



Title: Framework service contract for the provision of expert assistance to support the European Environment Agency's activities on

- Circular economy and industrial transformation (Lot 1); and
- Interlinkages between environment and health including chemicals (Lot 2)

Reference: Call for tenders EEA/HSR/20/001

Closing date: 9.3.2020

Tender specifications purpose:

1. Specify what the EEA is to buy under the contracts resulting from this tender procedure (*technical specifications*)
2. Announce the criteria which the EEA will apply to determine the successful contractor among the offers received (*evaluation of the tenders*)
3. Provide information on how to submit an offer and the expected timeline

These tender specifications will form Annex I to the contract resulting from this tender procedure and will be binding during the contract implementation.

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1. TECHNICAL SPECIFICATIONS

1.1 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 role of the EEA 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 Union action programmes on the environment and sustainable development. Currently, the EEA has 33 member countries² and 6 cooperating countries³ in the Western Balkans, jointly referred to as the EEA-39.

The EEA is the hub of the European Environment Information and Observation Network (Eionet), a partnership network consisting of the EEA itself, seven European Topic Centres (ETCs) and a network of around 1000 experts from 39 countries in over 350 national environment agencies and other bodies dealing with environment information. These are the National Focal points (NFPs) and the National Reference Centres (NRCs).

Further information about the work of EEA can be obtained on its website:

<https://www.eea.europa.eu/>.

Further information on Eionet can be found at: <https://www.eionet.europa.eu/about>.

1.2 Nature of the contract

This call for tenders aims at the establishment of multiple framework service contracts with reopening of competition for consultancy services in the areas of (i) circular economy and industrial transformation, and (ii) the interlinkages between environment and health, including chemicals.

The call for tenders is therefore divided into the following two lots:

- Lot 1: Circular economy and industrial transformation
- Lot 2: Environment and health including chemicals

Tenderers may place an offer for one or both lots based on their expertise and experience. Tenders will be evaluated separately for each lot as to their merits and price.

Tenderers' attention is drawn to the fact that the framework contract does not constitute placement of an order but is merely designed to set the legal, financial, technical and

¹ OJEU L 126 of 21.5.2009, p. 13.

² The Member States of the European Union, Iceland, Liechtenstein, Norway, Switzerland and Turkey.

³ Albania, Bosnia and Herzegovina, North Macedonia, Montenegro, Serbia, as well as Kosovo under the UN-Security Council Resolution 1244/99.

administrative terms governing relations between the contracting parties during the contract term.

A multiple framework contract is a procedure whereby identical contracts are concluded separately by the EEA and a number of contractors. A maximum of five and a minimum of three framework contracts for each lot will be awarded based on the criteria and procedure set out in section 2 below.

When the EEA wishes to procure services under the framework contracts, it will act by reopening of competition in accordance with the provisions set out in Article I.4 of the draft framework contract (see annex 5) and based on the same or, if necessary, more precisely formulated terms laid down in these tender specifications. A specific contract shall be awarded to the contractor who has submitted the most economically advantageous tender based on the award criteria set out in section 2 below. The contract may be signed with different economic operators for each lot.

Tenderers shall ensure compliance with applicable EU and national laws on employment, taxes, social and pension contributions, and the environment. Any collusion between contractors will be considered as grave professional misconduct (Article 136(1)(c) of the Financial Regulation) which may lead to terminating the framework contract and any ensuing specific contracts as provided under Article II.14 of the draft framework contract (annex 5) and imposing financial penalties pursuant to Article 138 of the Financial Regulation.

1.3. Subject of the contract

The work specified in the framework contract will contribute to fulfilling the over-arching objectives set out in the EEA's Multi-Annual Work Programme (MAWP) 2014–2020 and the EEA/Eionet Strategy for 2021-2030 (currently under development), as well as ensuring delivery of specific activities in future annual work programmes.

As laid out in the current MAWP, EEA's activities across the topics addressed in the specified lots aim to support policy development and implementation in Europe as well as addressing systemic challenges, by covering a range of activities across the environmental monitoring, data, information, assessment and knowledge framework (MDIAK).

Examples of operational activities undertaken by the EEA are:

- supporting the implementation of the EU policies on the subject matters related to the scope of this invitation to tender;
- supporting EU Member States, other EEA member countries and the European Commission by compiling, checking and disseminating environmental data and information officially reported by countries or available from other stakeholders;
- tracking of progress towards the achievement of short- and long-term targets as defined in relevant EU and international policies, including the Sustainable Development Goals;
- evaluating established policies and legislation;
- undertaking assessments of the driving forces and sectors causing pressures and adverse impacts on human health and the environment;

- exploring the transitional processes required in different economic sectors in order for Europe to move towards a low-emission and circular economy which respects its natural capital, and thus achieve its goals defined in the EU Environment Action Programmes⁴;
- documenting and promoting examples of best practice used in countries, regions, cities and economic sectors across Europe.

Moreover, the EEA maintains and further develops a comprehensive set of indicators in these areas, including many of the EEA Core Set of Indicators⁵, produces regular thematic assessments in the field of environment and health, circular economy and industrial transformation, and covers the topics in cross-cutting reports of the EEA such as its five-yearly 'European Environment – State and Outlook' assessments (SOER).

Over the last 5 years, the EEA built on the ideas set out in the MAWP relating to 'systemic challenges' and 'transitions' and consolidated a knowledge based around the importance of systemic thinking and long-term changing. Analysis of state-of-the environment information and trends, both at global and European level, strongly signal that although environmental policy has clearly benefited Europe's ecosystems, economies and human well-being, a variety of persistent and emerging problems remain, linked to unsustainable European production-consumption systems and the changing global context.

In view of the Agency's on-going support to EU efforts to achieve long-term sustainability goals as well as the future implementation of the European Commission's new European Green Deal initiative, the EEA's assessment activities are increasingly focused upon developing knowledge about the systemic challenges facing Europe and the opportunities and barriers for achieving sustainability transitions and transformations. Circular economy is at the centre of these transformations and the links of these with other key elements, namely the low-emissions economy agenda, zero pollution strategy ambition and the need to protect citizens' health and preserve our natural capital, are paramount to achieve such a transition.

The list of activities to be fulfilled by the contractor for each lot indicates the main areas of expertise required, but is not exhaustive. The tasks and deliverables will be specified in specific contracts.

1.3.1. Lot 1: Circular economy and industrial transformation

Europe is linked to the rest of the world through multiple systems that enable two-way flows of materials, financial resources, ideas and innovation. As a result, Europe's economic, ecological and societal resilience is and will continue to be significantly affected by a variety of global and interdependent social, economic, political, environmental and technological trends.

Global material resource use is growing at a significant pace, so is the world's population. This, together with an increasing access to, and demand for better living standards comes, due to the current highly linear production and consumption systems, with a struggle for the planet to meet humanity's demands for land, food and other natural resources, and to manage the waste generated by society.

The EEA will continue to consolidate knowledge around these areas including within the following building blocks:

⁴ The current 7th EAP – "living well, within the ecological limits of the planet" coming to a close but soon to be replaced by a new instrument - <http://ec.europa.eu/environment/action-programme/>

⁵ https://www.eea.europa.eu/data-and-maps/indicators/#c7=all&b_start=0&c10=CSI

- Environmental consequences of resource extraction, processing and supply, including cooperation with the International Resource Panel;
- Resource efficiency and material management systems;
- Circular production and consumption systems and industrial transformation, including circular supply chains, eco-innovation, resource-efficient, low-carbon and low-emission technologies and business models;
- Analysing in depth concrete systems of production and consumption to provide insight on how to make them more circular - including e.g. food, plastics, textiles and electronics, furniture, housing/construction, IT and leisure/tourism;
- Drawing lessons from foot-printing, input-output analysis, life-cycle analysis, eco-design and their influence on consumption patterns;
- Waste generation, its prevention and its management towards an increasing circular model and related environmental impacts and benefits;
- Impacts of digitalisation and artificial intelligence, new business models and new relationships between production and consumption actors;
- Innovative ways of monitoring progress towards achieving the policy goals around sustainable consumption and production, and an increasingly circular economy, e.g. by relying on new sources of data and establishing partnerships with societal actors;
- Evaluation of the influence of specific policies addressing the previous bullet points and commissioning of solution-oriented analysis to inform potential future changes of these policies. Examples of policies that may be subject of focus are, inter alia, the Industrial Emissions Directive and the Best Available Technique Reference Documents (BREF) series, the EU-law on waste, product and eco-innovation policies, eco labelling or audit schemes such EMAS, etc.

It is expected that assessments around these building blocks may cover both detailed technical analyses but also going beyond to take an increasingly systemic perspective of Europe's production and consumption systems.

The successful tenderers will support the EEA with the following areas of expertise:

- Handling and analysing environmental and socio-economic data sets available from EEA and from other sources in the relevant areas of production-consumption systems, resource use, industrial emissions, energy and climate, waste, other environmental aspects, and economy, including collecting, linking and assessing cross-cutting datasets, projections and scenarios regarding these matters;
- Identifying, piloting and operationalising the use, for monitoring and policy assessment purposes, of new and/or alternative data sources to those generated by official and legally established mechanisms, including reaping the opportunities of an increasingly digitalised economy (e.g. big data, Earth observation programmes, partnership with societal actors);
- Preparing assessments and indicators in the area of circular economy and industrial transformation (transformation towards a low-emission, resource-efficient and circular industry) addressing the past and forward-looking perspectives, covering drivers, pressures, state, impacts on environment, and policy responses to these;

- Preparing assessments relevant to the production and consumption systems from a systemic perspective, including consideration of internal and external factors that influence these systems, implications for the environment and natural resources, interlinkages with other socio-economic systems (e.g. food system), lock-ins and barriers to change, and ‘niches’ and policies designed to encourage sustainability transitions;
- Assessing existing and innovative technological measures, social innovations and emerging circular business models being developed to foster circularity and mitigate the impact of environmental pressures associated with production and consumption;
- Assessing different innovation and sustainability transition actions including financial and fiscal measures, examples of best practice being undertaken in sectors/systems relevant for the circular economy, and the estimated environmental and climate impacts (i.e. benefits, systemic risks, adverse implications on health, climate, biodiversity and ecosystem services, etc.), socio-economic costs and benefits (the so-called just transition), or possible trade-offs associated with these;
- Evaluating relevant policies and measures adopted at European, national and local level addressing the circular economy and broader industrial transformation aspects, including new business models, assessments of policy interactions, policy coherence and integration, policy effectiveness and efficiency (including ex-post evaluation), and related economic implications;
- Supporting work to describe and/or develop improved metrics and indicators for monitoring the implementation of the circular economy within Europe, including assessments of potential new, alternative methods of assessing progress and use of data from e.g. non-state actors, citizen-science, new data streams and big data;
- Supporting the outreach phase of the knowledge produced in the context of the contract with the generation of communication materials that summarise the more technical outcomes of the specific contracts;
- Facilitating meetings and supporting stakeholder involvement by assisting EEA to organise workshops including the drafting of agendas and minutes, and supporting capacity-building and knowledge sharing with representatives from EEA’s Eionet network and other EEA stakeholders.

1.3.2. Lot 2: Environment and health including chemicals

Human health and well-being are intimately linked to the state of the environment. Good quality natural environments provide basic needs, in terms of clean air and water, fertile land for food production, and energy and material inputs for production. At the same time, the environment represents an important pathway for human exposure to polluted air, water and soil, environmental noise and chemicals. The impacts of climate change also pose immediate threats to health, in terms of heat waves and shifts in the patterns of infectious diseases and allergens. Available evidence clearly demonstrates that disease can be prevented by improving the quality of the environment in key areas such as air, water and noise.

The EEA's work on environment & health and chemicals, focuses on assessing the state of the environment in terms of air quality, environmental noise and the chemical pollution of water bodies and soil, as well as the impacts of climate change. EEA uses data on population exposure to air pollution and noise, together with information on health outcomes from the World Health Organization, to estimate the resulting risks to health. Regarding chemicals, EEA is a partner in the European Human Biomonitoring Initiative (HBM4EU), a project that is building knowledge on human exposure to chemicals at European level in order to better inform chemical risk assessment and management.

At the same time as exploring individual stressors, EEA is interested in undertaking assessments that capture the health impacts of combined exposure to multiple environmental stressors. This includes exploring solutions that can systemically reduce human exposure to multiple stressors.

EEA also undertakes work to explore how the environment beneficially supports human health, in terms of the delivery of ecosystem services at a broad scale, and more immediately in terms of the opportunities for rest, relaxation and recreation provided for by green and blue space.

In addition, the EEA is exploring how socio-economic and demographic status influence the environment, health and well-being nexus, in terms of vulnerability and sensitivity to the health impacts of environmental stressors, as well as exposure.

The successful tenderers will support the EEA with the following areas of expertise:

- Undertaking assessments of environmental stressors and how they impact on human health and well-being, and the functioning of eco-systems including for both the aquatic and soil environments through cumulative exposure;
- Expertise concerning methodologies for the assessment of population exposure to environmental stressors including noise, air pollution and individual chemicals; their impacts on health, both in terms of mortality and morbidity; and the economic valuation of these impacts. For chemicals this includes knowledge of the impacts of human exposure to mixtures of chemicals via multiple pathways on health;
- Experience handling and analysing environmental data for different domains, including air, noise, water and land, as well as socio-economic and demographic data, in order to explore the relationship between exposure to environmental stressors and social parameters, such as income, age, employment status etc.;
- Preparing assessments addressing environmental stressors, covering drivers, pressures, state, and impacts on environment and health including at the level of the main emitting sources. In depth knowledge of mitigation measures relevant for the different sources of environmental stressors, including technical, socio-economic and fiscal measures as well as experience assessing potential co-benefits and potential antagonistic effects of integrated policy responses across policy domains, for example for air quality and climate change mitigation measures;
- Producing coherent evidence-based assessments regarding the impacts of different environmental stressors on health in order to allow for comparison across stressors.

Evaluating the overall coherence of EU policies that aim to reduce the impact of single environmental stressors on health in the EU, in terms of how distinct environmental stressors are addressed, their relative impacts on health and the degree to which possible mitigation actions may be maximised;

- Assessments of the benefits to health and well-being delivered by the environment, including at the distal level via ecosystems services and at the proximal level in terms of access to green and blue spaces in urban areas. This includes assessments of the benefits of green infrastructure in urban areas;
- Experience undertaking assessments of how chemicals flow through production and consumption systems, leading to environmental and human exposure. Assessments of how such flows may shift in the context of the transition to a circular economy;
- Facilitating meetings and supporting stakeholder involvement by assisting EEA to organise workshops including the drafting of agendas and minutes, and supporting capacity-building and knowledge sharing with representatives from EEA's Eionet network and other EEA stakeholders.

1.4. Place of performance

Work will be carried out at the contractor's premises (extramural) in close cooperation and regular communication with EEA staff. Depending on the requirements of the specific contracts, it could be that some activities involving close and constant interactions with EEA staff will require services to be performed at the premises of the EEA in Copenhagen (intramural). Travel to locations other than Copenhagen, may be required on an ad-hoc basis in which case travel and subsistence costs will be paid according to EEA standard rules and rates. The same applies for shorter visits to EEA⁶ for consultants otherwise working extramural.

1.5. Type and volume of contract

The successful tenderer(s) will be awarded one or more framework contract(s) for an initial period of 24 (twenty-four) months, starting from the date of signature by both contracting parties, with the possibility of maximum two renewals of a period of 12 (twelve) months each.

The framework service contracts will be implemented through specific contracts detailing the services to be provided depending on the EEA's demand.

The total aggregated value of the contract is estimated at EUR 1 800 000 (one million eight hundred thousand euros) over a maximum period of 48 (forty-eight) months covering all services specified in section 1.3 above.

The estimated budget is split between lots as follows (the breakdown below is merely indicative and may be revised in line with the EEA actual needs):

⁶ For the purpose of this contract, a shorter visit is defined as an ad-hoc visit to the premises of the EEA for a duration of less than one week.

Lot	Title	Total estimated budget over a maximum period of 48 months
1	Circular economy and industrial transformation	EUR 1 000 000
2	Environment and health including chemicals	EUR 800 000

Under no circumstances can a minimum volume of services be required by the contractor.

The EEA may exercise the option to increase the estimated contract value at a later stage via negotiated procedure with the successful tenderer in accordance with the provisions in point 11.1 (e) of Annex I to the financial regulation⁷.

1.6. Price

Tenderers are required to quote prices for the services to be provided according to the requirements set in section 2.2.3.1.2 below and the following:

- Prices quoted must be all-inclusive (i.e. inclusive of all costs involved in the performance of the contract (e.g. administrative and travel costs, with the exception specified in section 1.4 above in regard to travel to destination other than Copenhagen or short visits to the EEA)) and expressed in euro, including for tenderers established in countries that are not part of the Eurozone. For tenderers in countries that are not part of the Eurozone, the price quoted may not be revised in line with exchange rate movements. It is for the tenderers to assume the risks or the benefits deriving from any variation of the selected exchange rate.
- No additional expenses incurred in the performance of the services will be reimbursed separately by EEA (with the exception specified in section 1.4 above);
- Prices quoted must be fixed and not subject to revision during the first year of performance of the contract.
- From the beginning of the second year of performance of the contract, prices may be revised upwards or downwards each year in accordance with the provisions in Article I.3.3 of the framework contract (see annex 5). 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.
- Prices must be quoted free of all duties, taxes and other charges, including value added tax (VAT), as the EEA is exempt from such charges under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union and the Headquarters Agreement between the Agency and the Government of Denmark of 17 August 1995; such charges may not therefore be included in the calculation of the price quoted; the VAT amount may be indicated separately;
- The EEA will not reimburse any cost incurred in the preparation and submission of a tender. Any such costs must be borne by the tenderer.

⁷ Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, EU No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 514/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193 of 30.7.2018, p. 1).

1.7. Contractual terms

In drawing up their bids, tenderers should bear in mind the provisions of the draft framework service contract attached to these tender specifications (annex 5), particularly those on payments, performance of the contract, confidentiality, checks and audits, and processing of personal data. Any limitation, amendment or denial of the terms of the contract will lead to the automatic exclusion from the procurement procedure.

In accordance with the framework contract, payments shall be made in arrears following receipt of an invoice and completion of the requested services, either on a monthly basis or longer as may be agreed between the parties. The payment periods shall be further detailed in each specific contract according to the particularities of the service concerned.

Payments shall be made within 30 calendar days of receipt of an invoice accompanied by any supporting documents relating to the services provided. However, the EEA may defer payment if it contests the services covered by the invoice, after giving notice to the contractor. In the case of tasks where the contractor has to bear substantial upfront costs or the execution of the task stretches over a long period, payment in instalments may be agreed.

The EEA may consider electronic ordering and invoicing in the future, which may result in changes to the contractual terms, in particular those on invoicing and payments.

No financial guarantee is requested.

2. EVALUATION OF THE TENDERS

2.1. Participation in the tendering procedure

2.1.1. Eligibility

This call for tenders is open on equal terms to all natural and legal persons from one of the EEA member countries and to all natural and legal persons established in a third country that has a special agreement with the European Union in the field of procurement on the conditions laid down in that agreement⁸.

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

⁸ At this point in time, tenderers established in one of the following countries are eligible: EU 28, Iceland, Liechtenstein, Norway, Switzerland and Turkey; under the stabilisation and association agreements: Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia. 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.

2.1.2. 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 that has been constituted informally for a specific tendering 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.

The participation of ineligible natural or legal persons 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 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 a leader who will interface with the EEA.

Each member of a consortium must fulfil the conditions for participation mentioned in this section and section 2.1 above and provide the required documents listed in these tender specifications under sections 2.2.1 and 2.2.2 below. Therefore, each member of a consortium shall specify his role, qualifications and experience.

2.1.3. Subcontracting

A contractor may subcontract part of the services.

Tenderers must state in Annex 1 what part of the work, if any, they intend to subcontract and to what extent (i.e. what percentage of the total contract value).

If awarded the contract, the contractor may not choose subcontractors other than those mentioned in the bids unless they obtain the prior written authorisation of the EEA. The overall responsibility of the work remains with the contractor.

Multi-level subcontracting is not allowed. Only one level of subcontracting is allowed. Additional level of subcontracting (e.g. subcontracting of subcontractors) are not allowed during the execution of the contract.

The EEA reserves the right to request tenderers to provide documentation in relation to exclusion and selection criteria for any proposed subcontractors at a later stage (see sections 2.2.1 and 2.2.2 below).

If awarded the contract, the contractor must ensure that Article II.19 of the draft framework contract (see annex 5) can be applied to subcontractors. Once the contract has been signed, Article II.9 of the above-mentioned draft framework contract shall govern subcontracting.

2.2. Criteria

2.2.1. Exclusion criteria

2.2.1.1. 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 136 and 141 of the Financial Rules applicable to the general budget of the European Union⁹.

2.2.1.2. Evidence to be provided by the tenderers

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 2.2.1.1 above.

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

The EEA may waive the obligation of tenderers to whom the contract is to be awarded to submit the documentary evidence referred to above if such evidence has already been submitted to the EEA for the purpose of another procurement procedure and provided that the issuing date of the documents does not exceed one year and they are still valid. In such a case, the successful tenderers shall declare on their honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes to their situation have occurred. The EEA will also waive the obligation of tenderers to submit the documentary evidence if it can access it on a national database free of charge.

Each tenderer (and each member of a consortium) shall declare in the relevant field in Annex 1 (*administrative data*) whether it is a Small or Medium Size Enterprise in accordance with Commission Recommendation 2003/361/EC¹⁰.

2.2.2. Selection criteria

Tenderers should show their degree of economic and financial capacity, and technical and professional capacity to provide the requested services by providing information on the criteria described below. In case of a joint tender submitted by a consortium, or in the case of a tender involving subcontracting, the economic and financial capacity, and the technical and professional capacity will be assessed in relation to the combined capacities of the members of the consortium and subcontractors, as a whole, to the extent that they put their resources at the disposal of the tenderer for performance of the contract.

In accordance with Point 20(6) of Annex I to the Financial Regulation, the EEA reserves the right to reject a tenderer where it is established that he has conflicting professional interests, which may negatively affect the performance of the contract.

⁹ See footnote No 7.

¹⁰ Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:124:0036:0041:en:PDF> .

2.2.2.1. Legal and regulatory capacity

> Requirement

Any tenderer is required to prove that they are authorised to perform the contract under national law.

> Evidence to be provided by the tenderers:

- Each tenderer (including any sub-contractor or any member of a consortium) is required to submit a legal entity form (see annex 1 for link to the document) 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, or a sworn declaration or certificate, or evidence of membership of a specific organisation, or express authorisation, where applicable.
- However, the sub-contractor(s) shall not be required to fill out or provide those documents when the services they provide represent less than 20 % of the framework service contract total estimated value specified in section 1.5 above.

2.2.2.2. Economic and financial capacity

> Requirement

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

The tenderer must have for each of the past two financial years for which accounts have been closed, an average annual turnover of at least EUR 500 000 for Lot 1 and EUR 400 000 for Lot 2.

> Evidence to be provided by the tenderers:

Each tenderer (including any member of a consortium) is required to submit:

- A duly completed and signed simplified Financial Statement, in accordance with the template provided as Annex 3;
- Balance sheets or extracts from balance sheets for at least the last 2 (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 tenderer is established;
- Failing provision of balance sheets, tenderers should submit appropriate statements from banks or evidence of professional risk indemnity insurance.

If, for some exceptional reason, which the EEA considers justified, a tenderer is unable to provide the references requested above, they may prove their economic and financial capacity by any other means the EEA considers appropriate.

2.2.2.3. Technical and professional capacity

Tenderers should show their degree of technical and professional capacity to carry out the requested tasks as mentioned in sections 1.3.1 and 1.3.2 above by providing information on the criteria described below.

> Requirement

Tenderers are required to fulfil all the following requirements:

- Sufficient level of manpower with suitable qualifications and experience to perform all the services covered by this call for tenders;
- Relevant experience in provision of comparable services to clients similar to the EEA over the past three years;
- Application of environmental management measures.

> Evidence to be provided

1. Available resources:

For each lot for which the tenderer intends to submit an offer, CVs detailing the educational and professional qualifications of the firm's managerial staff as well as those of the staff designated to provide the services indicating the required professional experience and language skills as follows:

- Managerial staff: Minimum 2 CVs (including for a nominated project manager), each documenting a minimum of 5 years relevant experience in project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in projects of a similar size (at least € 500 000) and coverage with experience in management of teams of at least 10 people;
- Persons responsible for providing the services: Minimum 12 CVs (a minimum of 8 CVs at the level of senior consultant and 4 CVs at the level of junior consultant) covering all areas of expertise required to be fulfilled as specified under section 1.3.1 (for Lot 1) and 1.3.2 (for Lot 2) above, providing clear references and examples to similar type of work. Each junior consultants must have a minimum of 3 years' relevant experience and each senior consultants a minimum of 7 years' relevant experience.

For the purpose of evaluation of their technical and professional capacity, tenderers are required to accompany the requested CVs with an overview in a cross table, complying with the requirements set out in annex 6, of all staff responsible for providing the services giving the total amount of years worked in each of the areas specified in section 1.3 above.

Tenderers shall note that, where relevant, it is permissible to propose the CV of the same expert more than once in relation to the required areas of expertise under section 1.3.

2. Past experience

A list of contracts awarded to the tenderers in the past three years relevant to the services required by the EEA, indicating the value, dates, brief description of the services undertaken, the 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.

3. Environmental policy

Details of the tenderer's environmental policy and of environmental management measures that they will be able to apply when performing the contract.

In the event of a joint offer submitted by a consortium, **each member** of the consortium shall provide the requested description.

2.2.3. Award criteria

2.2.3.1. Evaluation of tenders for the award of the Framework Contract

The assessment method that will be used to determine the choice of the tender for the award of the framework service contract will be based on the most economically advantageous tender in terms of:

- the quality of the tender (Technical merit – TM), and
- the financial value of the tender (Price – P)

2.2.3.1.1. Qualitative evaluation (TM) (max. 70, min. 40 points)

Tenders will be evaluated following the award criteria and weights outlined below, producing a potential score of maximum 70 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, EEA may decide to give a zero mark for the relevant quality criterion.

The evaluation of the technical award criteria will be performed separately for each Lot.

No	Award criteria	Maximum points (70)	Minimum points (40)
1	Technical quality of the proposed approach and understanding of activities This criterion assesses suitability and strength of the technical proposal in terms of the demonstrated understanding of the areas of work identified under sections 1.3.1 and 1.3.2 for lot 1 and lot 2 respectively, in terms of the technical content, completeness, and originality of ideas put forward.	45	25
2	Overall management of the framework contract This criterion will assess the project management approach proposed by the tenderer and how the roles and responsibilities of the proposed team and of the economic operators (in case of joint tenders, including subcontractors if applicable) will be distributed and managed.	15	10
3	Quality control measures This criterion will assess the foreseen quality assurance and quality control systems applied to the service 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	10	5

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

2.2.3.1.2. Financial evaluation (P) (max. 30 points)

Tenderers are requested to submit a financial offer giving the **all-inclusive** (i.e. including all relevant costs and all expenditures) price in **euro** and excluding VAT for the following services:

Price	Services (Daily rate = 8 hours)	Weighing factor
P ₁	Senior consultants working intra-muros at the EEA's premises for an extended period of time (typically longer than one week)	5%
P ₂	Senior consultants working extra-muros at the contractor's premises (or elsewhere)	50%
P ₃	Junior consultants working intra-muros at the EEA's premises for an extended period of time (typically longer than one week)	5%
P ₄	Junior consultants working extra-muros at the contractor's premises (or elsewhere)	40%

For each category above, tenders meeting all mandatory requirements including the minima for technical merit will score points in function of the following formula

$$P_s = (P_{\min}/P_0) \times 30 \times WF$$

where:

P_s = Price Score for price of service,

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

P₀ = the price of the tender being considered,

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

WF = weighting factor; see price table for weighting factors.

The total score for the price (P) criterion that will be taken into account for the evaluation of tenders will be the sum of the 4 (four) P_s. For that purpose, tenderers shall fill out the financial offer using the template 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. Furthermore, tenderers' attention is drawn to point 23 of Annex I to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the European Union, concerning abnormally low tenders.

2.2.3.1.3. Final assessment and award of the Framework Contract

The framework contract will be awarded to the five most economically advantageous tenders, which comply with the Tender specifications and are submitted by tenderers with access to procurement, not in an exclusion situation and fulfilling the selection criteria.

2.2.3.2. Evaluation of tenders for the award of a Specific Contract

2.2.3.2.1. Qualitative evaluation (TM) (100 points)

Contractors shall submit a technical offer, which will be evaluated based on the provided information on the following criteria:

- Quality of the methodology proposed and understanding of the specific activities defined in the technical specifications for the specific assignment(s) (max. 40 points)
- Proposed work plan and management approach for the specific contract execution including details on each phase (max. 30 points)
- Allocation of human resources (number of man days and profiles) proposed by the contractor for each phase of the assignment that is duly justified and in line with the needs of the specific service as defined in the technical specifications for the reopening of competition (max. 30 points)

Tenders, which do not obtain at least 50% of the maximum score for each award criterion and at least 60% of the overall score for all the criteria, will not be admitted to the next stage of the evaluation procedure (financial evaluation).

2.2.3.2.2. Financial evaluation (Price)

The price used to determine the tender which offers the best value for money will be the total price proposed by the contractor.

Each unit cost used cannot exceed the one provided under section 2.2.3.1.2 above for the award of the framework contract. Non-compliance with this requirement will lead to the rejection of the tender.

2.2.3.2.3. Final assessment and award of a Specific Contract

The specific contract will be awarded to the most economically advantageous tender determined according to the following formula:

$$\text{Score} = ((P_{\min}/P_0) \times 50\%) \times (\text{total TM}_0 \times 50\%)$$

where:

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

P_0 = the price of the tender being considered,

TM₀ = the total number of points obtained for quality (out of 100)

Weighting factor for quality = 50%

Weighting factor for price = 50%

2.3. Performance

Once the framework service contracts have been signed, the contractors must be able to offer the services and the staff with the required skills and experience, and/or the necessary equipment to carry out the requested tasks immediately after signature of a specific contract, unless specified otherwise in the specific contract.

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

The contractors shall bid for at least 2 out of 3 services requests issued by the EEA in the course of a year.

3. SUBMISSION OF OFFER AND TIMETABLE

3.1. Presentation of the tender

Tenders must be submitted through the electronic submission system (see point 1 in the Invitation to tender for further information).

Make sure you submit your tender on time: you are advised to start completing your tender early. To avoid any complications with regard to late receipt/non-receipt of tenders within the deadline, please ensure that you submit your tender several hours before the deadline. A tender received after the deadline indicated in the procurement documents will be rejected.

For detailed instructions on how to submit a tender, please consult the e-Submission Quick Guide available at:

https://webgate.ec.europa.eu/esubmission/assets/documents/manual/quickGuide_en.pdf.

In case of technical problems, please contact the e-Submission Helpdesk (contact details are available in the Guide).

3.2. 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>.

3.3. Timetable

	Date	Comments
Call for tenders launch date	30.1.2020	Dispatch of the contract notice to the Office of Publication
Last date for submission of clarifications to which EEA is bound to reply	28.2.2020	
Time limit for submission of tenders	9.3.2020	At 14:00 UTC + 01:00
Opening session	10.3.2020	At 10:00 local time in the EEA premises (UTC + 01:00)
Evaluation of tenders	From 10.3.2020 to 20.3.2020	Estimated
Award decision and notification of evaluation results	23.3.2020	Estimated
Contract signature	6.4.2020	Estimated
Implementation of contract		Immediately after signature of the framework contract

4. ANNEXES

- Annex 1: Administrative data
- Annex 2: Declaration on exclusion criteria
- Annex 3: Simplified financial statement
- Annex 4: Financial Offer
- Annex 5: Draft framework service contract and draft order form
- Annex 6: Cross table of tenderers' qualifications and expertise
- Annex 7: Checklist of documents to be submitted in the E-Submission Application