form) of EMSA's website (www.emsa.europa.eu).

15.2 Grounds for exclusion - Exclusion criteria

To be eligible to participate in this contract award procedure, a tenderer must not be in any of the exclusion situations listed in the Declaration of Honour.

For this purpose the Declaration of Honour available on the Procurement Section of EMSA's website (www.emsa.europa.eu) shall be completed and signed.

15.3 Legal and regulatory capacity – Selection criteria

15.3.1 Standards / Prerequisites

Not applicable

15.4 Economic and financial capacity – Selection criteria

15.4.1 Standards / Prerequisites

The tenderer must be in a stable financial position and must have the economic and financial capacity to perform the contract

15.4.2 Evidence:

- a) Financial statements or their extracts for the last three years for which accounts have been closed.
- b) Statement of the overall turnover and, where appropriate, turnover relating to the relevant services for the last three financial years available.
- c) Tenderers are exempt from submitting the documentary evidence if such evidence has already been completed and sent to EMSA for the purpose of another procurement procedure and the provided documents are up-to-date. In this case the tenderer should simply indicate on the cover letter the procurement procedure where the evidence has been provided.
- d) If, for some exceptional reason which EMSA considers justified, a tenderer is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other document which EMSA considers appropriate. In any case, EMSA must at least be notified of the exceptional reason and its justification in the tender. EMSA reserves the right to request at any moment during the procedure any other document enabling it to verify the tenderer's economic and financial capacity.

15.5 Technical and professional capacity – Selection criteria

15.5.1 Standards / Prerequisites

Tenderers shall have the expertise, knowledge and experience to undertake the tasks under this Contract.

15.5.2 Evidence

- a) List of comparable, relevant projects and systems in which the tenderer has participated and worked. This must include a description of the Projects with indication of the objectives, contracting parties, duration and budget:
 - For Work Packages 1 and 2 plus Task 2 of Work Package 3:
 - Information systems with especial emphasis on Business Intelligence and Reporting projects based on Web technologies: architecture, development, operation and maintenance;
 - Software modules;
 - Development of projects involving statistics (advantageous);
 - For Work Package 3:
 - Comparable studies involving collection, handling and analysis of data in the field of social sciences.

- b) Detailed curricula vitae for all persons assigned with roles under the projects and their possible replacement(s). The project manager shall have at least 5 years' experience in projects referred to above. Curricula vitae should be presented, preferably, in Europass format⁵. They must include the educational background, degrees and diplomas, professional experience, technical expertise, involvement in similar projects, research work, publications and linguistic skills of the respective team members. When describing the professional experience of each team member, reference must be made to the sectors in which it has been gained and the areas dealt with.

15.6 Declaration of Honour (DoH)

Please note that the tenderer shall provide information with regards its situation and on the natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control and beneficial owners.

Upon request and within the time limit set by EMSA, the tenderer shall provide the following evidence concerning itself, the natural or legal persons as listed under the first paragraph, and concerning the natural or legal persons which assume unlimited liability for the debt of the tenderer:

For the exclusion situations described in points (a), (c), (d), (f), (g) and (h) of the Declaration of Honour, 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 tenderer showing that those requirements are satisfied.

⁵ <https://europass.cedefop.europa.eu/documents/curriculum-vitae>

For the exclusion situations described in (a) and (b) of the Declaration of Honour, production of recent certificates issued by the competent authorities of the country of establishment is required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer 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 successful tenderer must provide the documents mentioned as supporting evidence before signature of the contract and within the deadline given by EMSA. This requirement applies to each member of the group in case of joint tender.

If the tenderer already submitted such evidence for the purpose of another procedure, its issuing date does not exceed one year and it is still valid, the person shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

16. Award criteria

The contract will be awarded to the tenderer who submits the most economically advantageous bid (the one with highest score) based on the following quality criteria and their associated weightings:

1. Quality criterion 1 ($W_1 = 10\%$) – Quality of the proposed approach to analyse the existing STCW-IS reporting and database and the interrelationship between the work packages:

The tenderer shall detail as a minimum the following topics:

- Plan and approach to acquire knowledge about the existing STCW-IS reporting and database;
- Proposal on how to integrate the information collected from the study on the needs of the industry in terms of seafarers' statistics into the web-based module to be developed.

2. Quality criterion 2 ($W_2 = 35\%$) - Quality of the proposed methods, approach and supporting tools to implement the Contract requirements to perform the tasks related to ICT:

The tenderer shall detail as a minimum the following topics:

- Proposed approach overview;
- Project management methodology and supporting tools;
- Design methodologies and tools;
- Software development methodology and supporting tools;
- Testing methodology and supporting tools, covering test plan and identified strategy for integration, functional requirements, performance, load and stress tests and the results achieved: test cases, test scripts, test data sets, test results;
- Project plan;

- Description of the proposed solution responding to all EMSA requirements;
 - Impact on the user interface (if necessary);
 - Test plan;
 - Impacted software modules;
 - Overview of the architectural changes (if necessary);
 - Impact at database tier, business tier, presentation tier and integration tier (if necessary);
3. Quality criterion 3 ($W_3 = 25\%$) – Quality of the proposed approach, methods and supporting tools to implement the Contract requirements to perform the tasks related to the study.

The tenderer shall detail as a minimum the following topics:

- Proposed approach overview;
- Methodology and supporting tools to collect and analyse the information;
- Outline of the mid-term, draft and final report;
- Project plan.

and the price criterion and associated weighting:

4. Price of the bid ($W_{price} = 30\%$) – the price of the bid will be calculated as a sum of the prices required in section 13.a.

For all bids evaluators will give marks between 0-10 (half points are possible) for each quality criterion.

The score is calculated as

$$S = SQ + SP$$

where:

The average quality for quality criterion i is

$$Q_i = \frac{1}{\text{number of evaluators}} * \sum_{\text{evaluator}} \text{mark of the evaluator for quality criterion } i$$

The overall weighted quality is

$$Q = \sum_i Q_i * W_i$$

The score for quality is

$$SQ = \frac{Q}{Q \text{ of the bid with highest } Q} * 100 * \sum_i W_i$$

The score for price is

$$SP = \sum_i \frac{\text{lowest Price}_i \text{ of all bids}}{\text{Price}_i} * 100 * W_{\text{Price}_i}$$

Only tenders that have reached a minimum of 50% for Q_1 , a minimum of 50% for Q_2 and a minimum of 50% for Q_3 will be taken into consideration when calculating the score for quality SQ , score for price SP and score S .

Only tenders that reach a minimum of 70% for the score S will be taken into consideration for awarding the Contract.

17. Rejection from the procedure

Contracts will not be awarded to tenderers who, during the procurement procedure, are in one of the following situations:

- a) are in an exclusion situation;
- b) have misrepresented the information required as a condition for participating in the procedure or have failed to supply that information;
- c) were previously involved in the preparation of procurement documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition that cannot be remedied otherwise.

18. Intellectual Property Right (IPR)

Please consult the contract for IPR related clauses.

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

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