



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

Directorate C – Renewables, Research and Innovation, Energy Efficiency

CALL FOR TENDERS

N°ENER/C1/2014-617/2

**MAINTENANCE AND DEVELOPMENT OF INTERNET DATABASE
WITH RENEWABLE ENERGIES' SUPPORT SCHEMES AND
RELATED INFORMATION**

TENDER SPECIFICATIONS

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1. INFORMATION ON TENDERING

1.1. Participation

Participation in this tender procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the Multilateral Agreement on Government Procurement¹ concluded within the WTO applies, the participation to the call for tenders is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down.

1.2. Contractual conditions

The tenderer should bear in mind the contract provisions which specify the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, and checks and audits.

1.3. Joint tenders

A joint tender is a situation where a tender is submitted by a group of economic operators (consortium). Joint tenders may include subcontractors in addition to the joint tenderers.

In case of joint tender, all economic operators in a joint tender assume joint and several liability towards the Contracting Authority for the performance of the contract as a whole.

These economic operators shall designate one of them to act as leader with full authority to bind the grouping or the consortium and each of its members. It shall be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration and for coordination. The composition and constitution of the grouping or consortium, and the allocation of the scope of tasks amongst the members, shall not be altered without the prior written consent of the Commission.

The tenderers should indicate in their offer whether the partnership takes the form of:

- a) a new or existing legal entity which will sign the contract with the Commission in case of award

or

- b) a group of partners not constituting a new legal entity, who via a power of attorney, signed by an authorised representative of each partner (except the lead partner), designate one of the partners as lead partner, and mandate him as lead contractor to sign the contract with the Commission in case of award.

¹ See http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm

1.4. Subcontracting

Subcontracting is permitted in the tender but the contractor will retain full liability towards the Contracting Authority for performance of the contract as a whole.

Tenderers must give an indication of the part of the services and proportion of the contract that they intend to subcontract.

Tenderers are required to identify subcontractors whose share of the contract is above 20%.

During contract execution, the change of any subcontractor identified in the tender will be subject to prior written approval of the Contracting Authority.

1.5. Content of the tender

The tenders must be presented as follows:

Part A: Identification of the tenderer (see section 1.6)

Part B: Evidence for exclusion criteria (see section 2.2)

Part C: Evidence for selection criteria (see section 2.3)

Part D: Technical offer (see section 2.5)

Part E: Financial offer (see section 2.6)

Part F: Power of attorney (for consortia only)

1.6. Identification of the tenderer: legal capacity and status

- The tenderer's identification form in **Annex 1** shall be filled in and signed by:
 - The tenderer (including any member of a consortium or grouping)
 - subcontractor(s) whose share of the work represent more than 20% of the contract.
- In order to prove their legal capacity and their status, all tenderers (including any member of a consortium or grouping) must provide a signed **Legal Entity Form with its supporting evidence**. The form is available on:
http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

Tenderers that are already registered in the Contracting Authority's accounting system (i.e. they have already been direct contractors) must provide the form but are not obliged to provide the supporting evidence.

- If it has not been included with the Legal Entity Form, tenderers must provide the following information:

- For legal persons, a legible copy of the notice of appointment of the **persons authorised to represent the tenderer** in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation which applies to the legal entity concerned requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.
- For natural persons, where applicable, a proof of registration on a professional or trade register or any other official document showing the registration number.
- The tenderer (only the leader in case of joint tender) must provide a **Financial Identification Form and supporting documents**. The form is available on:
http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm

2. EVALUATION AND AWARD

2.1. Evaluation steps

The evaluation is based on the information provided in the submitted tender. It takes place in three steps:

- (1) Verification of non-exclusion of tenderers on the basis of the exclusion criteria
- (2) Selection of tenderers on the basis of selection criteria
- (3) Evaluation of tenders on the basis of the award criteria (technical and financial evaluation)

Only tenders meeting the requirements of one step will pass on to the next step.

2.2. Exclusion criteria

All tenderers shall provide a declaration on their honour (see Annex 2), duly signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in the Annex 2.

The declaration on honour is also required for identified subcontractors whose intended share of the contract is above 20%.

The successful tenderer shall provide the documents mentioned as supporting evidence in Annex 2 before signature of the contract and within a deadline given by the contracting authority. This requirement applies to all members of the consortium in case of joint tender. In case of doubt on this declaration on the honour, the contracting authority may also request the evidence for subcontractors whose intended share of the contract is above 20%.

2.3. Selection criteria

Tenderers must prove their economic, financial, technical and professional capacity to carry out the work subject to this call for tenders.

The tenderer may 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 Contracting Authority 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.

2.3.1. Economic and financial capacity criteria and evidence

In order to prove their economic and financial capacity, the tenderer (i.e. in case of joint tender, the combined capacity of all members of the consortium) must comply with the following criteria:

- The annual turnover of each of the last two financial years must have been €200.000 or above

The following evidence should be provided:

- Copy of the profit & loss account for the last two years for which accounts have been closed,
- Failing that, appropriate statements from banks..

If, for some exceptional reason which the Contracting Authority considers justified, a tenderer is unable to provide one or other of the above documents, he or she may prove his or her economic and financial capacity by any other document which the Contracting Authority considers appropriate. In any case, the Contracting Authority must at least be notified of the exceptional reason and its justification in the tender. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

2.3.2. Technical and professional capacity criteria and evidence

a. Criteria relating to tenderers

Tenderers (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

- The tenderer must prove experience with EU and/ or EEA and/ or EFTA and/ or Energy Community countries' renewable energy support schemes, notably with legislation and measures affecting the operation of such schemes in the three sectors – 1) electricity, 2) heating and cooling and 3) transport with at least three projects delivered (or completed) in the last three years, with a minimum value for each project of €70.000, the projects must, in combination, cover all the three fields mentioned.
- The tenderer must prove experience of working in at least 12 EU and/or EEA and / or EFTA and/or Energy Community official languages with at least two projects delivered

(completed) in the last three years, the projects in combination showing the necessary language coverage.

- The tenderer must prove experience of working on RES policies and related support schemes on, as a minimum, acquired in at least 12 EU Member States (compulsorily including both old and new Member States that joined after the year 2004) with at least two projects delivered (or completed) in the last three years, the combination of the projects must show the necessary geographical coverage.
- The tenderer must prove experience, acquired in at least 12 EU Member States, with comparative legal and policy analysis on renewable energy sector, particularly support schemes – the projects can be combined with those falling under the previous bullet point given that the parts of projects falling under the two categories are clearly distinguishable.
- The tenderer must prove capacity of drafting high-quality reports and recommendations in English.

b. Criteria relating to the team delivering the service:

The team delivering the service should include, as a minimum, the following profiles:

Project Manager:

At least five years' experience in project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in project of a similar size (at least €100,000) and coverage (at least twelve Member States), with experience in management of team of at least ten people.

At least two experts in renewable electricity market:

Relevant higher education degree in economics, law, environmental science, or an equivalent field and at least five years' professional experience in the field of renewable electricity systems and finance, particularly support schemes and state aid guidelines.

At least one webmaster:

University degree in computer science or an equivalent field and at least five years' professional experience in web creation, development and maintenance.

Team:

The team should have the capability to access and master all the knowledge needed (statistics, composition of the energy system, legal databases etc.) of the 28 EU Member States, EEA EFTA and Energy Community countries in order to perform the work required.

The team should be able to take over, maintain and develop a website (www.res-legal.eu) as a communication tool used by both public and private stakeholders that need up to date information about national support schemes of RES of the 28 Member States, EEA, EFTA and the Energy Community signatories, but also about their grid and administrative issues that renewable energy faces.

Language quality check:

The team must prove capacity to draft concise text for web and online reports in high quality English.

c. Evidence:

The following evidence should be provided to fulfil the above criteria:

- List of relevant services provided in the past five years, with sums, dates and recipients, public or private. The most important services shall be accompanied by certificates of satisfactory execution, specifying that they have been carried out in a professional manner and have been fully completed;
- The educational and professional qualifications of the persons who will provide the service for this tender (CVs) including the management staff. Each CV provided should indicate the intended function in the delivery of the service, as well as the function held in the previous projects.

2.4. Award criteria

The tender will be awarded according to the best-value-for-money procedure. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

- **Quality of the proposed methodology** (60 points – minimum threshold 60%)

This criterion will assess the approach for implementing the work, the adequacy of information, data collection and analysis techniques and the methodology for maintaining the online database, as well as the methodology for analysing the legal, financial and regulatory framework on RES support schemes.

Sub-criterion 1.1 (25 points): Methodology for taking over, developing, maintaining and handing over the data base and the website. This primarily includes the assessment of the relevance and comprehensiveness of the tenderer's approach to tasks 2 and 3, as described in paragraph 3.3, e.g. the user-friendliness of the website / database, the speed of addressing the necessary updates, etc.

Sub-criterion 1.2: (35 points): Methodology for analysing the legal, financial and regulatory framework relevant for RES support schemes in all EU Member States, EEA, EFTA and Energy Community countries. This primarily includes the assessment of the relevance and comprehensiveness of the tenderer's approach to task 1, as described in paragraph 3.3, e.g. the effectiveness of the communication with all governments and other stakeholders to be involved, the full coverage of the data to be collected, rationale behind the identification of possible other sources for the collection of information, etc.

- **Organisation of the work** (20 points – minimum threshold 60%)

This criterion will assess how the roles and responsibilities of the proposed team and of the economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task. It also assesses the global allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the

work. The tender should provide details on the allocation of time and resources and the rationale behind the choice of this allocation.

- **Quality control measures** (20 points – minimum threshold 60%)

This criterion will assess the quality control system applied to the service foreseen in these tender specifications concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.

Tenders must score minimum 60% for each criterion and minimum 70 points in total. Tenders that do not reach the minimum quality thresholds will be rejected and will not be ranked.

After evaluation of the quality of the tenders, the tenders who met the quality thresholds are ranked using the formula below to determine the tender offering best value for money:

$$\text{Score for tender x} = \frac{\text{Total quality score for award criteria for tender x}}{100} \times 0.7 + \frac{\text{Price of the lowest tender}}{\text{Price of tender x}} \times 0.3$$

The Commission reserves the right not to select any tender if the amounts tendered exceed the budget envisaged for this project.

2.5. Technical offer

The technical offer must cover all aspects and tasks required in the technical specifications and provide all the information needed to apply the award criteria. Offers deviating from the requirements or not covering all requirements may be excluded on the basis of non-conformity with the tender specifications and not evaluated.

2.6. Financial offer

The price for the tender must be quoted in euro. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to assume the risks or the benefits deriving from any variation.

Prices must be quoted free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union. The amount of VAT may be shown separately.

The quoted price must be a fixed amount which includes all charges (including travel and subsistence). Travel and subsistence expenses are not refundable separately. The maximum budget for this study is estimated at 150,000 EUR. Offers exceeding this amount will not be evaluated.

3. TECHNICAL SPECIFICATIONS

3.1. Background

Since 1997 the Community has had a policy of promoting renewable energy, founded on the need to address sustainability concerns surrounding climate change and air pollution, improve the security of Europe's energy supply and develop Europe's competitiveness in industrial and technological innovation. The Community has several pieces of legislation covering the sector, particularly support schemes (including Directives 2001/77/EC, 2003/30/EC and 2009/28/EC) as well as legally non-binding measures (including COM(2013) 7243, SWD(2013) 439 final, etc.) and flanking policies (Guidelines on State Aid for environmental protection and energy (2014/C 200/01)).

On the basis of these Directives, Member States and the Commission have regularly reported on progress in developing renewable energy resources and explored the reasons for the slow progress. These reports can be found on the Commission's website <http://ec.europa.eu/energy/en/topics/renewable-energy/progress-reports>

Whilst the reports and studies above, together with Member States' own National Renewable Energy Action Plans provide a wealth of information on the planned development of renewable energy in Europe for the next ten years, the actual implementation of measures is ongoing and continuous across Europe and has accelerated following the entering into force of the new energy and environment state aid guidelines. For this reason there is a need for an ongoing monitoring of key renewable energy policy measures and in particular market access regimes (electricity grid, transport fuel mixing, heating/cooling grid or fuel market access) and the support schemes used to promote the development of renewable energy use. It is also important to monitor the implementation and evolution of the national legislation laying down the support for renewable energy projects; the legal assessment of the changes to the national provisions supporting the deployment of renewable energy should be carried out.

Further details and guidance on support schemes was adopted in the Commission in November 2013 in SWDs on support scheme design and use cooperation mechanism, with subsequent follow up studies². Cooperation mechanisms will start being used more as we approach the 2020 target deadline and thus a section on this shall be developed as well on the website.

Legislation laying down the national support schemes is constantly being reformed by Member States to adapt to evolving technologies and market realities, as well as to be in line with the Guidelines on State Aid for environmental protection and energy and the Commission guidance on best practice for design and reform of support schemes mentioned above.

² http://ec.europa.eu/energy/renewables/studies/renewables_en.htm

To support all these actions, the Commission is proposing this study to maintain a publicly accessible (web-based) database of key national policy measures promoting renewable energy, including a detailed and exhaustive database of the support provided for all forms of renewable energy as well as the market access regime in each Member State, EEA, EFTA and the Energy Community countries (going beyond grid access aspects). The database would be updated on a continuous basis and would support the Commission's monitoring responsibility as well as serve as a publicly available information source. The creation and maintenance of such a database also provides the Commission with up to date information for briefings and its analytical work. It will provide a common and coherent basis for providing information to a wide range of public stakeholders, including consumers and suppliers, Member States authorities, potential investors or researchers. In particular, industry or individual households interested in developing renewable energy resources will be able to easily access information to help them plan and finance such developments.

Further to the website which also serves for the Commission to monitor implementation of the RED provisions at Member State level and support its analytical work and briefings, there would be a supplementary service provided under this study for ad hoc analytical reports on changes to the legislation laying down the support schemes or to the technical or legal environment regulating market access for RES in the monitored countries.

3.2. Objectives

The objective of this study is to provide and maintain a thorough and regularly updated web-based database of renewable energy measures, namely www.res-legal.eu, in particular covering financial support and market/grid access, for each Member State of the EU, EEA, EFTA and Energy Community countries. It will provide information to the Commission and to stakeholders to answer questions about national support schemes and grid or market access including potential ongoing reforms, to help the Commission assess such legal changes to the legal framework and facilitate the convergence towards best practice across Europe. The support schemes include all possible systems or instruments which provide an economic benefit, including traditional supports such as feed in tariffs and green certificates, tax breaks, loans, tenders and so on. Details of all related measures listed in Member States' National Renewable Energy Action Plans will be covered.

3.3. Tasks

1. Gathering detailed information from EU Member States, EEA, EFTA and Energy Community governments or other reliable sources on all the policy measures used to aid the development of renewable energy, in the electricity, heating & cooling and transport sectors.
2. Maintaining the user friendly publicly available web-based database for containing the above information, clearly covering all 28 Member States as well as EEA, EFTA and the Energy Community countries. Continuously updating it with developments in the field of support measures or market access measures for renewable energy (following national revisions, adjustments and reforms) in the countries covered by the scope of this tender.

3. Creating on the online database a dedicated section to cooperation mechanisms (covering at least legal, financial or regulatory aspects, detailed description and analysis of the agreement between the respective countries etc.) including background work done by the Commission.
4. Providing maximum six short ad-hoc analytical notes or reports per year, details to be agreed in advance with the Commission, the scope of the notes being to legally assess the changes operated on the legal framework creating the support schemes.

3.4. Key Documents

In order to facilitate the work, the Commission is providing the tenderer with the following relevant documents, but not limited to:

- The Energy Union Package (COM(2015) 80 final)
- Member States' and Commission's renewable energy progress reports <http://ec.europa.eu/energy/en/topics/renewable-energy/progress-reports>
- National Renewable Energy Action Plans <http://ec.europa.eu/energy/en/topics/renewable-energy/national-action-plans>
- Directive 2009/28/EC on the promotion of the use of energy from renewable energy sources <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009L0028>
- Guidelines on State Aid for environmental protection and energy <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52014XC0628%2801%29>
- Commission's guidance on best practice for design and reform of support schemes (SWD(2013)439) https://ec.europa.eu/energy/sites/ener/files/documents/com_2013_public_intervention_swd04_en.pdf
- Commission's Communication on delivering the internal electricity market and making the most of public intervention (COM(2013) 7243) http://ec.europa.eu/energy/sites/ener/files/documents/com_2013_public_intervention_en_0.pdf
- Guidance on the use of renewable energy cooperation mechanisms (SWD(2013) 440) http://ec.europa.eu/energy/sites/ener/files/documents/com_2013_public_intervention_swd05_en.pdf
- Notification forms and model agreements for cooperation mechanisms (SWD(2013) 441) http://ec.europa.eu/energy/sites/ener/files/documents/com_2013_public_intervention_swd06_en.pdf
- Generation adequacy in the internal electricity market – guidance on public interventions (SWD(2013) 438) http://ec.europa.eu/energy/sites/ener/files/documents/com_2013_public_intervention_swd01_en.pdf

- Incorporating demand side flexibility, in particular demand response, in electricity markets (SWD(2013) 442)

http://ec.europa.eu/energy/sites/ener/files/documents/com_2013_public_intervention_sw07_en.pdf

The winning tenderer will have to update the above list with any legally binding or non-binding measures that will be adopted by the EU or by the Commission until the end of the contract.

3.5. Duration

The duration of the tasks shall not exceed 36 months. This period is calculated in calendar days.

Execution of the tasks begins after the date on which the contract enters into force.

In principle, the deadlines set out below cannot be extended. The contractor is deemed solely responsible for delays occasioned by subcontractors or other third parties (except for rare cases of *force majeure*). Adequate resources and appropriate organisation of the work including management of potential delays should be put in place by contractor in order to observe the timetable below.

3.6. Meetings

A kick-off meeting will be held in Brussels no later than 15 working days after the entry into force of the contract to discuss the project in detail.

A first coordination meeting with the Commission in Brussels will be organized after twelve months after the entry into force of the contract to discuss the findings, the unfolding of the contract and next steps in the update of the database. This exact date will be agreed upon with the contractor.

The second coordination meeting with the Commission in Brussels will be organized after twenty-four months after the entry into force of the contract to discuss the findings, the unfolding of the contract and next steps in the update of the database. This exact date will be agreed upon with the contractor.

3.7. Reporting deliverables and payments

The contractor will prepare:

1) Inception Report

No later than 15 working days after the kick-off meeting, the contractor should submit an inception report outlining the approach, coverage, format and contents of the database will be provided. The methodology, timetable and steps necessary to deliver each of the tasks will also be provided. This report should be based the draft presented in the technical proposal as well as discussions during the kick-off meeting.

2) Ad-hoc reports

The reports will be not more than 6 per year and will be provided upon request from the European Commission. The reports will cover updates or reforms of support schemes in the countries covered by this contract, as well as changes to the regulatory framework covering market access for renewable energy. Details of the scope and analysis of these ad-hoc reports will be communicated to the Contractor by the Commission. The tenderer will submit the respective ad-hoc reports not later than 3 months from the moment of agreeing the details of the reports.

The Contractor must make the necessary changes and/or additions to any ad-hoc report in 20 days after receiving the Commission's feedback.

3) Final report

The draft final report will be submitted 34 months after the entry into force of the contract and will present an overview and analysis of the changes and reforms that affected the monitored countries during the duration of the contract. The report will present in particular the level and type of financial support, the policy and regulatory changes as well as an in-depth analysis of the evolution of the regulatory and financial environment for renewable energy sector (electricity, heating/cooling and transport), with a breakdown on countries covered by the scope of the contract and a synthesis of overall changes. Best practices and recommendations for improving regulatory, legal and financial framework in respective countries, as well as at EU level should be highlighted. A (comparative) justification has to be given for each recommendation and best practice.

4) Database maintenance

Throughout the duration of the contract, the tenderer will update the information for each country in the event of significant changes to national regimes or twice a year, whichever is the more frequent.

Significant changes to national regimes include amendments of laws regarding market access, support scheme levels or structure.

Such updates will be highlighted on the website and the Commission informed, in a manner to be agreed with the Commission.

5) Payments

The contractor is entitled to two interim payments: the first interim payment of 30% and the second interim payment of also 30% of the price agreed in article I.3.1 of the contract.

- The first interim payment of 30 % is due in 14 months after the entry into force of the contract. This payment is pre-conditioned on the approval of the Commission of all database maintenance operations during the months 1-12 of the contract **and** on the approval by the Commission by all ad-hoc reports to be submitted by the contractor during the months 1-12 of the contract. The contractor is requested to provide invoice for the interim payment with the (draft) of the last ad hoc report of the 1st year of the contract.

- The second interim payment of 30 % is due in 26 months after the entry into force of the contract. This payment is pre-conditioned on the approval of the Commission of all database maintenance operations during the months 13-24 of the contract **and** on the approval by the Commission by all ad-hoc reports to be submitted by the contractor during the months 13-24 of the contract. The contractor is requested to provide invoice for the interim payment with the (draft) of the last ad hoc report of the 2nd year of the contract.

The contractor is entitled to the payment of balance of 40% of the price agreed in article I.3.1 of the contract. This payment is pre-conditioned on the approval by the Commission of the final report.

For the payments, please refer also to articles I.3 and I.4 of the draft contract, as published.

3.8. Summary of meetings and deliverables

Deliverable/Meeting (Venue)	Latest Delivery Date
Kick Off Meeting (Brussels)	15 working days after entry into force of contract
Inception Report	15 working days after kick-off meeting
Ad-hoc reports	Three months after agreeing with Commission the details of the scope and content
Database maintenance	Twice a year, in June and in December, or in the event of significant changes, as requested by the Commission
1 st Coordination meeting in Brussels	Twelve months after entry into force of contract
2 nd Coordination meeting in Brussels	Twenty-four months after entry into force of contract
Draft final report	Thirty-four months after entry into force of contract

4. CONTENT AND GRAPHIC REQUIREMENTS OF THE FINAL DELIVERABLES

All studies produced for the European Commission and Executive Agencies shall conform to the corporate visual identity of the European Commission by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo³.

The Commission is committed to making online information as accessible as possible to the largest possible number of users including those with visual, auditory, cognitive or physical

³ The Visual Identity Manual of the European Commission is available upon request. Requests should be made to the following e-mail address: comm-visual-identity@ec.europa.eu

disabilities, and those not having the latest technologies. The Commission supports the [Web Content Accessibility Guidelines 2.0](#) of the W3C.

For full details on Commission policy on accessibility for information providers, see: http://ec.europa.eu/ipg/standards/accessibility/index_en.htm

Pdf versions of studies destined for online publication should respect W3C guidelines for accessible pdf documents. See: <http://www.w3.org/WAI/GL/WCAG20-TECHS/pdf.html>

4.1. Content

4.1.1. Final report

The final study report shall include:

- an abstract of no more than 200 words and an executive summary of maximum 6 pages in English;
- the following standard disclaimer:
“The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”
- specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

4.1.2. Publishable executive summary

The publishable executive summary shall be provided in English and shall include:

- the following standard disclaimer:
“The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”
- specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

4.2. Graphic requirements

For graphic requirements please refer to the template available at Annex 3. The cover page shall be filled in by the contractor in accordance with the instructions provided in the template. For further details you may also contact comm-visual-identity@ec.europa.eu.

5. ANNEXES

- 1) Tenderer 's Identification Form
- 2) Declaration related to the exclusion criteria and absence of conflict of interest
- 3) Power of Attorney (mandate in case of joint tender)
- 4) Standard Word template for studies
- 5) Draft Service Contract

ANNEX 1

IDENTIFICATION OF THE TENDERER

(Each service provider, including any member of a consortium or grouping and subcontractor(s) whose share of the work is more than 20% of the contract must complete and sign this identification form)

Call for tenders ENER/C1/2014-617/2

Identity	
Name of the tenderer	
Legal status of the tenderer	
Date of registration	
Country of registration	
Registration number	
VAT number	
Description of statutory social security cover (at the level of the Member State of origin) and non-statutory cover (supplementary professional indemnity insurance) ⁴	
Address	
Address of registered office of tenderer	
Where appropriate, administrative address of tenderer for the purposes of this invitation to tender	
Contact Person	
Surname:	
First name:	

⁴ For natural persons

Title (e.g. Dr, Mr, Ms) : Position (e.g. manager): Telephone number: Fax number: E-mail address:	
Legal Representatives	
Names and function of legal representatives and of other representatives of the tenderer who are authorised to sign contracts with third parties	
Declaration by an authorised representative of the organisation⁵ I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.	
Surname: First name:	Signature:

⁵ This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.

ANNEX 2

Declaration of honour on exclusion criteria and absence of conflict of interest

(Complete or delete the parts in grey italics in parentheses)

[Choose options for parts in grey between square brackets]

The undersigned (*insert name of the signatory of this form*):

in [his][her] own name (*for a natural person*)

or

representing the following legal person: (*only if the economic operator is a legal person*)

full official name:

official legal form:

full official address:

VAT registration number:

➤ declares that [the above-mentioned legal person][he][she] is not in one of the following situations:

- a) is bankrupt or being wound up, is having its affairs administered by the courts, has entered into an arrangement with creditors, has suspended business activities, is the subject of proceedings concerning those matters, or is in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- b) has been convicted of an offence concerning professional conduct by a judgment of a competent authority of a Member State which has the force of *res judicata*;
- c) has been guilty of grave professional misconduct proven by any means which the contracting authorities can justify including by decisions of the European Investment Bank and international organisations;
- d) is not in compliance with all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the contract is to be performed;
- e) has been the subject of a judgement which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such activity is detrimental to the Union's financial interests;
- f) is a subject of an administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a procurement procedure or failing to supply this information, or having been declared to be in serious breach of its obligations under contracts covered by the Union's budget.

- *(Only for legal persons other than Member States and local authorities, otherwise delete)* declares that the natural persons with power of representation, decision-making or control⁶ over the above-mentioned legal entity are not in the situations referred to in b) and e) above;
 - declares that [the above-mentioned legal person][he][she]:
- g) has no conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinity, family, emotional life or any other shared interest;
- h) will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;
- i) has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, where such advantage constitutes an illegal practice or involves corruption, either directly or indirectly, inasmuch as it is an incentive or reward relating to award of the contract;
- j) provided accurate, sincere and complete information to the contracting authority within the context of this procurement procedure ;
- acknowledges that [the above-mentioned legal person][he][she] may be subject to administrative and financial penalties⁷ if any of the declarations or information provided prove to be false.

In case of award of contract, the following evidence shall be provided upon request and within the time limit set by the contracting authority:

For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required 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.

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

For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, 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.

⁶ This covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares.

⁷ As provided for in Article 109 of the Financial Regulation (EU, Euratom) 966/2012 and Article 145 of the Rules of Application of the Financial Regulation

If the tenderer is a legal person, information on the natural persons with power of representation, decision making or control over the legal person shall be provided only upon request by the contracting authority.

Full name

Date

Signature

ANNEX 3

POWER OF ATTORNEY

mandating one of the partners in a joint tender as lead partner and lead contractor⁸

The undersigned:

– Signatory (Name, Function, Company, Registered address, VAT Number)

having the legal capacity required to act on behalf of his/her company,

HEREBY AGREES TO THE FOLLOWING:

- 1) To submit a tender as a partner in the group of partners constituted by Company 1, Company 2, Company N, and led by Company X, in accordance with the conditions specified in the tender specifications and the terms specified in the tender to which this power of attorney is attached.
- 2) If the European Commission awards the Contract to the group of partners constituted by Company 1, Company 2, Company N, and led by Company X on the basis of the joint tender to which this power of attorney is attached, all the partners shall be co-signatories of the Contract in accordance with the following conditions:
 - (a) All partners shall be jointly and severally liable towards the European Commission for the performance of the Contract.
 - (b) All partners shall comply with the terms and conditions of the Contract and ensure the proper delivery of their respective share of the services and/or supplies subject to the Contract.
- 1) Payments by the European Commission related to the services and/or supplies subject to the Contract shall be made through the lead partner's bank account: [Provide details on bank, address, account number].
- 2) The partners grant to the lead partner all the necessary powers to act on their behalf in the submission of the tender and conclusion of the Contract, including:
 - (a) The lead partner shall submit the tender on behalf of the group of partners.
 - (b) The lead partner shall sign any contractual documents — including the Contract, and Amendments thereto — and issue any invoices related to the Services on behalf of the group of partners.
 - (c) The lead partner shall act as a single contact point with the European Commission in the delivery of the services and/or supplies subject to the Contract. It shall co-ordinate the delivery of the services and/or supplies by the group of partners to the European Commission, and shall see to a proper administration of the Contract.

Any modification to the present power of attorney shall be subject to the European Commission's express approval. This power of attorney shall expire when all the contractual obligations of the group of partners towards the European Commission for the delivery of the services and/or supplies subject to the Contract have ceased to exist. The parties cannot terminate it before that date without the Commission's consent.

Signed in on [dd/mm/yyyy]

Place and date:

Name (in capital letters), function, company and signature:

⁸ To be filled in and signed by each partner in a joint tender except the lead partner.

ANNEX 4

European
Commission

Add document title 1

Add title 2

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How To Use This Document Template

Cover page

Add the title of the document which should be center aligned. Add any other relevant information if necessary which should be left aligned on the left vertical axis of the EC logo.

The font colour of the title should be **White**.

Page set up

- Top margin: 3.5
- Bottom margin: 2.5
- Left margin: 3
- Right margin: 2.5

Headings and subheadings

The following styles should be used for headings and subheadings.

- Heading 1
Font type: Verdana
Font Size: 14
Colour: R:38, G:54, B:115
- Heading 2
Font type: Verdana
Font Size: 11
Colour: R:38, G:54, B:115
- Heading 3
Font type: Verdana
Font Size: 10
Colour: R:38, G:54, B:115

Do not use capital letters for the headings/subheadings, the format should always be "sentence case", except for abbreviations.

Body text

Font style: Verdana

Font size: 10

Font colour: Gray 80%

Header

The header should include the EU flag and the reference text:

- European Commission
- The title of the document
- Font type: Verdana Italic
- Font size: 8

Footer

Add the relevant name of the month and year in the footer which should appear to the left below the line.

- Font type: Verdana Italic
- Font size: 8.
- The page numbers will appear automatically.

Bulleted list

The bullet should be square and the colour should be Black. For reference please see list under ["Headings and subheadings"](#). To apply the style of the list, select "List Bullet 2" from the "Style" drop down menu.

Hyperlinks

By default the hyperlinks will appear in blue (colour coder: R:26, G:63, B:124), no underline.

Table of Contents

This template is complete with Styles for a Table of Contents. From the **Insert menu**, choose **Reference**, then **Index and Tables**. Click on the tab **"Table of Contents"**. In the "Format" box, select "From template".

ANNEX 5

DRAFT CONTRACT

Please see separate document