



Title: Framework contract for the provision of address database and dissemination services to the European Environment Agency (EEA)

Reference: Call for tenders EEA/COM/15/002

Closing date: 20.3.2015

1 Introduction to EEA

The European Environment Agency (EEA) is a European Union public body governed by Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009¹. 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 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 33 member countries (the Member States of the European Union, Iceland, Liechtenstein, Norway, Switzerland and Turkey).

The EEA is the hub of the European Environment Information and Observation Network (Eionet), a network of around 350 organisations across Europe through which it collects and disseminates environment-related data and information, including European Topic Centres. The EEA and Eionet contribute to the European Shared Environmental Information System (SEIS), a distributed, integrated, web-enabled information system based on a network of public information providers sharing environmental data and information. It builds on existing e-infrastructure, systems and services in the Member States and EU institutions.

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

¹ OJEU L 126 of 21.5.2009, p. 13.

2 Presentation of the tender

Tenders shall be submitted in accordance with the double envelope system:

The outer envelope or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:

- The call for tenders reference No **EEA/COM/15/002**
- The contract title ***“Provisions of address database and dissemination services to the EEA”***
- The name of the tenderer
- The indication ***“Tender – Not to be opened by the internal mail services”***
- The address for submission of tender (as specified in the letter of invitation to tender)
- The date of submission shall be legible on the outer envelope or parcel

The outer envelope or parcel must contain three inner envelopes, i.e. Envelopes No 1, 2 and 3, corresponding to the following three sections: administrative section, technical offer and financial offer.

(a) Envelope No 1 – Administrative section shall include the following:

- The Tender submission form drawn up in accordance with the template in annex 1
- The declaration on exclusion criteria as required under section 10.1.2 drawn up in accordance with the template in annex 2
- The legal entity form as required under section 10.2.1 drawn up in accordance with the template in annex 3
- The financial identification form drawn up in accordance with the template in annex 4
- The evidence and documentation demonstrating the fulfilment of the selection criteria as required under sections 10.2.2 (economic and financial capacity) and 10.2.3 (technical and professional capacity)

(b) Envelope No 2 – Technical offer shall include the following:

The technical offer providing all information requested under sections 6 and 10.3.1 including information relevant to subcontracting as requested under section 4.3.

(c) Envelope No 3 – Financial offer shall include the following:

The financial offer providing all information requested under sections 9 and 10.3.2, drawn up in accordance with the template in annex 5.

Tenders shall be drafted in one of the official languages of the European Union, **preferably in English** (supporting evidence does not need to be translated) and submitted **in triplicate** (one signed original unbound and two copies).

It is important that tenders be presented in the correct format and include all documents necessary to enable the evaluation committee to assess them. Failure to respect these requirements will constitute a formal error and may result in the rejection of the tender.

Tenderers shall observe precisely the indications in points 2, 3, 4 and 6 of the letter of invitation to tender to ensure their tender are admissible. Late delivery will lead to the non-admissibility of the tender and its rejection from the award procedure for this contract. Offers sent by e-mail or

by fax will also be non-admissible and discarded. Envelopes found opened at the opening session will also lead to non-admissibility of the tender. Consequently, tenderers must ensure that their tenders are packed in such a way as to prevent any accidental opening during its mailing.

3 Confidentiality and protection of personal data

For the processing of this tendering procedure, the EEA observes the rules set in Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by Community institutions and bodies and on the free movement of such data (OJEU L 8 of 12.1.2001, p. 1).

For further detailed information please refer to the privacy statement available on the EEA external website at the following address: <http://www.eea.europa.eu/about-us/tenders/privacy-statement>.

4 Participation in the tendering procedure

Submission of a tender implies acceptance of the terms and conditions set out in the invitation to tender, in these tender specifications and in the draft service contract and general conditions attached as annexes (see annex 6) and, where appropriate, waiver of the tenderers own general or specific terms and conditions. If awarded the contract, it is binding on the tenderer for the duration of the contract.

4.1 Eligibility

This call for tenders is open on equal terms to all natural and legal persons from one of the 33 EEA member countries and to all natural and legal persons established in a third country which has a special agreement with the European Union in the field of procurement on the conditions laid down in that agreement².

As proof of eligibility tenderers must indicate in the tender submission form (see annex 1) in which state they have their headquarters, registered office or residence, and provide the necessary supporting documents in accordance with their national law. If the tender is a natural person, he/she must provide a copy of identity card/passport or driving license and proof that he/she is covered by a social security scheme as a self-employed person.

4.2 Application

All eligible natural and legal persons (as per above) or groupings of such persons (consortia) may apply.

A consortium may be a permanent, legally established grouping or a grouping, which has been constituted informally for a specific tender procedure. If awarded the contract, the members of the consortium (i.e. the leader and all the other partners) will have an equal standing towards the EEA in executing the framework service contract and they will be jointly and severally liable to the EEA.

² At this point in time, tenderers established in one of the following countries are eligible: EEA member countries, i.e. EU-28, Iceland, Liechtenstein, Norway, Switzerland and Turkey; and under the stabilisation and association agreements: FYROM, Albania, Montenegro and Serbia.

The participation of ineligible natural or legal person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

The EEA will not request consortia to have a given legal form in order to be allowed to submit a tender, but reserves the right to require a consortium to adopt a given legal form before the contract is signed if this change is necessary for proper performance of the contract. This can take the form of an entity with or without legal personality but offering sufficient protection to the EEA contractual interests (depending on the member countries concerned, this may be for instance, incorporation or partnership or a temporary association). Consortia must identify one of their members as coordinator who will interface with the EEA.

Each member of a consortium must fulfil the conditions for participation mentioned in this section and section 4.1 above and provide the required documents listed in these tender specifications under sections 10.1 and 10.2 below. Therefore, each member of a consortium shall specify his role, qualifications and experience.

4.3 Subcontracting

A contractor may subcontract part of the services.

Tenderers must state what part of the work, if any, they intend to subcontract, and to what extent (for instance % of the total contract value), specifying the names, addresses and legal status of the subcontractors. If subcontracting is **not** envisaged, tenderers shall clearly state so in the tender submission form (see annex 1).

Legal persons must provide a document containing a list of the professional qualifications of the subcontractors and statement of the means of confidentiality when subcontractors are used. If awarded the contract, the contractor may not choose subcontractors other than those mentioned in the bids unless he obtains the prior written authorisation of the EEA. The overall responsibility of the work remains with the contractor.

Tenderers shall acknowledge (see annex 1) that the EEA reserves the right to request them at a later stage to provide documentation in relation to exclusion and selection criteria for any proposed subcontractors (see sections 10.1 and 10.2 below).

If awarded the contract, the contractor must ensure that Article II.17 of the draft framework contract (see annex 6) can be applied to subcontractors. Once the contract has been signed, Article II.12 of the above-mentioned draft framework contract shall govern subcontracting.

5 Contractual terms and guarantees

In drawing up bids, tenderers should bear in mind the provisions of the draft framework service contract attached to these tender specifications (annex 6). These contractual provisions also specify the terms of payment.

Payment shall be made upon delivery and approval of the services requested, within 30 (thirty) calendar days upon receipt by the EEA of an invoice and any supporting document relating to the services carried out. In the case of tasks where the contractor has to bear substantial upfront costs or the execution of the task stretches over a large period of time, payment in instalments may be agreed.

The payment periods shall be further detailed in each specific contract according to the particularities of the service concerned.

No financial guarantee is requested.

6 Purpose and context of the contract

The EEA puts great emphasis on delivering its key messages to clearly identified target audiences. Creating and maintaining customer relationship management (CRM) databases and disseminating EEA's print and electronic outputs in a systematic and timely way is an important component in achieving the EEA communication objectives.

The Office for the official publications of the European Union (OP) holds a dissemination database which is used both for managing address lists and the dissemination of publications. Much of the routine mail out of hardcopies of EEA's reports is regularly undertaken by the dissemination unit of OP. At the same time, the EEA holds its own CRM database. The formats of databases provided by the contractor may therefore have to fit with both the OP and EEA databases' requirements.

In parallel, there are a number of specialised tasks related to dissemination for which additional competences are required. Examples of such tasks are:

- advising on groups to include in specific mail outs,
- researching and compiling mailing lists and databases for hardcopy as well as electronic dissemination based on priority topics and target groups as defined by EEA,
- quality-assuring, including updating of existing mailing lists and databases,
- assistance with specialised, personalised mail outs (both electronic and hardcopy),
- create, restructure and update dissemination plans listing mailing lists with the addresses contained therein. This dissemination plan is used by EEA staff and the OP dissemination team.

In view of the above the EEA seeks to establish a framework contract giving it access to new and existing address databases for selected target groups as well as to research capacities for compiling new address lists for special purposes. All the services mentioned need to support the timely and targeted dissemination of EEA products [in all EEA Member Countries and among international organisations] so as to maximise the impact of EEA's work among the defined target audience. Therefore the contractor should also be able to follow-up on this dissemination with surveys and various statistical tools in order to evaluate the various dissemination projects, their effectiveness, timeliness and impact.

Disseminating environmental information to appropriate end users in all the EEA's member countries and even beyond this geographical area is a complex task. It necessitates the use of filtering functions to arrive at the desired target group from a topic, geographical area, profession and jobholder function point of view. The EEA therefore aims at finding service providers offering professional research capacities and dissemination applications with a wide range of functionalities.

Currently, the EEA's CRM is linked to a subscription service whereby contacts subscribe to receive EEA information in electronic or hardcopy versions as well as manage their own subscription via a password protected entry point. The contractor would therefore be required to offer a service that links from a subscription service to the CRM database.

For the performance of the contractual tasks, the contractor shall comply with the European Union laws and regulations on the protection of individuals with regard to the processing of their personal data³.

7 Place of performance

The services shall mainly be performed at the contractor's own premises, with occasional meetings at the EEA in Copenhagen. Other meeting will be done by video/telephone-conference.

8 Type and volume of contract

The successful tenderer will be awarded a framework service contract for an initial period of 24 (twenty four) months starting from the date of signature, with the possibility of one renewal for another period of 24 (twenty four) months. The services will be implemented through order forms detailing the tasks and amount depending on the EEA's needs. Based on the EEA's current level of activities and anticipated future demand the estimated maximum budget available, including all tasks specified in section 6 above, is EUR 200,000.00 over a maximum period of 48 (forty eight) months.

9 Price

Tenderers are required to quote prices for the services to be provided as follows:

- Prices quoted must be **all-inclusive** (i.e. inclusive of all costs involved in the performance of the contract (e.g. of management, administrative and travel costs)) and **expressed in euro**, including for tenderers established in countries that are not part of the Eurozone. For tenderers in countries that do not belong to the Eurozone, the price quoted may not be revised in line with exchange rate movements. It is for the tenderer to select an exchange rate and assume the risks or the benefits deriving from any variation. Tenderers shall give details of the price according to the requirements specified in section 11.3.2 below and in the price quotation form attached as annex 5 to these tender specifications.
- No additional expenses incurred in the performance of the services will be reimbursed separately by the EEA.
- The price quoted must be fixed and not subject to revision during the first year of duration of the contract.

From the beginning of the second year of duration of the contract, 80% of the prices 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 price in force on the date on which specific contracts are signed. Such prices shall not be subject to revision.

The revision shall be determined by the trend in the harmonised indices of consumer price (HICP) published by the European Commission on Eurostat web page at

³ Directive 95/46/EC of the European Parliament and of the Council of 24.10.1995 on the protection of individuals with regard to the processing of personal data and the free movement of such data.

<http://ec.europa.eu/eurostat/data/database> (Theme – Economy and Finance; Prices (prc); Harmonised indices of consumer prices (HICP) (prc_hicp); HICP (2005=100) – monthly data (index) (prc_hicp_midx); GEO – Euro area (EA11-2000, EA12-2006, EA13-2007, EA15-2008, EA-16-2010, EA17-2013, EA18).

Revision shall be calculated in accordance with the following formula:

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

Where:

Pr = revised price;

Po = price in the original tender;

Ir = index for the month corresponding to the date of receipt of the letter requesting a revision of prices;

Io = index for the month in which the validity of the tender expires.

Under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities and the Headquarters Agreement between the Agency 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 costs incurred in preparing and submitting the tender shall be borne by the tenderer and cannot be reimbursed.

10 Criteria

10.1 Exclusion criteria

10.1.1 Exclusion from participation and award in the procurement procedure

To be eligible to participate in this contract award procedure, tenderers must not be in any of the exclusion situations referred to in Articles 106 and 107 of the Financial Rules applicable to the general budget of the European Union⁴.

10.1.2 Evidence to be provided

When submitting their bids, each tenderer (including any sub-contractor or any member of a consortium) must provide a declaration on their honour in accordance with the form attached as annex 2, duly signed and dated, stating that they are not in any of the situations mentioned under paragraph 10.1.1 above.

⁴ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25.10.2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, OJEU L 298/1 of 26.10.2012.

The tenderer to whom the contract is to be awarded will be required, prior to the signature of the contract, to provide the evidence specified in the penultimate paragraph of the declaration of honour mentioned above (see annex 2).

10.2 Selection criteria

10.2.1 Legal capacity

Any tenderer is required 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, each tenderer (including any sub-contractor or any member of a consortium) is required to submit a legal entity form (see annex 3) duly filled out and signed, accompanied by a copy of inscription in a trade register and/or a copy of inscription in a VAT register, where applicable. However, the sub-contractor(s) shall not be required to fill out or provide those documents when the services provided represent less than 20% of the contract value.

10.2.2 Economic and 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;
OR
- the presentation of balance sheets or extracts from balance sheets for at least the last 2 (two) years for which account 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; OR
- a statement of overall turnover and turnover concerning the services covered by the contract during the last 2 (two) financial years.

If, for some exceptional reason, which the EEA considers justified, a tenderer is unable to provide the references requested above, 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.

10.2.3 Technical and professional capacity

Tenderers should show their degree of technical and professional capacity to carry out the requested tasks as mentioned in section 6 above by providing information on the criteria described below.

If several service providers or sub-contractors are involved in the tender, the selection criteria for the technical and professional capacity will be assessed in relation to the combined capacities of the service providers and sub-contractors, as a whole, to the extent that service providers or sub-contractors put their resources at the disposal of the tenderer for performance of the contract.

The tenderer shall provide the following documents:

- **Human resources:**

CVs detailing the educational and professional qualifications and language skills of the tenderer's managerial staff as well as those of the staff designated to provide the services including language skills and indicating the required professional experience as follows:

1. Managerial staff: minimum 1 CV documenting a minimum of 5 (five) years' relevant experience as contract manager, including written skills in English;
2. Senior consultants: minimum 3 CVs, each documenting a minimum of 3 (three) years' relevant experience as senior consultant, including written skills in English;
3. Junior consultant: minimum 3 CVs, each documenting a minimum of 2 (two) year's relevant experience as junior consultant, including written skills in English.

- **Past contracts:**

Tenderers shall provide an overview of their experience with research, compilation and maintenance of international address databases in various open source data formats, indicating inter alia the software solutions used.

More specifically, tenderers shall provide details of contracts awarded to them relevant to the services required by the EEA, indicating the value, dates, brief description of the services provided and recipients of the services (public or private), under the following two categories: (1) contracts currently undertaken; and (2) contracts that have been undertaken over the last 3 (three) years;

- **Environmental policy:**

Tenderers shall provide a description of their environmental policy specifying the status of implementation. In the event of a joint offer submitted by a consortium, **each** member of the consortium shall provide the requested description.

10.3 Award criteria

The assessment method that will be used to determine the choice of the tender will be based on the criteria given below, on the basis of the economically most advantageous tender in terms of:

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

10.3.1 Technical merit (TM) (max. 60, min. 44 points)

Tenders will be evaluated following the award criteria and weights outlined below, producing a potential total score of 60 points.

Tenderers shall elaborate on all criteria referred to below in order to score as many points as possible. The mere repetition of mandatory requirements set out in these tender specifications, without going into details or without giving any added value will only result in a low score. If essential elements of these tender specifications are not expressly addressed in the tender, the EEA may decide to give a zero mark for the relevant quality criterion.

No	Award criteria	Maximum points (60)	Minimum points (44)
1	<p><i>Understanding of the objectives of the contract and the work to be carried out</i></p> <p>Tenders will be evaluated in terms of their appreciation and understanding of the aims and context of the work to be undertaken as documented in a short description (max. 3 A4 pages) highlighting relevant features of the required services and how they will be provided, indicating inter alia the accessibility and user-friendliness of the databases, their research capacities, their functionalities with regards to reporting and statistical documentation, etc.</p> <p>Tenders will also be evaluated in terms of their overall quality, completeness and presentation.</p>	25	15
2	<p><i>Management approach in terms of organisation, flexibility and service orientation</i></p> <p>Tenders shall provide a short description (max. 3 A4 pages) of the way the provision of the services will be organised in terms of inter alia contract management, availability of the resources for the timely, speedy and quality completion of the contractual tasks, responsiveness and interaction with the EEA, adaptability to specific dissemination needs, practical organisation of training and assistance to the EEA with the use of the databases, proposed approach to ensure continuous customisation of the services to meet EEA's requests, etc.</p>	25	15
3	<p><i>Quality assurance and control</i></p> <p>Tenders shall provide a short description (max. 3 A4 pages) of the measures employed to ensure the quality of the services.</p>	10	6

Only tenders which obtain the indicated minimum number of points, both for each award criterion and in total, will be considered for the next stage, which involves determining the financial value of the tender and for the final assessment.

10.3.2 Price (P) (max. 40 points)

Tenderers are requested to submit a financial offer giving the **all-inclusive** (i.e. including all relevant costs and expenditures (e.g. management, administrative, travel costs, etc.) and covering all the tasks listed under section 6 above) fixed prices **in euro** for the following:

(P₁) daily rate⁵ for senior consultant

(P₂) daily rate for junior consultant

(P₃) annual subscription fee for access and use of database

For that purpose, tenderers shall fill out the price quotation using the template attached in annex 5 to these tender specifications. Tenderers shall bear in mind that all fields are compulsory and non-compliance will lead to exclusion of the tender from the award process.

For each category above, tenders meeting all mandatory requirements including the minima for technical merit will score points in function of the following formula $P_s = (P_{\min}/P_0) \times 40 \times WF$, where:

P_s = Price Score for price of service,

P_{\min} = the price of the lowest tender received,

P_0 = the price of the tender being considered,

40 = the maximum number of points that can be awarded under this award criterion

WF = weighing factor; the prices P_1 and P_2 will each be affected by a weighing factor of 20%.

The total score for the price criterion that will be taken into account for the evaluation of tenders will be the sum of the 3 (three) P_s .

10.3.3 Final assessment

A framework service 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 tender will be awarded on the basis of the highest score achieved for price.

11 Performance

Once the framework service contract has been signed, the contractor must be able to offer consultants with the required skills and experience to carry out the requested tasks within five calendar days after having received an order form.

Competence in both selection and award criteria must be maintained throughout the framework service contract. Should the contractor fail to do this during the validity of the framework service contract, the EEA reserves the right to refuse any consultant if performance is not satisfactory and/or to choose another vender from the tenders.

12 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>.

⁵ Daily rate shall correspond to 8 hours.

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.

13 Annexes

- Annex 1: Tender submission form
- Annex 2: Declaration on exclusion criteria
- Annex 3: Financial identification form
- Annex 4: Legal entity form
- Annex 5: Price quotation
- Annex 6: Draft framework service contract and draft order form