



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

Directorate C - Renewables, Research and Innovation, Energy Efficiency

TENDER SPECIFICATIONS
ATTACHED TO THE INVITATION TO TENDER
ENER/C3/2014-543

Provision of

**Support for setting up an Observatory of the Building Stock
and related key policies**

TABLE OF CONTENTS

1.	INFORMATION ON TENDERING	3
	1.1. Participation.....	3
	1.2. Contractual conditions.....	3
	1.3. Joint tenders.....	3
	1.4. Subcontracting	3
	1.5. Content of the tender	4
	1.6. Identification of the tenderer: legal capacity and status	4
2.	EVALUATION AND AWARD	5
	2.1. Evaluation steps.....	5
	2.2. Exclusion criteria.....	5
	2.3. Selection criteria.....	5
	2.4. Award criteria	7
	2.5. Technical offer.....	8
	2.6. Financial offer	8
	2.7. Estimate of the amount of work involved	9
3.	TECHNICAL SPECIFICATIONS.....	9
	3.1. Introduction and objectives of the observatory	9
	3.2. Description of services	13
	3.3. Reports and documents to produce – timetable to observe	18
	3.4. Report format and publication.....	20
	3.5. Duration of the tasks.....	20
	3.6. Organisation of Work	20
4.	ANNEXES	20
	ANNEX 4.....	26

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 tender 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 provisions of the draft contract which specifies 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.

1.4. 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.

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

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 of 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 tender.

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.

2.1.1. Economic and financial capacity criteria and evidence

In order to prove their economic and financial capacity, the tenderer (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

- The tenderer (or, for a consortium, total turnover of its members) must have an average annual turnover of each of the last two financial years for which the accounts are closed of at least EUR 600,000.00

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.

2.1.2. 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 in the field of monitoring, verification and analysing the energy performance of the building stock across EU Member States with at least 5 projects delivered in this field in the last three years with a minimum value for each project of EUR 50,000.00.
- The tenderer must prove experience in the field of studies on the analysis of the implementation and impact of the EU energy efficiency policy on buildings with at least 5 projects delivered in this field in the last three years with a minimum value for each project of EUR 50,000.00.
- The tenderer must prove the ability to work in several EU languages.
- The tenderer must prove experience and capacity to draft reports in English.
- The tenderer must prove experience of working in at least 20 European Union countries with at least 3 projects completed in the last three years, the combination of which must show the necessary coverage.
- The tenderer must prove experience in technical analyses, dissemination and communication activities and drafting reports and recommendations

b. Criteria relating to the team delivering the service:

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

One Project Manager: with at least 10 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 EUR 250,000.00) and coverage (geographical scope at least half of the one subject to this call for tender), with experience in managing a team of at least 20 people.

A team of experts: combining expertise in (i) the field of energy performance of buildings across the EU; (ii) related data collection, monitoring and analysis; and (ii) communication and dissemination of results. The team members shall have the relevant higher education degree (Master of Science in the field of building engineering physics or equivalent) and shall show at least 3 years' professional experience in the field of energy performance of buildings. Expertise in the field shall include experience and knowledge in relation to the building stocks in the individual EU Member States, the energy performance of buildings and key energy certification and financing aspects. The team of experts shall have the capacity of dealing with information in any official language of the European Union at native-level (or equivalent, as guaranteed by a certificate or past relevant experience).

c. Evidence:

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

- **List of relevant services** provided in the past three years, with sums, dates and recipients, public or private.
- **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.

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.

N°	Award Criteria	Weighting (pts.)
1	<p><u>Methodology of work</u> Fulfilment of the needs, the objective and the scope of the tender specifications.</p> <p>These criteria will assess the clarity, understanding, completeness and full coverage of the tasks described in the tender specifications, the quality and appropriateness of the proposed detailed approach for data collection for each EU Member State as well as the quality and appropriateness of the proposed approach for methodology and for validating, analysing and presenting information. On-site data collection should as much as possible be considered and will be considered of higher value for the scoring.</p>	60

2	<p><u>Management</u></p> <p>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.</p>	30
3	<p><u>Quality control measures</u></p> <p>This criterion will assess the quality control system applied to the service foreseen in this tender specification concerning the quality of the deliverables, the objectivity of the technical assessment, 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 lower score.</p>	10
Total number of points		100

Tenders must score at least 60% for each criterion and sub-criterion, and at least 70% 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 tender, the tenders are ranked using the formula below to determine the tender offering best value for money.

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

2.5. Technical offer

The technical offer must cover all aspects and tasks required in the technical specification 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 will not be 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, translations or any other costs deriving from the execution of the contract. Travel and subsistence expenses are not refundable separately.

2.7. Estimate of the amount of work involved

It is up to the tenderer to submit a financial proposal on the basis of his estimation of the number of man-days needed to perform the requested services. No maximum budget indication can be provided.

3. TECHNICAL SPECIFICATIONS

3.1. Introduction and objectives of the observatory

3.1.1. Introduction

The Energy Performance of Buildings Directive (EPBD)² defines the energy performance of buildings as the calculated or measured amount of energy needed to meet the energy demand associated with a typical use of the building, which includes, *inter alia*, energy used for heating, cooling, ventilation, hot water and lighting. In addition, the EPBD requires Member States to take account of general indoor climate conditions to avoid possible negative effects such as inadequate ventilation. Therefore, the EPBD results in stronger building energy codes bringing a more energy efficient building stock, reduced energy bills and more comfortable occupant conditions.

Further to the EPBD, which is the main legislative instrument at EU level to improve the energy performance of buildings, the Energy Efficiency Directive (EED)³ and the Renewable Energy Directive (RES)⁴ include building-related articles having an impact on the energy efficiency on buildings.

However, the EU lacks quality data on the actual effect of energy efficiency policies on the building stock across Member States and regions. A better understanding of the effectiveness of policy measures and of market support mechanisms is necessary to steer an improvement in the depth and rate of buildings' renovation.

Therefore, the Commission seeks external expertise to assist in putting in place an EU buildings stock observatory to monitor the improvement of energy performance in

² Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings, OJ L 153 of 18.6.2010, p.13. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:153:0013:0035:EN:PDF>

³ Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, OJ L 315 of 14.11.2012, p.1. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:315:0001:0056:EN:PDF>.

⁴ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources, OJ L 140 of 5.6.2009, p. 16–62. <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32009L0028&from=EN>.

buildings. These data should also be used to improve energy efficiency policies as well as key related policies and financial tools.

In this context, the Commission intends to conclude a service contract to set up this observatory.

3.1.2. Background

Under the EPBD, the Member States must apply minimum requirements with regards to the energy performance of new and existing buildings, ensure the implementation of Energy Performance Certificates (EPCs) and introduce requirements in relation to the inspection of heating and air conditioning systems. The EPBD sets the target for all new buildings to be 'nearly zero-energy' (NZEBS) by 2021 and two years earlier for public sector buildings. Member States must also develop policies and support measures such as the setting of targets in order to stimulate the refurbishment of existing buildings into NZEBS.

The EED is a horizontal directive introducing cross-sectoral measures in all major economic sectors. Buildings are covered as one of the main areas for actions. Accordingly, the EPBD provisions are complemented by the requirement for long term renovation strategies of the national building stocks and by the 3% renovation target for central government buildings established in the EED. Energy efficiency considerations are to be taken into consideration in public procurement for, *inter alia*, buildings insofar certain conditions are met (e.g. cost-effectiveness, economic feasibility).

Additionally, the Renewable Energy Directive requires Member States to introduce in their building regulations measures increasing the use of renewable energy sources in the building sector. With regard to new buildings and existing buildings under major renovation, Member States must set by 31 December 2014 the minimum levels for the use of RES. Furthermore, Member States are also required to promote the use of renewable energy technologies that achieve certain reduction of energy consumption (Article 13 (3) to (6) of the Renewable Energy Directive).

From the financing angle, despite positive developments in public and private investment in energy efficiency in buildings, there is still significant scope to improve the effectiveness of EU and national financial support and to drive private investments in buildings renovation and new nearly zero-energy buildings. There is also a need to continue strengthening the market for energy services in buildings.

In this regard, the conclusions of the EEFIG⁵ report are clear on the importance of enforcing building energy codes and energy performance certificates for use in the business case for energy efficiency investment (http://ec.europa.eu/energy/efficiency/studies/doc/2014_fig_how_drive_finance_for_economy.pdf). Easier comparison across Member States would facilitate the delivery of a single market for energy efficiency and energy services, which in turn would lower transaction costs for businesses.

⁵ Energy Efficiency Financial Institutions Group established as a permanent working group by the European Commission, in late 2013, as a result of the dialogue between DG Energy and the United Nations Environment Programme.

3.1.3. Available information

Eurostat collects some data related to energy efficiency in buildings, in particular when it comes to the residential sector. In 2013, Eurostat published a "Manual for statistics on energy consumption in households" as the result of a joint effort undertaken in the context of the "MESH" project. The manual intends to contribute to make specific data collection techniques more uniform while documenting relevant examples and best practices (http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-GQ-13-003/EN/KS-GQ-13-003-EN.PDF).

The Concerted Action EPBD supports a proper implementation of the Directive at national level. Its findings can be found in the 2012 Concerted Action report (<http://www.epbd-ca.org/Medias/Pdf/CA3-BOOK-2012-ebook-201310.pdf>). The next review of this book is due in June 2015. In the meantime, the latest information at country level is available at <http://epbd-ca.eu/countries/country-information>.

During the process for adoption of the EPBD it was highlighted that compliance was critical to tap the savings potential in the building sector. As a result, one of the new features of the EPBD is to require Member States to set up an independent control system for energy performance certificates and inspection of heating and air-conditioning systems. In this regard, several Member States have developed national databases that are publicly available. Similarly, the IEA building database includes information in IEA-EU countries (<http://www.sustainablebuildingscentre.org/pages/beep>).

In addition, some relevant projects were funded in the past by the European Union. In particular, the tenderer should get in touch with the consortia of the following projects funded under Intelligent Energy Europe (IEE), as well as any other databases, notably those arising from EU financed projects (key deliverables indicated):

- ODYSSEE-MURE⁶
 - [Database](#)⁷
 - [Indicators](#)⁸
 - Energy trends for the building sector⁹
- ENTRANZE¹⁰
 - [Database of buildings](#)¹¹

⁶ <http://www.odyssee-mure.eu/>

⁷ <http://www.indicators.odyssee-mure.eu/energy-efficiency-database.html>

⁸ <http://www.indicators.odyssee-mure.eu/online-indicators.html>

⁹ <http://www.odyssee-mure.eu/publications/efficiency-by-sector/buildings/>

¹⁰ <http://www.entranze.eu/>

¹¹ <http://www.entranze.enerdata.eu/>

- Report per country analysed¹²
- EPISCOPE¹³
 - Building typology¹⁴
 - Web tool on building typology¹⁵
 - Energy performance indicators for the building stock¹⁶
 - Guideline for building stock monitoring activities¹⁷
- iSERV¹⁸
 - Paper on Benchmarking HVAC system energy use¹⁹
 - Report on results on the Benchmarking exercise (to be published before 21/07/2014)²⁰

The Observatory should profit from relevant information on the energy performance of buildings and related key policies arising from on-going initiatives involving data collection such as the Contract ENER/C3/2014-542 on compliance, the Contract ENT/SME/14/A/N²¹ (in particular in relation to country profiles), actions undertaken under the Inspire Directive²² or available publicly available information through GIS and other information tools. As regards the latter, the Contractor should liaise with the Joint Research Centre of the European Commission concerning the work carried out in relation to buildings and to the Inspire Geoportal. The Contractor should also maximise data from related policy areas such as e.g. the smart meters roll out.

3.1.4. *Purpose of the Service contract*

The purpose of the Service contract is to put in place a Building Stock Observatory to monitor the improvement of the energy performance of buildings and its impact on the

¹² <http://www.entranze.eu/publications/data>

¹³ <http://episcope.eu/welcome/>

¹⁴ <http://episcope.eu/building-typology/>

¹⁵ <http://webtool.building-typology.eu/>

¹⁶ <http://episcope.eu/monitoring/>

¹⁷ <http://episcope.eu/monitoring/guideline/>

¹⁸ <http://www.iservcmb.info/>

¹⁹ http://www.iservcmb.info/system/files/iSERVcmb_Benchmarking_CLIMA_2013.pdf

²⁰ <http://www.iservcmb.info/downloads>

²¹ Publication under: EASME/COSME/2014/001.

²² INSPIRE Directive (2007/2/EC) - <http://inspire.ec.europa.eu/>

actual energy consumption of the building sector. The observatory will look in detail at the improvement of the overall building envelope and at the installed technical building systems, as well as at the implication on the evolution of general indoor climate conditions. The level of integrating renewable energy sources in buildings will also be addressed.

The main focus of the Observatory will be the building stock and its energy needs. Building energy performance and refurbishment, integration of renewable energy technologies and the resulting or attainable energy savings need to be measured, reported on and verified in a standardized, clear, transparent and high quality manner. Besides quantitative data on the buildings stock, the Observatory will also monitor relevant qualitative information on policies including finance, in particular monitoring key indicators in relation to financial support for deep renovation of existing buildings, energy efficiency investments in buildings and the development of energy services for buildings.

The Observatory shall provide a comprehensive knowledge resource for investors, industry stakeholders, energy utilities, local and national authorities and researchers to underpin decision making, financial and long term strategic support.

Finally, the Service contract will provide good comparative information across the EU, including country profiles, sectoral (private, public and commercial) fact sheets and building detailed data (specifically on the building envelope and the technical building systems).

3.2. Description of services

The following section describes the requirements concerning the scope of this work, which involves providing the Commission with (i) a comprehensive snapshot of the energy performance of the EU buildings stock and (ii) setting a structure for its continuous monitoring.

Tenderers shall clearly describe their overall approach to the work and the proposed services to deliver on this scope as part of the service contract.

For the purpose of this service contract, the detailed deliverables are divided into the following four headline tasks:

- Establish the dataset framework and methodology including the final list of indicators
- Collect the data and prepare country, sector and building level results
- Evaluation of collected data and preparation of full country, building sector and building level data for all the indicators
- Promotion of results and dissemination through a dedicated website and easy to use communication and policy tools

The aim is not to establish a repository of unrelated datasets but to develop ready to use, high quality data and figures for all the EU Member States in a consistent and comparable manner.

3.1.3. Task 1: Data collection framework and methodology

The Contractor shall establish the dataset framework and set up the list of necessary indicators to fulfil the objective of the Observatory. Experience could be drawn from existing observatories and databases in the EU and in third countries, where relevant.

The framework shall include the relevant indicators needed for policy analysis and review including as a minimum data on the following pre-defined indicators for every EU Member State:

Building stock:

- Floor area (m², correction factors to take account of national differences to be proposed)
- Number of buildings falling under the scope of the EPBD
- Age profile (factoring in renovation of old building stock)
- Building type (e.g. flats/apartments, semi-detached, detached houses)
- Building use (residential, commercial, office, public authorities)
- Type of energy generation: on-site or district heating/cooling
- Officially protected building for their special architectural or historical merit (in number and m²)
- Urban/rural split
- Ownership (private/commercial/public)
- Occupation (average)
- Tenure status (owner-occupied, co-owned, privately rented, social renting)
- New construction rates
- New construction (m²/a)
- Retrofit rates (specifying also deep retrofit rates²³) and major renovation rates

Energy performance:

- Energy needs²⁴
 - Heating
 - Cooling
 - Ventilation
 - Air conditioning
 - Domestic hot water
 - Lighting
 - Appliances
- Energy characteristics (energy performance distribution and where relevant, e.g. windows/doors, technology based breakdown)

²³ In accordance with the Energy Efficiency Directive (see recital 16), cost-effective deep renovations lead to a refurbishment that reduces both the delivered and final energy consumption of a building by a significant percentage compared with the pre-renovation levels leading to a very high energy performance. Such deep renovations could also be carried out in stages. The Commission services have indicated (see SWD(2013) 143 final) that the significant efficiency improvements resulting from deep renovation are typically of more than 60% energy savings (Commission's technical guidance to managing authorities-Financing the energy renovation of buildings with Cohesion Policy funding, available at http://ec.europa.eu/energy/efficiency/buildings/buildings_en.htm).

²⁴ Energy needed to satisfy the different building services (heating, cooling, etc.), regardless of the energy source (delivered energy or self generation from on-site/nearby renewable energy source)

- Overall building envelope
- Roofs
- External walls
- Floors
- Windows/doors/roof lights
- Air tightness
- Levels of internal demand where relevant (e.g. farms, hospitals, call centres)
- Installed technical building systems (both technology based breakdown and overall energy performance distributions)
 - Heating systems
 - Heating source (electricity, gas, coal)
 - System type (individual, collective, district heating)
 - Cooling systems
 - Domestic hot water
 - Ventilation (specifying heat recovery equipment)
 - Air conditioning
 - Lighting
 - Building automation/controls
 - Individual and smart metering systems
- Number of nearly zero-energy buildings
- On-site renewable energy sources generation
- Type of renewable energy source used on-site and in district heating/cooling
- Use of renewable energy sources in district heating and cooling (when the building is connected to such a system)
- Conversion efficiency of the renewable energy technology used
- Embodied energy associated with constructions, deep retrofits and major renovations
- Fuel mix
- Indoor comfort, indoor air quality and behavioural aspects (including demographic indicators when relevant)
- Actual energy consumption by building categories
- Fuel poverty issues

Certification and financing:

- Number of energy certified buildings (energy performance certificates) and corresponding floor area
- Number of buildings with energy certification (e.g. Passivehouse, Minergie) and corresponding floor area
- Number of buildings with sustainability certification including energy (e.g. LEED, BREEAM, DGNB, HQE,) and corresponding floor area
- Level of investment associated with deep retrofits and with major renovation
 - Average payback period per retrofit rate
 - Average interest charged on the loans associated with retrofits rates
 - Loan default rates per retrofit rate (if available)
 - Average amount of saved energy per retrofit rate
- Financial schemes targeting deep renovation
 - Key features
 - Impact
- Size of the energy services for buildings market

A matrix template per country and sector shall be developed to summarise these indicators. As for other deliverables, these data framework and methodology shall be agreed with DG Energy.

The methodology for data collection shall be described in the offer, detailing the approach to collecting and verifying the necessary data and information at national level. Data providers and their reliability shall be identified.

Different data collection strategies may be developed for different sectors and subsets of indicators. The Contractor shall also specify how the verification checks will be carried out and on the basis of what parameters or reliance on national partners.

Data gaps should be identified together with a strategy for regular data collection and review and verification.

The Contractor should address potential confidentiality issues in its methodology so as to ensure that there are no data protection/privacy concerns related to information related to individuals or specific buildings. In addition, the Contractor should include an aggregation and/or extrapolation approach to make the energy performance data publicly available whilst addressing potential confidentiality concerns.

The offer shall also describe the methodology to undertake the analytical work and to develop and maintain the website and other communication tools.

The Contractor should aim at full coverage of the EU building stock and should consider proposing a baseline year(s) and a strategy for regularly updating the databases.

3.1.4. Task 2: Collect the data and prepare country, sector and building level results

Under Task 2, the Contractor shall roll out the data collection strategy as established under Task 1 and shall provide figures, matrixes, graphs and overall results per country, sector and whole building, envelope and elemental levels. A revision process shall be established to assess the effectiveness of the data collection strategy.

The collection of data shall run in parallel to the development of the website, which shall start as soon as the inception phase is completed. In the initial stages, the website may have limited access to facilitate communication between the Contractor and the European Commission.

The Contractor shall identify any lack of information to fully explain the data collected and shall build an action plan to fill these gaps during Task 3.

3.1.5. Task 3: Evaluation of collected data and preparation of full country, sector and building level data for all the indicators

The aim is to have in January 2016 a picture of the building stock with latest and fully available set of 2014 data and with a fully operational website to communicate these results.

The Contractor shall relate the results to the key obligations of the EPBD on:

- Minimum energy performance requirements for new buildings with the minimum energy performance requirements set by MSs under Article 6 of the EPBD-recast,

- Minimum energy performance requirements for existing buildings that undergo a major renovation with the minimum energy performance requirements set by MSs under Article 7, 1st paragraph of the EPBD-recast,
- Minimum energy performance requirements for retrofitted/replaced building elements with the minimum energy performance requirements set by MSs under Article 7, 3rd paragraph and Article 8 of the EPBD-recast,
- Energy performance certificates for buildings that are constructed, sold or rented out as laid down by Article 12(1)a of the EPBD-recast,
- Energy performance certificates for buildings where a total floor area over 500m² that are occupied by a public authority and frequently visited by the public as laid down by Article 12(1)b of the EPBD-recast,
- Handing over the energy performance certificate to buyers and new tenants under Article 12(2) of the EPBD-recast,
- Advertising the energy performance certificates under Article 11(4) of the EPBD-recast,
- Displaying energy performance certificates in public buildings arising from Article 13 of the EPBD-recast,
- Cross-check with the results of the independent control system specified in Article 18,
- Cross-check with the results of the inspections specified in Articles 14 and 15 (in relevant Member States).

A link should be established to the requirements of the EED on:

- National long term renovation strategies of the national building stock in accordance with Article 4 of the EED;
- Renovation of public buildings in line with Article 5 of the EED.

A link should also be established to the requirements of the RES Directive on:

- Mandatory minimum levels of renewable energy sources in buildings through the use of the national building codes and regulations (Article 13(4)) of the RES Directive.
- The conversion efficiency levels of various RES technologies (Art 13(6) of the RES Directive)

The Contractor shall define the templates of the communication and dissemination tools (e.g. graphs, fact sheets, etc.) to present the collected data and the analysis of the results in the context of the energy efficiency legislation.

3.1.6. Task 4: Promotion of results and dissemination through a dedicated website and easy to use communication and policy tools

The Contractor shall develop and regularly update a European Commission website of easy navigation for the promotion and dissemination of the results.

The Contractor shall also produce fact sheets for EU averages, individual countries, sectors and grouped indicators. The contractor shall further explore and develop tools to link data to policy, finance and potential side-effects and co-benefits (e.g. impacts on the

environment, indoor comfort, health, economic effectiveness, job creation, etc.), identify gaps and draw lessons/recommendations.

The Observatory will be the property of the European Commission. The Commission retains the right to check and decide what is published on it. A strategy for the maintenance and continuation of the Observatory shall be proposed. In this regard, the Contractor shall develop a detailed manual for the correct maintenance and further development of the Observatory and hand this over to the Commission at the end of the contract.

3.3. Reports and documents to produce – timetable to observe

Execution of the tasks begins on 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 in order to observe the timetable below.

3.1.1. Meetings

A **kick-off meeting** will take place in Brussels, at the latest **10 working days** following the signature of the contract, in order to settle all the details of the study, report, etc., to be undertaken.

A **final meeting** will take place in Brussels, at the latest 2 weeks after delivery of the draft final report in order to discuss the Commission's observations on the draft final

Draft the minutes of all meetings performed within this contract. Draft minutes shall be drafted by the Contractor and sent to the Commission at the latest 5 days after the meeting.

3.1.2. Reports

The Contractor will draft the minutes of all meetings performed within this contract. Draft minutes shall be sent to the Commission at the latest 5 days after the meeting.

The Contractor will submit the **inception report** at the latest **2 months** following the kick-off meeting including the detailed methodology for data collection and analysis and for developing and maintaining the website, complete list of indicators and matrix template with country, sector and building breakdowns (task 1).

The invoice for the inception report (first interim payment) shall be admissible if accompanied by the inception report (2 months after the date on which the contract enters into force). The payment will be made in accordance with Article 1.4.1 of the contract, given that the inception report has been approved by the Commission.

The Contractor will submit the **first interim report** at the latest **8 months** following the kick-off meeting including the matrixes at national and at EU level (task 2) covering as many indicators as possible in line with the agreed data collection strategy. It will also detail progress in relation to tasks 3 and 4.

The development of the website will start once the inception report is completed. Therefore, at the time of submitting the first interim report the Contractor will ensure that the dedicated website is running, following an earlier test phase.

The Contractor will submit the **second interim report** at the latest **12 months** following the kick-off meeting including full figures, matrixes, graphs and overall results per country, sector and whole building, envelope and elemental levels, both at national and at EU level. The second interim report will provide a picture of the building stock with latest and fully available set of 2014 data. This information shall be available in the website, which should be fully operational to communicate these results (task 3).

At the time of delivering the second interim report, the Contractor will submit the templates of the communication and dissemination tools. These templates will take into account the relationship between the results and the key obligations in the energy efficiency legislation (task 4). It will also detail progress in relation to tasks 3 and 4 and the detailed description of additional work required to fully deliver on these tasks.

The invoice for the second interim payment shall be admissible if accompanied by the second interim report (12 months after the date on which the contract enters into force). The payment will be made in accordance with Article 1.4.2 of the contract, given that the second interim report has been approved by the Commission.

The Contractor will submit a **draft final report and accompanying documents** to the Commission at the latest **15 months** after the signature of the contract. The draft final report and accompanying documents shall address tasks 1 to 4.

The draft final report shall contain:

- A 15-20 pages presenting the methodology, providing the main results at EU level, interpreting these results and suggesting way forward to improve the average energy performance of the EU buildings stock. This report shall include a 2-3 pages executive summary;
- National annexes and overall EU annex to the report presenting the main results and describing explanation factors (legislative/non-legislative context) to the results observed,

A **final meeting** will take place in Brussels, at the latest 2 weeks after delivery of the draft final report in order to discuss the Commission's observations on the document.

The Contractor will update the draft final report taking into account the Commission's observations and submit the **final report and accompanying documents** at the latest **17 months** after the signature of the contract.

The final report shall also contain:

- A 10-15 slides presentation with detailed comments/notes, to further communicate this study and its results.
- 1 slide of facts and figures per MS (+1 for EU)

The Commission shall have 60 days from receipt to approve or reject the final report and to pay the balance in accordance with Article 1.4.3 of the contract. The Contractor shall have 20 days in which to submit additional information or a new final report.

3.4. Report format and publication

3 copies of the reports shall be supplied in paper form and one copy in electronic form in MS Office format (Word, Excel and PowerPoint).

The Commission may publish the results presented in the report. For this purpose, the tenderer must ensure that the report is not subject to any restrictions deriving from intellectual property rights of third parties. Should the Contractor intend to use data in the report, which cannot be published, this must be explicitly mentioned in the offer.

Reports and annexes have to be drafted in English in a properly literate manner and must be fully comprehensive in terms of grammatical structure (complete sentences, punctuation, explanation of abbreviations the first time they are used, etc.) using clear language.

3.5. Duration of the tasks

The duration of the tasks shall not exceed **18 months**. This period is calculated in calendar days.

3.6. Organisation of Work

Place of performance

The tasks will be performed on the Contractor's premises. However, meetings between the Contractor and the Commission may be held on Commission premises in Brussels.

Availability of information

As mentioned above, the Contractor will be responsible for the data collection, including on the ground data collection in all EU Member States.

Language

The Communication language between the Commission and the awarded Contractor shall be in English. The deliverables as such will have to be submitted in English.

4. 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. Draft 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 tender ENER/C3/2014-543

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) ²⁵	
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: Title (e.g. Dr, Mr, Ms) : Position (e.g. manager): Telephone number:	

²⁵ For natural persons

Call for tender ENER/C3/2014-543

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 organisation²⁶ I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.	
Surname: First name:	Signature:

²⁶ 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 control²⁷ 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 penalties²⁸ 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.

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

²⁷ This covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares.

²⁸ 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

ANNEX 3

POWER OF ATTORNEY

Mandating one of the partners in a joint tender as lead partner and lead contractor

29

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:

²⁹ To be filled in and signed by each of the partners in a joint tender, except the lead partner;

ANNEX 4

DRAFT CONTRACT