



## Tender Specifications

### Purchase of carbon offsets to compensate for the EEA's aviation and premises-related CO<sub>2</sub> emissions

#### Open call for tenders EEA/OSE/09/005

#### 1. Background

The European Environment Agency (EEA) aims to support sustainable development and to help achieve significant and measurable improvement in Europe's environment through the provision of timely, targeted, relevant and reliable information to policy making agents and the public. More information about EEA work can be obtained on its website at: <http://www.eea.europa.eu>.

The EEA's responsibility for the environment requires not only high professional standards for all its products but also leadership in the environmental management and performance of all its activities. Therefore the EEA has an environmental management system (EMS) that was first certified under EMAS (Eco-management and audit scheme) in April 2005 and re-certified in April 2008. The system is described at <http://www.eea.europa.eu/about-us/emas>.

With the EMAS the EEA commits itself to minimising its negative environmental impacts, to continuously improving its environmental performance and to complying with all environmentally relevant legislation in its host country. EEA air travel (i.e., air travel of personnel and visitors paid for by the EEA and arranged for by its travel agency) is one of the Agency's main negative environmental impacts. Another main negative environmental impact concerns the EEA premises in particular the use of electricity and heating energy<sup>1</sup>.

With this new call for tender the EEA is building on experience gained so far with a view to further improve and extend its Carbon offsetting policy.

#### 1.1 Aviation-related emissions

In 2008 CO<sub>2</sub> emissions caused by EEA air travel were in the order of about 542 metric tons of CO<sub>2</sub>, after 477 tons in 2007.

Despite growing efforts to reduce the amount of EEA air travel (e.g., through an extension of telephone- and video-conferences; combined travel; travel by other less environmentally harmful means; etc), the number of flights and their negative impact on the climate is likely to increase in the coming years due to an expected further growth in staff and additional responsibilities.

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<sup>1</sup> It should be noted that the Agency purchases 100% of its electricity from renewable energy sources.

The first step with which the EEA committed itself (in 2006) to carbon offsetting is documented at <http://www.eea.europa.eu/about-us/emas/eea-offsets-co2-emissions-1>.

## **1.2 Premises-related emissions**

As part of its efforts to turn EEA premises into CO<sub>2</sub>-neutral buildings, the Agency has started in 2008 to partly<sup>2</sup> translate its consumption of electricity and heating energy into CO<sub>2</sub> emissions. In 2008 these emissions amounted to 436 tons of CO<sub>2</sub>. Over the duration of the framework contract to be awarded also premises-related emissions are likely to increase in function of growth of the Agency's staff and the possible increase/ extension of premises resulting therefrom.

## **2. Services to be provided**

Every first quarter of a year N (2009, etc.) the Agency shall establish its aviation and premises-related CO<sub>2</sub> emissions for the previous year N – 1 (2008, etc.). The established total for 2008 is 978 tons of CO<sub>2</sub>.

This amount shall be offset by making an annual single payment to the future contractor which must be invested in pre-defined certified projects complying with the Gold Standard or equivalent, see: <http://www.cdmgoldstandard.org/>, (**mandatory requirement**).

The contractor's proof of investment must document the certified projects covered, any applicable implementation standards and strict compliance therewith.

As specified in the draft framework service contract payments are subject to due submission of invoices and supporting documents (pre-defined certified projects and proof of investment as specified above).

## **3. Scope and volume of the contract**

The EEA intends to award a framework service contract for a duration of 48 months to be implemented by annual order forms which alone shall bind the Agency. The maximum contract value over its entire duration is estimated at 80 000 EUR (20 000 EUR per year).

## **4. Price**

An all-inclusive price is to be tendered in accordance with Section 5.3.2 which shall be fixed and not subject to revision for the first year.

From the beginning of the second year of duration of the contract the 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 three months before the anniversary of the date on which it was signed. The Agency shall purchase on the basis of the price in force on the date on which an order form is signed and not be subject to revision.

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<sup>2</sup> A part of the premises occupied by the Agency is shared and emissions related thereto are therefore not covered so far.

This revision shall be determined by the trend in the harmonised consumer price index, MUICP, published for the first time by the Office for Official Publications of the European Communities in the Eurostat monthly bulletin at <http://www.ec.europa.eu/eurostat/>.

Revision shall be calculated in accordance with the following formula:

$$Pr = Po \left( 0,2 + 0,8 \frac{Ir}{Io} \right)$$

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 price

The EEA is exempt from all charges, taxes and dues, including value added tax pursuant to Article 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; such charges may not therefore be included in the calculation of the price quoted; the VAT amount must be indicated separately.

The price tendered must be expressed in euro, including for countries that are not part of the euro zone. For tenderers in countries that do not belong to the euro zone, 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.

The costs incurred in preparing and submitting tenders are to be borne by the tenderers and cannot be reimbursed. Likewise are any travel costs (including travel time) incurred to be borne by the contractor.

## **5. Criteria**

### **5.1 Exclusion criteria**

Tenderers shall be excluded from participation in a 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 regulation;
- (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 organisation or any other illegal activity detrimental to the Communities' financial interest;

(f) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations;

Tenderers must provide a declaration on their honour, duly signed and dated, stating that they are not in any of the situation listed above (see Annex 1).

The tender to whom the contract will be awarded must provide evidence confirming the declaration referred to in the previous point unless this obligation is waived by the contracting authority.

The contracting authority shall accept as satisfactory the following evidence:

i) For points (a), (b) and (e) a recent extract from the judicial record, or failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the tenderer is a legal person and the national legislation of the country in which the tenderer is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the tenderer.

ii) For point (d) recent certificates or letters issued by the competent authority of the State concerned. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

Where the document of certificate referred to above is not issued in the country concerned and for other cases of exclusion, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

Contracts may not be awarded to candidates or tenderers who, during the procurement procedure:

a) are subject to a conflict of interest;

b) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this information.

**5.2 Selection criteria (as indicated in Section III.2. (Conditions for participation) of the Contract notice**

**5.3 Award criteria**

A framework contract will be awarded to the tenderer whose tender is the most economically advantageous in terms of the following criteria:

**Technical merit/TM : Price/P – 40 : 60**

**5.3.1 Technical merit/TM – max. 40 points (minimum 32):**

**A) Tenderer’s understanding of carbon offsetting and the importance of additionality: *Why is carbon offsetting important?* – max. 10 points (minimum 7);**

**B) Tenderer’s carbon offsetting scheme for certified projects<sup>3</sup>: *How does the scheme work? How does it guarantee an offsetting ratio of 1:1<sup>4</sup> and additionality?* – max. 30 points (minimum 25)**

**5.3.2 Price/P – max. 60 points**

Technically compliant tenders will score points on the basis of their all-inclusive price for the following scenario:

Description	Units (scenario)	Price (all-inclusive)
Offsetting 1 metric ton of CO <sub>2</sub>	1000	... EUR
<b>TOTAL</b>		<b>... EUR</b>

*All fields are compulsory, non-compliance will lead to exclusion.*

The formula to be used for the award of points is  $(P_{min}/P) \times 60$ ,  $P_{min}$  being the price of the lowest technically compliant offer and  $P$  being the price of the offer being considered.

The framework contract will be awarded to the tenderer whose tender achieves the highest total score for technical merit and price.

<sup>3</sup> As specified above, Gold Standard or equivalent is a mandatory requirement.

<sup>4</sup> 1 ton caused : 1 ton offset.

## **6. 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.

## **7. Further information**

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

Annex 1 – Declaration on exclusion criteria

Annex 2 – Identification sheet