

TENDER SPECIFICATIONS***Interim staff for the European Environment Agency******Open call for Tenders No EEA/ADS/10/004******Closing date: 15/09/2010*****1. Title of contract**

Framework service contract for the provision of interim staff to the European Environment Agency.

2. Purpose and context of the contract

The European Environment Agency (EEA) is an agency of the European Union governed by Regulation (EC) No 401/2009 of the European Parliament and of the Council¹. The EEA role is to support the European Union in the development and implementation of environmental policy by providing relevant, reliable, targeted and timely information on the state of the environment and future prospects. The EEA also provides the necessary independent scientific knowledge and technical support to enable the European Union and the member countries to take appropriate measures to protect and improve the environment as laid down in the Treaty and by successive Community action programmes on the environment and sustainable development. Currently, the EEA has 32 member countries².

There are approximately 190 staff members working at the EEA. These staff members come from a wide range of national, professional and cultural backgrounds. Their functions at the EEA vary from environment-related research and data-analysis to administrative or management tasks. Staff members employed by the EEA are subject to the Staff Regulations and the Conditions of Employment of Other Servants of the European Communities (Council Regulation N. 259/68 of 29 February 1968, last amended by Council Regulation N. 31/2008 of 1 May 2008). EEA staff members are not subject to national employment law.

The EEA may need interim staff, as a compliment to its statutory staff, for the following reasons:

- To replace staff absent because of maternity leave, sickness or other reasons;
- To cope with peak periods which require additional workforce for a fixed period of time;
- To carry out, on a temporary basis, tasks which require specific competencies which are not available within the EEA.

By launching this call for tenders, the EEA wishes to identify and select an employment agency that can provide interim staff within a reasonable timeframe and in line with the requested professional profiles.

¹ OJ L 126 of 21.5.2009, p. 13.

² The member countries of the EEA are the Member States of the EU plus Iceland, Liechtenstein, Norway, Switzerland and Turkey.

To this end the contractor shall comply with the relevant Danish laws on employment, taxes, social and pension contributions. The tenderer will ensure the fulfillment of all legal and financial obligations towards the interim staff, which include, in addition to the gross salary, all social and pension contributions foreseen by the Danish law for the employer.

The contractor shall supply only interim staff with the required level of training and professional qualifications and shall take every step and precaution to ensure that only interim staff who are trustworthy, of good reputation and showing conduct in keeping with the duties to be performed are engaged.

3. Subject of contract

Services and deliverables

Under request from the EEA, the selected contractor is expected to provide interim staff for the following frame of activities: secretarial support; filing and archiving; general administrative support; data input; support to the organisation of meetings, conferences and events; correspondence with external contractors; receptionist; software development; financial and HRM assistance and legal support. Note that this list is not exhaustive and it is purely indicative of the type of assignments likely to arise.

As **examples**, four possible profiles for interim staff are provided below:

Job profile n. 1	Secretary
Overall purpose of the activity:	To provide secretarial and administrative support within a programme/group of the EEA.
Main tasks:	<ul style="list-style-type: none"> ▪ Reception, registration, distribution and follow up of correspondence; ▪ Organisation of missions, including travel arrangements and accommodation; ▪ Organisation of meetings, conferences and events; ▪ Drafting and editing of texts; ▪ Filing and archiving; ▪ Other general secretarial tasks.
Education:	Successfully completed an advanced level of secondary education, preferably in the field of administration.
Work experience:	Previous experience in secretarial and administrative support functions is advantageous.
Computer skills:	Very good knowledge of the main office tools (Word, Excel and Outlook). Knowledge of databases is advantageous.
Language skills:	Very good command of both written and spoken English. Other official EU languages would be an asset.

Job profile n. 2	Receptionist
Overall purpose of the activity:	To provide reception services including operating the switchboard and registration of visitors.
Main tasks:	<ul style="list-style-type: none"> ▪ To operate the Agency's switchboard; ▪ To receive and register visitors; ▪ To maintain telephone database; ▪ To dispatch incoming faxes and deliveries; ▪ To handle outgoing express mail and large volume mailings; ▪ To register staff absences in databases; ▪ To provide support to other staff when needed and appropriate.
Education:	Successfully completed secondary education.
Work experience:	Previous experience as receptionist is advantageous.
Computer skills:	Good knowledge of the main office tools (Word, Excel and Outlook).
Language skills:	Very good command of written and spoken English and Danish. Other official EU languages would be an asset.

Job profile n. 3	Financial assistant
Overall purpose of the activity:	To provide administrative support in the finance field.
Main tasks:	<ul style="list-style-type: none"> ▪ Preparation of payment; ▪ Entry of payment data in electronic databases; ▪ Filing invoice and payment records; ▪ Filing bank statements.
Education:	Successfully completed an advanced level of secondary education, preferably in the field of finance.
Work experience:	Previous experience in the field of finance is advantageous.
Computer skills:	Very good knowledge of the main office tools (Word, Excel and Outlook). Knowledge of databases is advantageous.
Language skills:	Very good command of both written and spoken English.

Job profile n. 4	Communication assistant
Overall purpose of the activity:	To provide support to the information centre and the communication programme including public enquiry processing, event organisation and information searches.
Main tasks:	<ul style="list-style-type: none"> ▪ Public enquiry processing; ▪ Participation in awareness raising events for the public; ▪ Online information searches; ▪ Library tasks.
Education:	Successfully completed an advanced level of secondary education, preferably in the field of communication.
Work experience:	Knowledge of environmental issues is essential. Previous experience in the field of communication is advantageous.
Computer skills:	Very good knowledge of the main office tools (Word, Excel and Outlook). Knowledge of databases is advantageous.
Language skills:	Very good command of both written and spoken English. Plus at least one additional EU language.

Interim staff are requested to have very good knowledge of English (both written and oral). For specific activities the knowledge of other EU languages might be required.

Interim staff will be nationals of one of the 32 Member Countries of EEA unless, in exceptional cases, the EEA agrees otherwise and no suitable EU/EEA candidate is available.

The interim staff supplied to the EEA will be assigned to the EEA offices in Copenhagen, Kongens Nytorv 6 and 8.

The estimated needs for the four profiles above are as follows:

- 1) Secretary (75%)
- 2) Receptionist (5%)
- 3) Financial assistant (15%)
- 4) Communication assistant (5%)

Ordering procedure

As a rule, the EEA will send its request for interim staff to the contractor at least 7 (seven) working days prior to the foreseen starting date. The EEA will specify the job description, the required profiles and competences, and the expected contract duration (foreseen start and end date).

Within 3 (three) working days from the date of receipt of the EEA request, the contractor shall provide the EEA with at least 3 (three) CVs of candidates matching the requested profile. In exceptional cases, the EEA may grant the contractor additional response time. CVs of candidates

shall be submitted, preferably at the same time, in EU format in order to ensure comparability. The EEA will have the right to invite one or more of the proposed candidates for interviews and tests at its premises. The EEA will inform the contractor of its decision concerning the proposed candidates within a reasonable timeframe prior to the planned starting date.

Once a candidate has been selected an order form will be issued. The specific order form will have to be signed by the contractor before the actual starting date of the interim staff.

A contact person that will deal with the provision of interim staff to the EEA will have to be appointed by the contractor. The contact person will need to be fluent in English and be trained in the field of Human Resources, in particular in Danish Labour Law.

For each interim staff member, a trial period of 3 (three) working days will apply.

Working hours

The normal working week is 37.5 hours, i.e. 7.5 hours per day from 9h00 until 17h00.

The services provided by the interim staff will be agreed between the interim staff and the EEA responsible person(s). A minimum lunch break of 30 minutes shall be held at any time between 12h00 and 14h00.

Overtime hours above a weekly total of 37.5 hours are not authorized unless, in exceptional circumstances, the EEA specifically requests supplementary working hours.

EEA public holidays

The interim staff shall work subject to the EEA holidays calendar, which may differ from the Danish bank holidays calendar.

The following days are normally EEA holidays:

- Maundy Thursday
- Good Friday
- Easter Monday
- Labour Day
- 9 May - Anniversary of Schuman Declaration
- Ascension Day
- Whit Monday
- All Saints' Day
- Christmas Eve to New Year's Day inclusive.

These days may vary from year to year. The updated list of EEA public holidays will be sent to the contractor every year.

Confidentiality

Interim staff placed at the disposal of the EEA by the contractor shall undertake not to make use of and not to divulge to third parties any facts, information, knowledge, documents or other matters communicated to them or brought to their attention during the performance of the work at the EEA or any matter arising thereof. They will be requested to sign a confidentiality clause and shall continue to be bound by this undertaking after the expiry of their work period at the EEA.

Invoicing

The Contractor shall submit time sheets once per week. It shall be indicated who will sign on behalf of the Contractor and who will sign for EEA. Once per month, the Contractor shall submit an invoice specifying all the services rendered per interim staff during the month immediately preceding the month in which the invoice is submitted. The invoice must be accompanied by copies of the relevant signed time sheets for the interim staff concerned.

4. Documentation for Tenderers

Further information about the work of EEA can be obtained on its website:
<http://www.eea.europa.eu>

5. Type and volume of contract

The successful tenderer will be offered a framework contract with the EEA for a period of two years with the possibility of two renewals for one year each. On the basis of this framework contract, order forms will be issued detailing the amount of services to be purchased.

The estimated total value of the framework contract over a maximum four-year period is EUR 1 500 000 (one million five hundred euro).

The EEA reserves the right to adjust the volume of services in line with its needs. Under no circumstances can a minimum volume of services be required by the contractor.

6. Price

Prices shall be fixed and not subject to revision for implementation during the first year of duration of the Contract.

From the beginning of the second year of duration of the Contract, each price may be revised upwards or downwards each year, where such revision is requested by one of the contracting parties by registered letter no later than 3 (three) months before the anniversary of the date on which it was signed. The EEA shall purchase on the basis of the prices in force on the date on which orders or specific contracts are signed. Such prices shall not be subject to revision.

This revision shall be determined by the trend in the harmonised consumer price published by the European Commission on Eurostat web page (Theme 2 – Economy and Finance; Prices; HICP – Harmonised Indices of Consumer Prices; HMIDX – Monthly data (index); GEO – Eurozone; COICOP cp00).

Revision shall be calculated in accordance with the following formula:

$$Pr = Po (0,2 + 0,8 \times (Ir/Io))$$

where:

- Pr = revised price;
- Po = price in the original tender;
- Io = index for the month in which the validity of the tender expires
- Ir = index for the month corresponding to the date of receipt of the letter requesting a revision of prices

Under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities and the Headquarters Agreement between the EEA and the Government of Denmark of 17 August 1995, the EEA is exempt from all charges, taxes and dues, including value added tax; such charges may not therefore be included in the calculation of the price quoted; the VAT amount must be indicated separately.

The prices quoted must be **all-inclusive** (*inter alia* of administrative and travel costs) and expressed in euro.

The costs incurred in preparing and submitting tenders are borne by the tenderers and cannot be reimbursed.

Travel time and costs incurred during the journey to the EEA offices are not reimbursed to either interim staff or contractors.

7. Contractual terms and guarantees

In drawing up their bid, tenderers should bear in mind the provisions of the draft framework contract and order form attached to these tender specifications (see Annex 4).

Submitting an offer implies acceptance by the tenderer of all terms and conditions of the draft framework contract and its annexes.

8. Criteria

8.1. Exclusion criteria

8.1.1. Tenderers shall be excluded from participation in the procurement procedure if:

- (a) They are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) They have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
- (c) They have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- (d) They have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- (e) They have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organization or any other illegal activity detrimental to the Communities' financial interests;
- (f) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in a serious breach of contract for failure to comply with their contractual obligations.

The cases referred to in paragraph 8.1.1. (e) above shall be the following:

- (a) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests established by the Council Act of 26 July 1995 (OJ/C 316 of 27.11.1995, p. 48);
- (b) cases of corruption as referred to in 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, established by Council Act of 26 May 1997 (OJ/C 195 of 25.6.1997, p.1);
- (c) cases of involvement in a criminal organization, as defined in Article 2(1) of joint Action 98/733/JHA of the Council (OJ/L 315 of 29.12.1998, p.1);
- (d) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC (OJ/L 166 of 28.6.1991, p. 77).

Exclusion from awarding:

In addition, contracts may not be awarded to tenderers who, during the procurement procedure:

- (a) are subject to a conflict of interest;

Tenderers must declare:

- that they do not have any conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest;
- that they will inform the EEA, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest;
- that they have not and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- that they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward to the award of the contract.

The EEA reserves the right to verify the above information.

- (b) are guilty of misrepresentation in supplying the information required by the EEA as a condition of participation in the contract procedure or fail to supply this information;
- (c) find themselves in one of the situations of exclusion, referred to in paragraph 8.1.1 above, for this procurement procedure.

8.1.2. Evidence to be provided by the tenderers

When submitting their bids, tenderers (including subcontractor(s) or any member of a consortium or grouping) must provide a declaration on their honour, duly signed and dated, stating that they are not in any of the situations mentioned under paragraph 8.1.1 above. To that effect, they shall complete and sign the form attached as annex 1 to these tender specifications.

The tenderer to whom the contract is to be awarded shall provide within 15 (fifteen) calendar days following receipt of the letter informing him of the proposed award of the contract and preceding the signature of the contract, the evidence specified in the last but one paragraph of the form attached as annex 1 to these tender specifications confirming the declaration aforementioned.

8.2. Selection criteria

8.2.1. Legal Status

Any tenderer is requested to prove that he is authorised to perform the contract under national law, as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation, or entry in the VAT register. To that effect, tenderers are required to submit an identification sheet (see annex 2 to these tender specifications) duly filled out and signed, accompanied by a copy of inscription in a trade or professional register and/or a copy of inscription in VAT register, where applicable.

8.2.2. Financial capacity

Evidence of economic and financial capacity shall be furnished **by one or more** of the following documents:

- appropriate statements from banks or evidence of professional risk indemnity insurance;
- the presentation of balance sheets or extracts from balance sheets for at least the last two years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established;
- a statement of overall turnover and turnover concerning the services covered by the contract for the last three financial years.

If, for some exceptional reason, which the EEA considers justified, the tenderer is unable to provide the references requested by the contracting authority, he may prove his economic and financial capacity by any other means which the EEA considers appropriate.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the EEA that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

8.2.3. Technical and professional capacity

Requirements:

The tenderer's technical and professional capacity will be evaluated based on the following criteria:

- Suitability of the organisation and staffing structure available for the activities covered by the contract;
- Ability to provide relevant administrative support to the interim staff (management of leave, absences, time sheets, etc.);
- Ability to provide a sufficient number of interim staff to accommodate the EEA needs (for information the average number of interim staff in 2009 amounted to 15);
- Ability to provide interim staff with different levels of education, work experience and language skills;
- Capability to assess the competencies and skills of the interim staff.

Evidence required:

The evidence of the technical and professional capacity shall be furnished on the basis of the following documents:

- a list of the services provided in the past three years specifying:
 - the number of interim staff provided;
 - the type of profiles and language skills of interim staff;
 - the recipients of the services provided (private and public) with indication of the sums and the dates.
- A description of the service provider's organisational internal structure with indication of the number of employees and the number of managerial staff over the past three years;
- the educational and professional qualifications of the service provider's managerial staff and of the person(s) responsible for providing the services:

- minimum of 2 CVs of managerial staff with at least 5 years of relevant professional experience;
- minimum of 3 CVs of the person responsible for providing the services to the EEA with at least 3 years of relevant professional experience.
- an indication of the proportion of the contract which the service provider may intend to subcontract, with a description of the services to be subcontracted and their scope.

8.3. Award criteria

A framework contract will be awarded to the tender that offers the best value for money taking into account the following criteria:

- Quality of the tender (Technical merit – TM)
- Financial value of the tender (Price – P)

8.3.1. Technical merit (TM) – (max. 70 / min. 48 points)

Tenders will be evaluated following the award criteria and weights outlined below, producing a total score of maximum 70 points. Only tenders which obtain the required minimum number of points for technical merit, both for each criterion and in total, will be considered for the next stage which involves determining the financial value of the tender (price index) and for the final assessment.

No	Award criteria	Max. points (70)	Min. points (48)
	<i>Sub-criteria</i>		
1	Quality as documented in terms of the following items:	42	28
1.1	<i>Organisational structure and proposed procedure for the provision of interim staff;</i>	7	5
1.2	<i>Sourcing methods and means to establish a sufficient pool of candidates (e.g. existing pool of candidates, advertisement in newspapers, Internet and other means, etc...)</i>	7	5
1.3	<i>General selection methods for interim staff prior to proposing profiles to the client (e.g. assessment of CVs, interviews and tests concerning language and computer skills, etc...)</i>	5	3
1.4	<i>Tools and methods ensuring that the proposed candidates match the requested profiles and have the required skills, experience and competence for the job</i>	7	5
1.5	<i>Samples of four CVs for the job profiles listed above under section 3 (personal data do not need to be revealed)</i>	3	2
1.6	<i>Method proposed for monitoring performance of the interim staff and processing feedback from the EEA</i>	3	2
1.7	<i>Proposed monitoring/reporting system for expiring contracts</i>	3	2

No	Award criteria	Max. points (70)	Min points (48)
	<i>Sub-criteria</i>		
1.8	<i>Description of quality insurance procedures and methods in place</i>	5	3
1.9	<i>Description of the environment policy of the company</i>	2	1
2	Flexibility and contract management in terms of the following items:	28	20
2.1	<i>The flexibility of the administrative formalities relative to entry into service, replacement and exit of interim staff</i>	12	9
2.2	<i>Proposed potential response time to the EEA needs</i>	3	2
2.3	<i>Customer service policy (e.g. availability during out-of office hours, etc...)</i>	10	7
2.4	<i>Any additional relevant information relative to flexibility</i>	3	2

8.3.2. Price (P) (max. 30 points)

Tenderers are requested to submit a financial offer giving the all-inclusive hourly rate in EUR for interim staff providing services as (P₁) secretary (75%), (P₂) receptionist (5%), (P₃) Financial assistant (15%) and (P₄) communication assistant (5%), based on the four proposed job profiles described under section 3 above. For that purpose, tenderers shall complete the price quotation attached as annex 3 to these tender specifications.

The percentage for each price offer shows the relative weight when awarding points for price.

Tenders will score points in function of the following formula:

$$P = (((P_{1 \min} / P_1) \times WF_1) + ((P_{2 \min} / P_2) \times WF_2) + ((P_{3 \min} / P_3) \times WF_3) + ((P_{4 \min} / P_4) \times WF_4)) \times 30 / 100$$

Where:

P min = the hourly rate in the price quotation of the lowest tender received

P = the hourly rate in the price quotation of the tender being considered

WF = the weighting factor of the price

8.3.3. Final assessment

A framework contract will be awarded to the tenderer whose tender achieves the highest total score for technical merit and price (TM + P). Should tenders obtain the same final score and tie for first place, the winning tender will be decided on the basis of the highest score achieved for price.

9. Performance

Competence in both selection and award criteria must be maintained throughout the contract. Should the contractor fail to remain competitive during the validity of the framework contract, another vendor from the tenders may be substituted.

10. General comments

Tender should preferably be drafted in English (supporting evidence does not need to be translated), in triplicate (one original unbound and two copies) and must comprise:

- A section giving the technical offer and a section giving the financial offer drawn up in accordance with the price quotation attached as annex 3 to these tender specifications;
- The technical offer shall address all the points included in the selection and award criteria;
- Tenders from consortium of firms or group of service providers must specify the role, qualifications and experiences of each of the members of the consortium or of the group and contain a letter of intent to form a consortium from each member. The same requirements apply for subcontracting;
- Declaration on exclusion criteria and documents on selection criteria must be supplied by each member of a consortium of firms or group of service providers submitting a single tender. The same requirements apply for subcontracting.

11. Environmental considerations

The EEA runs a certified environmental management system (EMAS) and aims to minimise the environmental impact of all its activities, including those carried out under contract. The future contractor will, therefore, be requested to consider the EEA environmental management guidelines in the implementation of the contract, in particular, those relating to business travel/electronic means of communication, paper and energy consumption. Further information on the EMAS system can be found on the EEA homepage: <http://www.eea.europa.eu/documents/emas>.

Moreover, it is strongly recommended that tenders are submitted in an environmentally friendly way, e.g., by choosing a simple and clear structure (list of contents and consecutive page numbering), double-sided printing, limiting attachments to what is required in the technical specifications (no additional material) and avoiding plastic folders or binders.

12. Annexes

Annex 1 – Declaration on exclusion criteria

Annex 2 – Identification sheet

Annex 3 – Price quotation

Annex 4 – Draft framework service contract and order form