Call for tenders ENV/2021/OP/0003

Supporting the development of a roadmap for the reduction of whole life carbon of buildings

Open procedure

TENDER SPECIFICATIONS
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1. **SCOPE AND DESCRIPTION OF THE PROCUREMENT**

1.1. Contracting authority: who is the buyer?

This call for tenders is launched and managed by the European Commission, referred to as the *Contracting authority* for the purposes of this call for tender, assisted by its Directorate General for Environment.

1.2. Subject: what is this call for tenders about?

The subject of this call for tenders is “Supporting the development of a roadmap for the reduction of whole life carbon of buildings”.

1.3. Lots: is this call for tenders divided into lots?

This call for tenders is not divided into lots.

1.4. Description: what do we want to buy through this call for tenders?

The services that are the subject of this call for tender, including any minimum requirements, are described in detail below.

Variants (alternatives to the model solution described in the Tender Specifications) are not allowed. The *Contracting authority* will disregard any variants described in a tender.
TECHNICAL SPECIFICATIONS

1.4.1. Background and objectives

Background

In the Climate Target Plan 2030\(^1\) the Commission has proposed to cut net greenhouse gas emissions in the EU by at least 55% by 2030 compared to 1990 levels. The renovation wave, a key initiative for the built environment under the European Green Deal, sets out how the building sector is one of the areas where efforts must be ramped up. It points out that it: “is therefore urgent for the EU to focus on how to make our buildings more energy-efficient, less carbon-intensive over their full life-cycle and more sustainable. Applying circularity principles to building renovation will reduce materials-related greenhouse gas emissions for buildings.”

Driving down embodied carbon is not only important at the stage of renovation but equally, at least, important at the point of new construction.

The International Resource Panel (IPR), in its Resource Efficiency and Climate Change Report, 2020, and the UN Environment Emissions Gap Report 2019, conclude that the embodied carbon in construction is estimated to account for about 10% of total yearly greenhouse gas emissions worldwide. The IPR report sets out that greater material efficiency could, in the G7, save 80% of those emissions (and this representing a 30-40% carbon reduction for the whole life cycle of buildings).

Whole life carbon is the embodied and operational carbon taken together. For buildings, this total is not yet targeted in EU policy. An important reason for that can be assumed to be the lack of data on and awareness of the importance of embodied carbon, today and in the future. While a limited number of member states of the EU has gathered data and set out national roadmaps and quantified strategies, most parts of the EU have not. The countries that have developed their roadmaps are moving on to use these as a basis for new policies to reduce whole life carbon, and making this an integral part of their efforts to reach their overall climate objectives.

The EU does not yet have such a roadmap but the renovation wave includes this as an action and sets out how the Commission: “will address the sustainability performance of construction products in the context of its revision of the Construction Product Regulation and it will develop by 2023 a roadmap leading up to 2050 for reducing whole life-cycle carbon emissions in buildings.”

General objective

The general objective of this study is to provide underlying data and information and, most importantly, understanding, from a life cycle perspective when it comes to the performance and improvement potential of buildings, in a way that encourages and supports policy making and market initiatives.

\(^1\) https://ec.europa.eu/clima/policies/eu-climate-action/2030_ctp_en
Specific objective

The specific objective is to support the Commission in developing an EU roadmap for the reduction of whole life carbon, for embodied and operational carbon separately and combined, up to 2050.

This roadmap shall be sufficiently robust and relevant to be able to serve as a basis and guidance to future policy and market developments for a long period of time and at different geographical levels - EU as well as national (taking into account the wide disparities in the progress of national policies across the EU). It shall be directly linked to and consistent with other relevant existing EU strategies and policies and support the achievement of the overall climate objectives. It shall provide a vision and in this way set out the direction of travel for the sector and public authorities. To develop such a roadmap, robust and sufficient data, for across the EU, is needed.

1.4.2. Detailed characteristics of the purchase (tasks)

Due to the wide geographical coverage of this project, tenderers will need to demonstrate in their offers how they intend to deal with the multi-language aspect linked to the successful execution of the following tasks.

Task 1. Set up of stakeholder groups

The objective of this study is to support the Commission in developing a roadmap for the reduction of whole life carbon, with a specific emphasis on embodied carbon. This roadmap shall be sufficiently robust and relevant to be able to serve as a basis and guidance to future policy and market developments, at different geographical levels. This will require a very strong collaborative process with relevant parts of the sector, the Commission and Member States, throughout each task, for gathering of data, for assessing future developments and for assessing reduction solutions.

Immediately after contract signature, the contractor shall begin to set up suitable stakeholder groups for this process. New groups for this particular task will need to be efficient and fully relevant, but can be partly based on existing groups (formal and informal) such as the High Level Forum for Construction, the Concerted Action for implementation of the Energy Performance of Buildings Directive and the previous Level(s) stakeholder groups, relevant working groups under the Climate Change Committee and stakeholder groups involved in the Bioeconomy Strategy and Circular Economy Action Plan. The contractor shall carefully consider which kind of stakeholders with what kind of knowledge and background will be needed, when to use them and for what purpose, and how to manage the process of this collaborative work. This process is absolutely key for the success of the study and the relevance of the final outcome, and shall be set out in the offer in a clear and concise manner. While it is the responsibility of the contractor to identify and invite stakeholders, set up the groups and manage them, the identification process will be done in collaboration with the European Commission, which will take the final decision.

The result of this task includes the established stakeholder groups as needed and a clear and logic management process with a timeline which sets out the involvement and the detailed contributions expected of the groups (what, when, how) and which has been delivered to the groups.
Task 2. Establish baseline

The contractor will establish a baseline for embodied carbon across the EU and can detail this baseline according to suitable existing methodologies for estimating embodied carbon in the construction sector (including but not limited to PEF, EN 15804, EN15978, EN16485, EN16449 and ISO 14067). As a minimum, this will be done for the construction activity relating to new buildings and for deep renovation. Lighter standard refurbishment types can be added if considered relevant. The baseline will cover various kinds of buildings, including, as a minimum, residential, offices, schools, commercial and retail. Relevant different typologies will be covered, and set out in the offer.

This baseline will be established for appropriate regions of the EU (typically grouping a set of countries or parts of countries) based on aspects such as climate, building culture and material, level of urbanisation, but also national or regional policies in place or under development linked to embodied carbon metrics, or any other factor(s) deemed pertinent. It is the task of the contractor to justify a methodology to divide the EU into regions for this work.

This task shall be based as much as possible on bottom up data (building level) but also combined with top down data (national output data for material production, construction and renovation activity data, energy mixes, national greenhouse gas inventory, economic statistics etc.) in order to derive sufficiently reliable figures. This task will carefully study published material, paying particular attention to meta studies and reports developed to underpin national initiatives, but will also have to go beyond desk research to broaden the information gathering. Tenderers shall set out a strategy in the offer for how this research will be conducted.

Tenders will explain the reasons behind underpinning the various baselines for different parts of the EU. This will be done together with an overall visualisation of what contributes to embodied carbon in buildings in general including the levels of magnitude of these contributions. This visualisation shall go beyond a life cycle assessment but rather discuss factors such as design options (form, direction, use of windows), material use and sourcing, circularity, renovation strategies, use of built space per capita and any other factor deemed important to give a good understanding of impacts and later on of reduction potentials.

The result of this task forms the basis for the following tasks and shall give a clear understanding of the typical levels of embodied carbon along the factors set out above. It shall for all regions present figures on the micro (building level) as well as the macro level (national level) and set the latter in context of the overall national carbon emissions and climate objectives.

Task 3. Assess future levels of embodied carbon based on business as usual

Having established the baseline, this task will set out how the levels of embodied carbon in the different regions for a representative set of building types and typologies can be expected to evolve, up to 2050. Suitable milestones are suggested to be 2025, 2030, 2035 and 2040, but if there is a good reason, tenderers can propose others, as long as the near future is well represented and the scenarios go as far as 2050.

To set out the business as usual trajectories, the contractor shall take into account all relevant developments in society considered as having a major impact on embodied carbon. Examples include announced policies at European and national levels, reasonable (not ambitious)
assumptions regarding energy mixes, growth, demographics, urbanisation and built space utilisation but this list will have to be further developed by the bidder.

National and industry sector roadmaps will inform this task but business as usual should consider expected change and not necessarily visions set out, if these are considered to be at a level of ambition beyond general expectation. It is possible for this task to set out two business as usual trajectories per region, one plausible and one ambitious. Links between operational and embodied carbon shall be considered.

The result of this task shall give a clear understanding of the typical levels of embodied carbon along the factors set out above. Figures of stronger certainty, with more detail, shall be provided for up to 2030, but the following 20 years shall also be reasonably depicted. The results shall for all regions present figures on the micro (building level) as well as the macro level (national level) and set the latter in the context of the overall national carbon emissions and climate objectives.

**Task 4. Set the trajectory towards climate objectives and identify reduction solutions**

Having assessed trajectories of expected embodied carbon levels, this task will take the objectives of climate neutrality for 2050 and 55% net emissions reduction for 2030, and back cast where we would have to be at different moments in time from now on and up to 2050, to reasonably be able to succeed. The work should take into account existing trajectories underlying EU climate and energy policies.

The discrepancy between this backcast and the business as usual trajectories for the different regions shall be described. It shall be set in context of the overall climate objectives and compared with other carbon reduction solutions elsewhere in the economy to give a sense of the magnitude and impact potential.

The task will go on, supported by the visualisation of contributions to embodied carbon as set out in task 2, to identify embodied carbon reduction solutions or strategies. A broad approach shall be taken, also considering aspects such as the use intensity of buildings and innovative ways of providing services. Existing national and sectoral roadmaps (or others) will have a key role in informing this part of the study. It is not the task of this contract to set out policy suggestions but to point to different categories of reduction solutions and to indicate the magnitude of the improvement potential at different points in time up to 2050. These magnitudes shall be made quantitative up to at least 2035/2040. In this exercise, the different regions as set out earlier shall be considered, potentially also different building types. The reduction solutions shall be classified based on their likely time of broad implementation (low hanging fruit, exiting solutions with good replication potential, innovation, expected future development).

Careful consideration of the links between operational and embodied carbon shall be given and these shall be described and quantified where relevant. The overall goal is to identify solutions reducing whole life carbon.

The result of this task will on the one hand set out the growing gap between where we are heading without major changes and the expected path needed to meet our climate objectives, and on the other hand give a good overview of existing and future reduction solutions, with their reduction potential.
Task 5. Set the trajectory towards climate objectives for operational carbon

As the roadmap will set out milestones for whole life carbon, both embodied and operational carbon shall be included. While most of this study is focusing on embodied carbon, data for operational carbon, largely existing, must be collected and processed so that it can be combined with embodied carbon in the roadmap for whole life carbon. This concerns scope, building types, functional units etc.

This task shall as much as possible be based on the sectoral breakdown for the building sector of EU climate policies for 2030 and 2050, the national energy and climate plans (NECPs) and the Long Term Renovation Strategies provided by Member States, with their identified milestones up to 2050. Other national and industry sector roadmaps will also inform this task. Links between operational and embodied carbon shall be considered.

The result of this task shall give a reliable overview of Member States trajectories for operational carbon, and be presented in a way that it can be combined with the trajectories for embodied carbon, as much as possible along the same factors and milestones as set out above, in particular using the same regions.

Task 6. Managing the stakeholder groups and organising a final workshop for stakeholders at large

The stakeholder groups set up in task 1 should be used to ensure a collaborative process throughout the tasks, to serve the purpose of quality and buy in on the results of this study. The contractor shall organise meetings, workshops, bilaterals etc, online or onsite, as the situation allows and as serves best the purpose, with the stakeholder groups. The groups shall be informed early on about the process, schedule, what is expected of them when and should always be suitably informed to be able to contribute in the best way possible.

At the end of the study, a workshop presenting its results to relevant stakeholders shall be organised by the contractor. In the case of an onsite workshop, this should take the form of a one-day event at the Commission’s premises in Brussels. The contractor will be responsible for the invitation to and promotion of the workshop to all relevant stakeholders.

This task will have to be flexible enough to account for potential organizational constraints. As today, there are uncertainties about the possibility to hold large public events even within a one-year timeframe due to the current COVID-19 crisis. If the situation allows, the Commission expects that around 200 people may attend a meeting in Brussels. The event would then take place at the Commission’s premises and/or the Commission would take care of the venue of the event. No travel costs would be reimbursed for participants. Travel and subsistence costs for the contractor should be included in the contract value.

If the situation does not allow for large physical meetings, an alternative is to organize an online event. Most recent experience has shown that events organized online have the potential to gather a greater number of attendant than traditional physical events. The contractor will have to provide IT solutions able to cope with at least 1000 simultaneous connections in case of an online event.

If the physical event does not take place, the Commission can discuss with the contractor if there is a need to allocate some of the resources foreseen within this task to any other task under this contract.
The result of this task is the professional and suitable management of the stakeholder groups and the successful organisation, from planning to execution and follow-up, of a final workshop for stakeholders at large, from and beyond the stakeholder groups.

**Number of progress meetings planned with the Contracting Authority**

The tenderer has to foresee, as a minimum, one kick-off meeting no later than two weeks after the signature of the contract, one progress meeting per task, and one final meeting around month 17. These meetings can either take place via video-or web conferencing, or on site in Brussels. Should overall conditions allow, at least three meetings shall be on site. Ahead of each progress meeting, the contractor shall deliver a meeting document of maximum 10 pages, quality and language checked, one week in advance. A meeting document is not the same as a deliverable, but serves to explain the status of the project and indicate discussion points in a way that a meeting participant will be able to fully contribute at the meeting, having read it.

Furthermore, the tenderer needs to consider regular progress calls with ENV.B1.

### 1.4.3. Deliverables

<table>
<thead>
<tr>
<th>Deliverable</th>
<th>Timing (no later than)</th>
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<tbody>
<tr>
<td>Minutes of the kick-off meeting</td>
<td>2 weeks after the kick-off meeting</td>
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<tr>
<td>D1 (task 1) Establishment of stakeholder groups, management process and timeline for involvement</td>
<td>2 months after signature</td>
</tr>
<tr>
<td>D2.1 (task 2) Draft baseline, embodied carbon, based on existing data, and strategy for generating missing data</td>
<td>4 months after signature</td>
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<tr>
<td>D2.2 (task 2) Baseline, embodied carbon</td>
<td>10 months after signature</td>
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<tr>
<td>D3 (task 3) Business as usual up to 2050, embodied carbon</td>
<td>11 months after signature</td>
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<tr>
<td>D4 (task 4) Trajectory towards climate objectives and identified reduction solutions, embodied carbon</td>
<td>13 months after signature</td>
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<tr>
<td>D5 (task 5) Trajectory towards climate objectives, operational carbon</td>
<td>13 months after signature</td>
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<tr>
<td>D6 (task 6) Workshop background report and conference report concluding the event, respectively.</td>
<td>14 months after signature</td>
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<tr>
<td>Final report</td>
<td>15 months after signature</td>
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All deliverables shall be in clear and correct English. They shall be concise, straightforward and easy to follow, with a clear layout and structure and appropriate contents page and chapter headings. They shall be introduced by an executive summary of between two to six pages, which describes the results. All deliverables shall always be quality checked before being sent to the Commission, for content, language and logic.

All tables, graphs, figures shall be followed by an explanation as to what is illustrated and what the conclusion is.

Deliverables in the format of reports shall be delivered in word and pdf, and not exceed 40 pages. Annexes can be used if needed, in particular for delivery and visualisation of data. All files shall be delivered in a format that the Commission can easily work with (add, delete, modify data) or send another contractor at a later stage (also to be expected in the coming 10 years).

Please refer to Annex 9 for the requirements for content, structure and graphic layout of the final deliverable.

1.5. Place of performance: where will the contract be performed?

The services will be performed at the following location:

- the contractor's premises

1.6. Nature of the contract: how will the contract be implemented?

The procedure will result in the conclusion of a direct contract.

In direct contracts all the terms governing the provision of the services, supplies or works are defined at the outset. Once signed, they can be implemented directly without any further contract procedures.

Tenderers need to take full account of the provisions of the Draft contract as the latter will define and govern the contractual relationship(s) to be established between the Contracting authority and the successful tenderer(s). Special attention is to be paid to the provisions specifying the rights and obligations of the contractor, in particular those on payments, performance of the contract, confidentiality, and checks and audits.

1.7. Volume and value of the contract: how much do we plan to buy?

The estimated total amount of all purchases under this contract is indicated under Heading II.1.5 of the contract notice. The maximum budget allocated to is fixed at EUR 200 000 (two-hundred thousand euro) excluding VAT (including fees, travel and all other costs. Travel and subsistence expenses should be part of the lump sum and will not be refunded separately). Any offers received that do not respect this maximum budget will be automatically excluded from the evaluation procedure.
Within three years following the signature of the contract(s) resulting from the current call for tenders, the Contracting authority may use the negotiated procedure under point 11.1.e of Annex 1 to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union to procure new services from the contractor(s) up to a maximum of 50 % of the initial contract value. These services will consist of the repetition of similar services entrusted to the contractor(s). The conditions for award will be specified in the tender specifications of the negotiated procedure.

1.8. Duration of the contract

The tasks should be completed within 15 months of the signature of the contract. The execution of the tasks may not start before the contract has been signed.

1.9. Electronic exchange system: can exchanges under the contract be automated?

For all exchanges with the contractor during the implementation of the contract as well as for future possible subsequent proceedings for the purposes of EDES (European Union's Early Detection and Exclusion System) the Contracting authority may use an electronic exchange system meeting the requirements of Article 148 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union. At the request of the Contracting authority the use of such a system shall become mandatory for the contractor(s) at no additional cost for the Contracting authority. Details on specifications, access, terms and conditions of use will be provided in advance.
2. GENERAL INFORMATION ON TENDERING

2.1. Legal basis: what are the rules?

This call for tenders is governed by the provisions of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union (the Financial Regulation)\(^2\).

The Contracting authority has chosen to award the contract resulting from this call for tenders through an open procedure pursuant to Article 164(1) (a) of the Financial Regulation. In an open procedure any interested economic operator (any natural or legal person who offers to supply products, provide services or execute works) may submit a tender.

2.2. Rules on access to procurement: who may submit a tender?

Participation in this call for tenders is open on equal terms to all natural and legal persons coming within the scope of the Treaties, as well as to international organisations.

It is also open to all natural and legal persons established in a third country which has a special agreement with the European Union in the field of public procurement on the conditions laid down in that agreement. Where the Agreement on Government Procurement\(^3\) concluded within the World Trade Organisation applies, the participation to this call for tenders is open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions laid down therein.

The rules on access to procurement do not apply to subcontractors. Subcontracting may not be used with the intent to circumvent the rules on access to procurement.

To enable the Contracting authority to verify the access, each tenderer must indicate its country of establishment (and in case of joint tender – the country of establishment of each group member) and must present the supporting evidence normally acceptable under the law of that country/-ies. The same document(s) could be used to prove country/-ies of establishment and the delegation(s) of the authorisation to sign as described in Section 4.3.

2.3. Registration in the Participant Register: why register?

Any economic operator willing to submit a tender for this call for tenders must be registered in the Participant Register, - an online register of organisations and natural persons participating in European Commission's calls for tenders or proposals (participants).

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\(^3\) https://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm.
On registering each participant obtains a Participant Identification Code (PIC, 9-digit number) which acts as its unique identifier in the Participant Register. A participant needs to register only once – the information provided can be further updated or re-used by the participant in other European Commission's calls for tenders or calls for proposals.

Please provide information about the SME status of the participant in the Participant Register by filling in the SME Declaration section in the Participant Register. The section becomes available only when updating/modifying the details of the registered organisation.

At any moment during the procurement procedure the Research Executive Agency Validation Services (hereafter the EU Validation Services) may contact the participant and ask for supporting documents on legal existence and status. The requests will be made through the register's messaging system to the e-mail address of the participant's contact person indicated in the register. It is the responsibility of the participant to provide a valid e-mail address and to check it regularly. The documents that may be requested by the EU Validation Services are listed in the EU Grants and Tenders Rules on Legal Entity Validation, LEAR appointment and Financial Capacity assessment.

Please note that a request for supporting documents by the EU Validation Services in no way implies that the tenderer has been successful.

2.4. Ways to submit a tender: how can economic operators organise themselves to submit a tender?

Economic operators can submit a tender either as a sole tenderer or as a group of tenderers. In either case subcontracting is permitted.

In order to fulfil the selection criteria set out in Section 3.2 the tenderer can rely on the capacities of subcontractors or other entities (not subcontractors).

The role of each entity involved in a tender (hereafter referred to as “involved entity”) must be clearly specified in the eSubmission application: i) sole tenderer, ii) Group leader of a group of tenderers, iii) member of a group of tenderers, or iv) subcontractor. For an entity on whose capacities the tenderer relies to fulfil the selection criteria (that is not a subcontractor), this role is defined in the commitment letter (Annex 5.2). This applies also where the involved entities belong to the same economic group.

2.4.1. Joint tenders

A joint tender is a situation where a tender is submitted by a group (with or without legal form) of economic operators regardless of the link they have between them. The group as a whole is considered a tenderer⁴.

⁴ References to tenderer or tenderers in this document shall be understood as covering both sole tenderers and groups of economic operators submitting a joint tender.
All members of the group assume joint and several liability towards the Contracting authority for the performance of the contract as a whole.

Group members must appoint a Group leader and a single point of contact authorised to act on their behalf in connection with the submission of the tender and all relevant questions, clarification requests, notifications, etc., that may be received during the evaluation, award and until the contract signature. The model power of attorney attached in Annex 3 is to be used.

The joint tender must clearly indicate the role and tasks of each member and of the Group leader who will act as the Contracting authority's contact point for the contract's administrative or financial aspects and operational management. The Group leader will have full authority to bind the group and each of its members during contract execution. If the joint tender is successful, the Contracting authority shall sign the contract with the Group leader, authorised by the other members to sign the contract on their behalf via power of attorney drawn up in the model attached in Annex 3.

Changes in the composition of the group during the procurement procedure (after the submission deadline and before contract signature) shall lead to rejection of the tender except in case of a merger or takeover of a member of the group (universal succession), provided that the new entity has access to procurement (see Section 2.2) and is not in an exclusion situation, (see Section 3.1).

In any case the selection criteria must be still fulfilled by the group and the terms of the originally submitted tender may not be altered substantially, i.e. all the tasks assigned to the former entity must be taken over by the new entity member of the group, the change must not make the tender non-compliant with the Tender specifications, and the evaluation of award criteria of the originally submitted tender may not be modified.

2.4.2. Subcontracting

Subcontracting is the situation where the contractor enters into legal commitments with other economic operators which will perform part of the contract on its behalf. The contractor retains full liability towards the Contracting authority for performance of the contract as a whole.

The following shall not be considered subcontracting:

a) Use of workers posted to the contractor by another company owned by the same group and established in a Member State (“intra-group posting” as defined by Article 1, 3, (b) of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services).

b) Use of workers hired out to the contractor by a temporary employment undertaking or placement agency established in a Member State (“hiring out of workers” as defined by Article 1, 3, (c) of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services).

c) Use of workers temporarily transferred to the contractor from an undertaking established outside the territory of a Member State and that belongs to the same group (“intra-corporate transfer” as defined by Article 3, (b) of Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer).
d) Use of staff without employment contract ("self-employed persons working for the contractor"), without the tasks of the self-employed persons being particular well-defined parts of the contract.

e) Use of suppliers and/or transporters by the contractor, in order to perform the contract at the place of performance, unless the economic activities of the suppliers and/or the transporting services are within the subject of this call for tender (see Section 1.4).

f) Performance of part of the contract by members of an EEIG (European Economic Interest Grouping), when the EEIG is itself a contractor or a group member.

The persons mentioned in points a), b), c) and d) above will be considered as “personnel” of the contractor as defined in the contract.

All contractual tasks may be subcontracted unless the Technical specifications expressly reserve the execution of certain critical tasks to the sole tenderer itself, or in case of a joint tender, to a member of the group.

By filling in the form available in Annex 4, tenderers are required to give an indication of the proportion of the contract that they intend to subcontract, as well as to identify and describe briefly the envisaged contractual roles/tasks of subcontractors meeting any of these conditions (hereafter referred to as identified subcontractors):

- on whose capacities the tenderer relies upon to fulfil the selection criteria as described under Section 3.2;
- whose individual share of the contract, known at the time of submission, is above 20%.

Any such subcontractor must provide the tenderer with a commitment letter drawn up in the model attached in Annex 5.1 and signed by its authorised representative.

Changes concerning subcontractors identified in the tender (withdrawal/replacement of a subcontractor, additional subcontracting) during the procurement procedure (after the submission deadline and before contract signature) require the prior written approval of the Contracting authority subject to the following verifications:

- any new subcontractor is not in an exclusion situation;
- the tenderer still fulfils the selection criteria and the new subcontractor fulfils the selection criteria applicable to it individually, if any;
- the terms of the originally submitted tender are not altered substantially, i.e. all the tasks assigned to the former subcontractor are taken over by another involved entity, the change does not make the tender non-compliant with the Tender specifications, and the evaluation of award criteria of the originally submitted tender is not modified.

Subcontracting to subcontractors identified in a tender that was accepted by the Contracting authority and resulted in a signed contract, is considered authorised.

2.4.3. Entities on whose capacities the tenderer relies to fulfil the selection criteria

In order to fulfil the selection criteria a tenderer may also rely on the capacities of other entities, regardless of the legal nature of the links it has with them. It must in that case prove that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment letter in the model attached in Annex 5.2, signed by the authorised
representative of such an entity, and the supporting evidence that those other entities have the respective resources.

If the contract is awarded to a tenderer intending to rely on another entity to meet the minimum levels of economic and financial capacity, the Contracting authority may require the entity to sign the contract or, alternatively, to provide a joint and several first-call financial guarantee for the performance of the contract.

With regard to technical and professional selection criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required.

Relying on the capacities of other entities is only necessary when the capacity of the tenderer is not sufficient to fulfil the required minimum levels of capacity. Abstract commitments that other entities will put resources at the disposal of the tenderer will be disregarded.
3. Evaluation and Award

The evaluation of the tenders that comply with the submission conditions will consist of the following elements:

- Check if the tenderer has access to procurement (see Section 2.2);
- Verification of administrative compliance (if the tender is drawn up in one of the official EU languages and signed by duly authorised representative(s) of the tenderer);
- Verification of non-exclusion of tenderers on the basis of the exclusion criteria;
- Selection of tenderers on the basis of selection criteria;
- Verification of compliance with the minimum requirements defined in the Tender specifications;
- Evaluation of tenders on the basis of the award criteria.

The Contracting authority will evaluate the abovementioned elements in the order that it considers to be the most appropriate. If the evaluation of one or more elements demonstrates that there are grounds for rejection, the tender will be rejected and will not be subject to further full evaluation. The unsuccessful tenderers will be informed of the grounds for rejection without being given feedback on the non-assessed content of their tenders. Only tenderer(s) for whom the verification of all elements did not reveal grounds for rejection can be awarded the contract.

The evaluation will be based on the information and evidence contained in the tenders and, if applicable, on additional information and evidence provided at the request of the Contracting authority during the procedure. If any of the declarations or information provided proves to be false, the Contracting authority may impose administrative sanctions (exclusion or financial penalties) on the entity providing the false declarations/information.

For the purposes of the evaluation related to exclusion and selection criteria the Contracting authority may also refer to publicly available information, in particular evidence that it can access on a national database free of charge.

3.1. Exclusion criteria

The objective of the exclusion criteria is to assess whether the tenderer is in any of the exclusion situations listed in Article 136(1) of the Financial Regulation.

Tenderers found to be in an exclusion situation will be rejected.

As evidence of non-exclusion each tenderer (and identified subcontractors – as described under 2.4.2 ‘Subcontracting’), must submit with the tender a Declaration on Honour\(^5\) in the

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\(^5\) The European Single Procurement Document (ESPD) may not be used yet in European Commission's calls for tenders.
model available in *Annex 2*. The declaration must be signed by an authorised representative of the entity providing the declaration.

The initial verification of non-exclusion of tenderers will be done on the basis of the submitted declarations and consultation of the *European Union's Early Detection and Exclusion System*. The documents mentioned as supporting evidence in the Declaration on Honour need to be provided whenever requested and where this is necessary to ensure the proper conduct of the procedure within a deadline given by the Contracting authority.

*Annex 1* specifies which of the involved entities participating in a tender need to provide the Declaration on Honour and, when requested by the *Contracting authority*, the supporting evidence.

Before the award decision, the contracting authority may request documentary evidence on compliance on the exclusion criteria set out in the present tender specifications. All tenderers are invited to prepare in advance the documents related to the evidence, since they may be requested to provide such evidence within a short deadline. Failure to provide valid documentary evidence within the deadline set by the Contracting Authority shall lead to the rejection of the tender for the award of the contract, unless the tenderer can justify the failure on the grounds of material impossibility.

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**Please note that a request for evidence in no way implies that the tenderer has been successful.**

### 3.2. Selection criteria

The objective of the selection criteria is to assess whether the tenderer has the legal, regulatory, economic, financial, technical and professional capacity to perform the contract.

The selection criteria for this call for tenders, including the minimum levels of capacity, the basis for assessment and the evidence required, are specified in the following subsections.

Tenders submitted by tenderers not meeting the minimum levels of capacity will be rejected.

When submitting its tender each tenderer shall declare on honour that it fulfils the selection criteria for the call for tender. The model Declaration on Honour available in *Annex 2* shall be used.

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6 Unless the same declaration has already been submitted for the purposes of another award procedure of the European Commission, the situation has not changed, and the time elapsed since the issuing date of the declaration does not exceed one year.

7 The obligation to provide the supporting evidence will be waived in the following situations:
   - if the same documents have already been provided in a previous award procedure of the European Commission, have been issued no more than one year before the date of their request by the *Contracting authority* and are still valid at that date;
   - if such evidence can be accessed by the *Contracting Authority* on a national database free of charge, in which case the economic operator shall provide the *Contracting authority* with the internet address of the database and, if needed, the necessary identification data to retrieve the document;
   - if there is a material impossibility to provide such evidence.
The initial assessment of whether a tenderer fulfils the selection criteria will be done on the basis of the submitted declaration(s) and supporting evidence when applicable.

The subsections below specify which selection criteria evidence must be provided with the tender or may be requested later, at any time during the procurement procedure. In any case, to the extent that there is no ground for a waiver, the evidence must be provided, upon request and within a deadline given by the Contracting authority. The evidence must be provided in accordance with the applicable basis for assessment of each criterion: in case of a consolidated assessment – only by the involved entities who contribute to the fulfilment of the criterion, and in case of individual assessment – by each involved entity to whom the criterion applies individually.

### 3.2.1. Legal capacity

Tenderers must prove legal capacity to perform the contract.

The legal capacity shall be proven by the evidence listed below:

- Proof of enrolment in a relevant trade or professional register
- Proof of authorisation that the tenderer is authorised to perform the contract in its country of establishment

All of the above-specified evidence of legal capacity must be provided with the tender.

### 3.2.2. Economic and financial capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary economic and financial capacity to perform the contract.

| Criterion F |
|------------------------|-----------------|
| **Minimum level of capacity** | Average yearly turnover of the last two financial years above EUR 320,000. |
| **Basis for assessment** | This criterion applies to the tenderer as a whole, i.e. a consolidated assessment of the combined capacities of all involved entities will be carried out. |
| **Evidence** | Copy of the profit and loss accounts and balance sheet for the last two years for which accounts have been closed from each concerned involved entity, or, failing that, appropriate statements from banks. The most recent year must have |

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8 The obligation to provide the supporting evidence will be waived in the following situations:
- if the same documents have already been provided in a previous award procedure of the European Commission, have been issued no more than one year before the date of their request by the Contracting authority and are still valid at that date;
- if such evidence can be accessed by the Contracting Authority on a national database free of charge, in which case the economic operator shall provide the Contracting authority with the internet address of the database and, if needed, the necessary identification data to retrieve the document.
3.2.3. Technical and professional capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary technical and professional capacity to perform the contract.

Criteria A – evidence relating to tenderers

Tenderers (in case of a joint tender the combined capacity of all members of the group and identified subcontractors) must comply with the criteria listed below:

The project references indicated below consist of a list of relevant services provided (i.e. not ongoing but fully completed) in the past five years, with the sums, dates and clients, public or private, accompanied by statements issued by the clients. These statements should certify that the tenderer participated in the referenced project, state the amount and duration and confirm that the contract was executed according to the contractual terms.

Criterion A1: The tenderer must prove experience in the field of building whole life carbon, including embodied carbon, on the building project level as well as on the national level. It shall also prove experience in the setting up and management of expert groups, in collection and generation of whole life carbon data on building project level, in data processing and statistical analyses, drafting reports and preparing and managing meetings effectively.

Evidence A1: The tenderer must provide references for three projects delivered in these fields in the last five years with a minimum value for each project of EUR 100,000. (One project may cover more than one of the above fields).

Criterion A2: The tenderer must prove capacity to work with data collection, generation and analysis across countries or regions in Europe.

Evidence A2: The tenderer must provide references for three projects delivered in the last five years, covering at least eight different countries in total.

Criterion A3: The tenderer must prove capacity to draft reports in English.

Evidence A3: The tenderer must provide one document of at least 10 pages (report, study, etc.) in this language that it has drafted and published or delivered to a client in the last two years. The verification will be carried out on 5 pages of the document.

Criterion A4: The tenderer must prove its capacity to work throughout the EU, i.e. in the Nordic countries, in Western, Southern, Central and Eastern Europe.

Evidence A4: The tenderer must provide references for three projects delivered in the last 5 years. The combination of projects must cover the required geographical scope.
Criteria B – evidence relating to the team

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

**Criterion B1 - 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 projects of a similar size (at least €150,000) and coverage (at least five countries covered), with experience in management of teams of at least 10 people.

Evidence B1: CV

**Criterion B2 - Language requirements:** At least three members of the team should have at least C1 level in the Common European Framework for Reference for Languages in English.

Evidence B2: A language certificate or past relevant experience.

**Criterion B3 - Experts in building sustainability performance, in particular whole life carbon:** At least three experts shall individually have at least three years of professional experience.

Evidence B3: CV

**Criterion B4 - Team for data collection:** Collectively the team should have knowledge of and proven experience of five years in data collection techniques.

Evidence B4: CV and past relevant experience.

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> All of the above specified evidence of technical and professional capacity must be provided with the tender.

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> Involved entities must not be subject to conflicting interests which may negatively affect the contract performance. Where the Contracting authority has established such conflicting interests, it may conclude that the tenderer or an involved entity does not possess the required professional capacity to perform the contract to an appropriate quality standard.

The presence of conflicting interests shall be examined during the evaluation phase based on the statements made through the Declarations on Honour and, where applicable, the commitment letters (*Annex 5.1 and Annex 5.2*).

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9 See [http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp](http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp)
3.3. Compliance with the minimum requirements of the Tender specifications

By submitting a tender a tenderer commits to perform the contract in full compliance with the terms and conditions of the procurement documents for this call for tender. Particular attention is drawn to the minimum requirements specified in Section 1.4 of these specifications and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

The minimum requirements shall be observed throughout the entire duration of the contract. Compliance with these requirements is mandatory and cannot be subject to any assumptions, limitations, conditions, or reservations on the part of a tenderer.

Tenders that are not compliant with the applicable minimum requirements shall be rejected.

3.4. Award criteria

The contract will be awarded to the most economically advantageous tender, according to the 'best price-quality ratio' award method. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

A maximum of 60 points will be attributed to criterion 1, a maximum of 20 points will be attributed to criterion 2, and a maximum of 20 points will be attributed to criterion 3. In addition, a minimum threshold will be set up under this system of points:

- Technical sufficiency levels: Selected companies will have to score a minimum of 40, 10 and 10 points under criteria 1, 2 and 3 respectively, with a minimum total of 65 points.

Assessment of the tenders will focus on the quality of the proposed services therefore tenderers should elaborate on all points addressed by these specifications in order to score as many points as possible. The mere repetition of mandatory requirements set out in these specifications, without going into details or without giving any added value, will only result in a very low score. In addition, if certain essential points of these specifications are not expressly covered by the tender, the Commission may decide to give a zero mark for the relevant qualitative award criteria.

1 Quality of the proposed methodology (60 points – minimum threshold 40 points)

The degree to which the methodology shows the capacity to analyse, review and evaluate documents and figures, in accordance with the needs of the contracting authority will be assessed under this criterion. Furthermore the tender must demonstrate the capacity to resolve the questions underlying in the tender in a realistic and well-structured way, as well as demonstrate that the methods proposed are suited to the needs set out by the Commission in the Technical Specifications (see section 1.4.2).

2 Organisation of the work and allocation of resources (20 points – minimum threshold 10)

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. Details should be provided as part of the technical offer and not simply as part of the financial offer.

3 Quality control measures (20 points – minimum threshold 10)

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 a member of the team. The quality control system should be detailed in the tender and specific to the tasks at hand; a generic quality control system will result in a low score.

3.5. Award (ranking of tenders)

Having examined the tenders from a technical point of view, the evaluation committee will proceed considering which is the economically most advantageous offer taking into account only those tenders that have obtained at least 65 out of the 100 points that are available for the technical quality of the bid. The evaluation committee will then proceed with the financial comparison of the tenders retained for further consideration according to the ranking procedure below.

The bid offering the best value for money will be chosen, provided that the minimum number of points cited above is achieved. The ranking of the tenders will be calculated as follows:

- All bids that do not reach the stated technical sufficiency levels for each individual award criteria will not be considered for contract award.

- All bids that have passed the individual levels and score 65 or higher are deemed to be technically sufficient. Then the price is divided by the total number of points awarded to obtain the price-quality ratio. The award of the contract will be made in accordance with the lowest ratio.

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

Reserve clause:

Please note that budgetary implementation of the contract is subject to the following conditions:

* Adoption of the legal basis - The Life Regulation is the instrument under which DG Environment policy implementation will be carried out for the period 2021-2027. The LIFE Regulation is expected to be published in the OJ in June 2021 and will enter into force after its publication;

* Approval of the annual work programme for the respective year of implementation.

Achieving these conditions is outside the control of the contracting authority.
4. **FORM AND CONTENT OF THE TENDER**

4.1. Form of the tender: how to submit the tender?

Tenders are to be submitted via the eSubmission application according to the instructions laid down in the Invitation to tender letter and the eSubmission Quick Guide.

Make sure you prepare and submit your electronic tender in e-Submission early enough to ensure it is received within the deadline specified under Heading IV.2.2 of the contract notice. A tender received after this deadline will be rejected.

4.2. Content of the tender: what documents to submit with the tender?

The documents to be submitted with the tender in e-Submission are listed in *Annex 1*.

The following requirements apply to the technical and financial offer (to be uploaded as Technical tender and Financial tender in e-Submission):

- **Technical offer.**

  The technical offer must provide all the information needed to assess the compliance with Section 1.4 of these specifications and the award criteria. Tenders deviating from the minimum requirements or not covering all the requirements may be rejected on the basis of non-compliance and not evaluated further.

- **Financial offer.**

  - A complete financial offer, including the breakdown of the price needs to be uploaded. For this purpose, the Financial Model in *Annex 6* shall be completed and uploaded in eSubmission. The total amount of the offer must be encoded in the field “Total amount” under the section “Tender data” in eSubmission.

  - It is the responsibility of each tenderer to ensure that the total amount of the tender inserted in the eSubmission field “Total amount” corresponds to the amount indicated in the uploaded financial offer. In case of discrepancies, only the amount indicated in the financial offer will be taken into account.

The financial offer shall be:

- expressed in euros. 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 bear the risks or the benefits deriving from any variation.

- quoted free of all duties, taxes and other charges, i.e. also free of VAT. The tenderer may indicate the amount of VAT but it must be shown separately.

The European Union Institutions are exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union of 8 April 1965 annexed to the Treaty on the Functioning of the European Union. Exemption is granted to the Commission by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption.
For those countries where national legislation provides an exemption by means of a reimbursement, the amount of VAT must be shown separately. In case of doubt about the applicable VAT system, it is the tenderer’s responsibility to contact his or her national authorities to clarify the way in which the European Union is exempt from VAT.

4.3. Signature policy: how can documents be signed?

Where a document needs to be signed, the signature must be either hand-written or a qualified electronic signature as defined in Regulation (EU) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market (the eIDAS Regulation).

For hand-written signatures see Section 1 of the Invitation to tender.

For electronic signatures see: https://webgate.ec.europa.eu/fpfis/wikis/x/YIrgIw

All documents must be signed by the signatories (when they are individuals) or by their duly authorised representatives.

For the following documents, when signed by representatives, tenderers must provide evidence for the delegation of the authorisation to sign:

- The Declaration on Honour of the tenderer (in case of joint tender – the Declarations on Honour of all group members);
- (If applicable – in the case of joint tender) the power(s) of attorney drawn up using the model attached in Annex 3).

The delegation of the authorisation to sign on behalf of the signatories (including, in the case of proxy(-ies), the chain of authorisations) must be evidenced by appropriate written evidence (copy of the notice of appointment of the persons authorised to represent the legal entity in signing contracts (together or alone), or a copy of the publication of such appointment if the legislation which applies to signatory requires such publication or a power of attorney). A document that the Contracting authority can access on a national database free of charge does not need to be submitted if the Contracting authority is provided with the exact internet link and, if applicable, the necessary identification data to retrieve the document.

4.4. Confidentiality of tenders: what information and under what conditions can be disclosed?

Once the Contracting authority has opened a tender, it becomes its property and shall be treated confidentially, subject to the following:

- For the purposes of evaluating the tender and, if applicable, implementing the contract, performing audits, benchmarking, etc., the Contracting authority is entitled to make available (any part of) the tender to its staff and the staff of other Union institutions, agencies and bodies, as well to other persons and entities working for the Contracting authority or cooperating with it, including contractors or subcontractors and their staff provided that they are bound by an obligation of confidentiality.
- After the signature of the award decision tenderers whose tenders were received in accordance with the submission modalities, who have access to procurement, who are not found to be in an exclusion situation referred to in Article 136(1) of the FR, who
are not rejected under Article 141 of the FR, whose tenders are not found to be incompliant with the procurement documents, and who make a request in writing will be notified of the name of the tenderer to whom the contract is awarded, the characteristics and relative advantages of the successful tender and the price of the offer and/or contract value. The Contracting authority may decide to withhold certain information that it assesses as being confidential, in particular where its release would prejudice the legitimate commercial interests of economic operators or might distort fair competition between them. Such information may include, without being limited to, confidential aspects of tenders such as unit prices included in the financial offer, technical or trade secrets\textsuperscript{10}.

- The Contracting authority may disclose the submitted tender in the context of a request for public access to documents, or in other cases where the applicable law requires its disclosure. Unless there is an overriding public interest in disclosure\textsuperscript{11}, the Contracting authority may refuse to provide full access to the submitted tender, redacting the parts (if any) that contain confidential information, the disclosure of which would undermine the protection of commercial interests of the tenderer, including intellectual property.

\begin{quote}
\textbf{The Contracting authority} will disregard general statements that the whole tender or substantial parts of it contain confidential information. Tenderers need to mark clearly the information they consider confidential and explain why it may not be disclosed. The Contracting authority reserves the right to make its own assessment of the confidential nature of any information contained in the tender.
\end{quote}

\textsuperscript{10} For the definition of trade secrets please see Article 2 (1) of DIRECTIVE (EU) 2016/943 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure.

\textsuperscript{11} See Article 4 (2) of the REGULATION (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents.
## Appendix: List of References

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Annex 1. List of documents to be submitted with the tender or during the procedure

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<td>Evidence that the person signing the documents is an authorised</td>
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12 A document that the Contracting authority can access on a national database free of charge does not need to be submitted if the Contracting authority is provided with the exact internet link and, if applicable, the necessary identification data to retrieve the document.
| Evidence of economic and financial capacity (see Section 3.2.2) | At any time during the procedure  
In the Participant Register | With the tender in e-Submission  
'Balance_sheet_entity_year'  
'Profit_Loss_Account_entity_year' | With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Economic and financial capacity'. |
| Evidence of technical and professional capacity (see Section 3.2.3) | The documents must be provided  
only by the involved entities  
who contribute to reaching the minimum capacity level for criterion F | With the tender in e-Submission  
'Project_reference_No.1'  
'Project_reference_No.2'  
“CV B1”, “CV B2” etc | With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Technical and professional capacity'. |
2. Tender data.

Failure to upload the following documents in eSubmission will lead to rejection of the tender.

<table>
<thead>
<tr>
<th></th>
<th>Technical offer</th>
<th>Financial offer</th>
</tr>
</thead>
<tbody>
<tr>
<td>(see Section 4.2)</td>
<td>With the tender in e-Submission</td>
<td>With the tender in e-Submission</td>
</tr>
<tr>
<td></td>
<td>'Technical tender'</td>
<td>'Financial tender'</td>
</tr>
<tr>
<td></td>
<td>Under section 'Tender Data' → 'Technical Tender'</td>
<td>Under 'Tender Data' → 'Financial Tender'</td>
</tr>
</tbody>
</table>
Annex 2. Declaration on honour on exclusion criteria and selection criteria

The undersigned [insert name of the signatory of this form], representing:

<table>
<thead>
<tr>
<th>(only for natural persons) himself or herself</th>
<th>(only for legal persons) the following legal person:</th>
</tr>
</thead>
<tbody>
<tr>
<td>ID or passport number:</td>
<td>Full official name:</td>
</tr>
<tr>
<td>('the person')</td>
<td>Official legal form:</td>
</tr>
<tr>
<td></td>
<td>Statutory registration number:</td>
</tr>
<tr>
<td></td>
<td>Full official address:</td>
</tr>
<tr>
<td></td>
<td>VAT registration number:</td>
</tr>
<tr>
<td></td>
<td>('the person')</td>
</tr>
</tbody>
</table>

The person is not required to submit the declaration on exclusion criteria if the same declaration has already been submitted for the purposes of another award procedure of the same contracting authority\(^{13}\), provided the situation has not changed, and that the time that has elapsed since the issuing date of the declaration does not exceed one year.

In this case, the signatory declares that the person has already provided the same declaration on exclusion criteria for a previous procedure and confirms that there has been no change in its situation:

<table>
<thead>
<tr>
<th>Date of the declaration</th>
<th>Full reference to previous procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I – Situation of exclusion concerning the person

(1) declares that the above-mentioned person is in one of the following situations:

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^{13}\) The same EU institution, agency, body or office.
arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under Union or national law;

(b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;

(c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:

- (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the performance of a contract or an agreement;
- (ii) entering into agreement with other persons with the aim of distorting competition;
- (iii) violating intellectual property rights;
- (iv) attempting to influence the decision-making process of the contracting authority during the award procedure;
- (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;

(d) it has been established by a final judgement that the person is guilty of any of the following:

- (i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
- (ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or active corruption within the meaning of Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in other applicable laws;
- (iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;
- (iv) money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;
- (v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
- (vi) child labour or other offences concerning trafficking in human
beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;

(e) it has shown significant deficiencies in complying with the main obligations in the performance of a contract or an agreement financed by the Union’s budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF) or the Court of Auditors;

(f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;

(g) it has been established by a final judgment or final administrative decision that the person has created an entity under a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business.

(h) (only for legal persons) it has been established by a final judgment or final administrative decision that the person has been created with the intent provided for in point (g).

(i) for the situations referred to in points (c) to (h) above the person is subject to:
   i. facts established in the context of audits or investigations carried out by the European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office (OLAF) or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
   ii. non-final judgments or non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
   iii. facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks;
   iv. information transmitted by Member States implementing Union funds;
   v. decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law; or
   vi. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.
II – Situations of exclusion concerning natural or legal persons with power of representation, decision-making or control over the legal person and beneficial owners

*Not applicable to natural persons, Member States and local authorities*

(2) declares that a natural or legal person who is a member of the administrative, management or supervisory body of the above-mentioned legal person, or who has powers of representation, decision or control with regard to the above-mentioned legal person (this covers e.g. company directors, members of management or supervisory bodies, and cases where one natural or legal person holds a majority of shares), or a beneficial owner of the person (as referred to in point 6 of article 3 of Directive (EU) No 2015/849) is in one of the following situations:

<table>
<thead>
<tr>
<th>Situation (c) above (grave professional misconduct)</th>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Situation (d) above (fraud, corruption or other criminal offence)</td>
<td>YES</td>
<td>NO</td>
<td>N/A</td>
</tr>
<tr>
<td>Situation (e) above (significant deficiencies in performance of a contract)</td>
<td>YES</td>
<td>NO</td>
<td>N/A</td>
</tr>
<tr>
<td>Situation (f) above (irregularity)</td>
<td>YES</td>
<td>NO</td>
<td>N/A</td>
</tr>
<tr>
<td>Situation (g) above (creation of an entity with the intent to circumvent legal obligations)</td>
<td>YES</td>
<td>NO</td>
<td>N/A</td>
</tr>
<tr>
<td>Situation (h) above (person created with the intent to circumvent legal obligations)</td>
<td>YES</td>
<td>NO</td>
<td>N/A</td>
</tr>
<tr>
<td>Situation (i) above</td>
<td>YES</td>
<td>NO</td>
<td>N/A</td>
</tr>
</tbody>
</table>

III – Situations of exclusion concerning natural or legal persons assuming unlimited liability for the debts of the legal person

(3) declares that a natural or legal person that assumes unlimited liability for the debts of the above-mentioned legal person is in one of the following situations:

<table>
<thead>
<tr>
<th>Situation (a) above (bankruptcy)</th>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Situation (b) above (breach in payment of taxes or social security contributions)</td>
<td>YES</td>
<td>NO</td>
<td>N/A</td>
</tr>
</tbody>
</table>

IV – Grounds for rejection from this procedure

(4) declares that the above-mentioned person:

| Was previously involved in the preparation of the procurement documents used in this award procedure, where this entailed a breach of the principle of equality of treatment including distortion of competition that cannot be remedied otherwise. | YES | NO |

V – Remedial measures

If the person declares one of the situations of exclusion listed above, it must indicate measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. This may include...
e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines or of any taxes or social security contributions. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to this declaration. This does not apply for situations referred in point (d) of this declaration.

VI – Evidence upon request

Upon request and within the time limit set by the contracting authority the person must provide information on natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control, including legal and natural persons within the ownership and control structure and beneficial owners.

It must also provide the following evidence concerning the person itself and the natural or legal persons on whose capacity the person intends to rely, or a subcontractor and concerning the natural or legal persons which assume unlimited liability for the debts of the person:

For situations described in (a), (c), (d), (f), (g) and (h), production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the person showing that those requirements are satisfied.

For the situation described in point (b), production of recent certificates 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 person is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

The person is not required to submit the evidence if it has already been submitted for another award procedure of the same contracting authority. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

<table>
<thead>
<tr>
<th>Document</th>
<th>Full reference to previous procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insert as many lines as necessary.</td>
<td></td>
</tr>
</tbody>
</table>

14 The same institution or agency.
VII – Selection criteria

(1) declares that the above-mentioned person complies with the selection criteria applicable to it individually as provided in the tender specifications:

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(a) It has the legal and regulatory capacity to pursue the professional activity needed for performing the contract as required in section 3.2.1 of the tender specifications;

(b) It fulfills the applicable economic and financial criteria indicated in section 3.2.2 of the tender specifications;

(c) It fulfills the applicable technical and professional criteria indicated in section 3.2.3 of the tender specifications.

(2) if the above-mentioned person is the sole tenderer or the leader in case of joint tender, declares that:

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(d) the tenderer, including all members of the group in case of joint tender and including subcontractors if applicable, complies with all the selection criteria for which a consolidated assessment will be made as provided in the tender specifications.

VIII – Evidence for selection

The signatory declares that the above-mentioned person is able to provide the necessary supporting documents listed in the relevant sections of the tender specifications and which are not available electronically upon request and without delay.

The person is not required to submit the evidence if it has already been submitted for another procurement procedure of the same contracting authority. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

<table>
<thead>
<tr>
<th>Document</th>
<th>Full reference to previous procedure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insert as many lines as necessary.</td>
<td></td>
</tr>
</tbody>
</table>

15 The same institution of agency.
The above-mentioned person must immediately inform the contracting authority of any changes in the situations as declared.

The above-mentioned person may be subject to rejection from this procedure and to administrative sanctions (exclusion or financial penalty) if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

Full name  Date  Signature
Annex 3. Power of attorney

Call for tenders ENV/2021/OP/0003-
“Support the development of a roadmap for the reduction of whole life carbon of buildings”.

POWER OF ATTORNEY

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 joint tender as a member of a group of tenderers (the Group), constituted by Company 1, Company 2, Company N (Group members), and led by Company 1 (Group leader), 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 Contracting authority awards the contract resulting from this call for tenders to the Group on the basis of the joint tender to which this power of attorney is attached, all Group members shall be considered parties to the contract in accordance with the following conditions:
   (a) All Group members shall be jointly and severally liable towards the Contracting authority for the performance of the contract.
   (b) All Group members 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.

3) Payments by the Contracting authority related to the services and/or supplies subject to the Contract shall be made through the bank account of the Group leader: [Provide details on bank, address, account number].

4) The Group members grant to the Group leader all the necessary powers to act on their behalf in the submission of the tender and the conclusion of the contract, including:
   (a) The Group leader shall submit the tender on behalf of all Group members and indicate in the "Tender Contact Info" section in e-Submission the name and e-mail address of an individual - single point of contact authorised to communicate officially with the Contracting authority in connection with the submitted tender on behalf of all Group members, including in connection with all relevant questions, clarification requests, notifications, etc., that may be received during the evaluation, award and until the contract signature.
   (b) The Group leader shall sign any contractual documents — including the contract, and amendments thereto — and issue any invoices related to the performance of the contract.
on behalf of all *Group members*.

(c) The *Group leader* shall act as a single contact point with the Contracting authority 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* to the Contracting authority, and shall see to a proper administration of the contract.

Any modification to the present Power of attorney shall be subject to the Contracting authority’s express approval. This Power of attorney shall expire when all the contractual obligations of the *Group* have ceased to exist. The parties cannot terminate it before that date without the Contracting authority’s consent.

Place and date:

Name (in capital letters), function, company and signature:
Annex 4. List of identified subcontractors

<table>
<thead>
<tr>
<th>Identification details</th>
<th>Roles/tasks during contract execution</th>
<th>Proportion of subcontracting (% of contract volume)</th>
</tr>
</thead>
</table>
| [Full official name  
  Registered address  
  Statutory registration number  
  VAT registration number] |                                      |                                                   |
| [Full official name  
  Registered address  
  Statutory registration number  
  VAT registration number] |                                      |                                                   |
| [REPEAT AS MANY TIMES AS THE NUMBER OF IDENTIFIED SUBCONTRACTORS] |                                      |                                                   |
| Other subcontractors that do not need to be identified under Section 2.4.2 |                                      |                                                   |
| TOTAL % of subcontracting |                                      | 0,00%                                             |
Annex 5.1. Commitment letter by an identified subcontractor

[Letterhead, if any]

EUROPEAN COMMISSION

Call for tenders Ref. ENV/2021/OP/0003

Attn:

[Insert date]

Commitment letter by identified subcontractor

I, the undersigned,

Name:

Function:

Company:

Registered address:

VAT Number:

having the legal capacity required to act on behalf of the company [insert name of the entity] hereby confirm that our company agrees to participate as subcontractor in the offer of [insert name of the tenderer] for the Call for Tenders ENV/2021/OP/0003 – “Support the development of a roadmap for the reduction of whole life carbon of buildings”.

In the event that the tender of the aforementioned tenderer is successful, [insert name of the subcontractor] commits itself to make available the resources necessary for performance of the contract as a subcontractor and to carry out the services that will be subcontracted to it in compliance with the terms of the contract. It further declares that it is not subject to conflicting interests which may negatively affect the contract performance and that it accepts the general conditions attached to the Tender Specifications for the above call for tender, in particular the contractual provisions related to checks and audits.

Done at:

Name:

Position:

Signature:
Annex 5.2. Commitment letter by an entity on whose capacities is being relied

[Letterhead, if any]

EUROPEAN COMMISSION

Call for tenders Ref. ENV/2021/OP/0003

Attn:

[Insert date]

Commitment letter by an entity on whose capacity is being relied

I, the undersigned,

Name:

Function:

Company:

Registered address:

VAT Number:

having the legal capacity required to act on behalf of the company [insert name of the entity] hereby confirm that our company authorises the [insert name of the tenderer] to rely on its financial and economic capacity in order to meet the minimum levels required for the Call for Tenders ENV/2021/OP/0003 – Support the development of a roadmap for the reduction of whole life carbon of buildings”.

In the event that the tender of the aforementioned tenderer is successful, [insert name of the entity] commits itself to make available the resources necessary for performance of the contract. It further declares that it is not subject to conflicting interests which may negatively affect the contract performance, and that it accepts the general conditions attached to the Tender Specifications for the above call for tender, in particular the contractual provisions related to checks and audits.

Done at:

Name:

Position:

Signature:
Annex 6. Financial offer form

(for guidance purposes only)

(to be completed and signed by the tenderer only or the lead tenderer in the case of joint bids)

Price and Estimated budget breakdown

Calculation of the costs (incl. travel, overheads, consumables and any other related costs)

<table>
<thead>
<tr>
<th>Type of service provider</th>
<th>Position within the project team</th>
<th>Number of working days</th>
<th>Allocation of tasks</th>
<th>Proportion of the contract in %</th>
<th>Costs in €</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lead contractor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
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</tr>
<tr>
<td>Sub-total</td>
<td>......</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sub-contractor 1</td>
<td></td>
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<tr>
<td>Sub-total</td>
<td>......</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sub-contractor 2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>......</td>
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<tr>
<td>Sub-total</td>
<td>......</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sub-contractor 3</td>
<td></td>
<td></td>
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<td>......</td>
<td>......</td>
<td>......</td>
</tr>
<tr>
<td>Sub-total</td>
<td>......</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Travel/other costs(^{16}) (if applicable)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>......</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signature of Tenderer ..............................................................

Date ..............................................................

\(^{16}\) Will be reimbursed on a lump-sum basis.
Annex 7. Travel and subsistence costs

(Only applicable if the organisation of workshops/conferences is specified in the tender specifications – Not applicable to contractor's own staff)

Travel costs must be based on the following:
- **Train**: first-class rail travel for journeys less than 400 km (one way).
- **Flight**: economy class air travel for distances of more than 400 km. Business class is allowed for a flight of 4 hours or more without stopovers.
- **Private car**: the travel shall be reimbursed at the same rate as the first-class rail ticket, or by default at the rate of 0.22 € per km.

Different travel options will not be accepted and will entail the refusal of the offer. Amounts must be quoted in EURO. Prices must be fixed amounts and be calculated exclusive of all duties and taxes.

**Maximum rates for accommodation and meals.**

<table>
<thead>
<tr>
<th>Destination</th>
<th>Hotel ceiling in euros</th>
<th>Daily allowance in euros</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>148</td>
<td>102</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>135</td>
<td>57</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>124</td>
<td>70</td>
</tr>
<tr>
<td>Denmark</td>
<td>173</td>
<td>124</td>
</tr>
<tr>
<td>Germany</td>
<td>128</td>
<td>97</td>
</tr>
<tr>
<td>Estonia</td>
<td>105</td>
<td>80</td>
</tr>
<tr>
<td>Ireland</td>
<td>159</td>
<td>108</td>
</tr>
<tr>
<td>Greece</td>
<td>112</td>
<td>82</td>
</tr>
<tr>
<td>Spain</td>
<td>128</td>
<td>88</td>
</tr>
<tr>
<td>France</td>
<td>180</td>
<td>102</td>
</tr>
<tr>
<td>Croatia</td>
<td>110</td>
<td>75</td>
</tr>
<tr>
<td>Italy</td>
<td>148</td>
<td>98</td>
</tr>
<tr>
<td>Cyprus</td>
<td>140</td>
<td>88</td>
</tr>
<tr>
<td>Latvia</td>
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<tr>
<td>United Kingdom</td>
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</table>

Rates for hotel and subsistence for countries not included in the above table will be provided by the Commission services if necessary.
Annex 8 – Administrative Information Form

(To be filled in by the tenderer only or the lead tenderer in the case of joint bids)

Organisation or individual:

NAME: ........................................................................................................................................................................
ADDRESS: .................................................................................................................................................................

Address where contract should be sent (if different from above):

..................................................................................................................................................................................

PERSON AUTHORISED TO SIGN CONTRACT:

Name and position: ..........................................................................................................................................................

PERSON FOR ROUTINE CONTACT:

Name and position: ..........................................................................................................................................................
ADDRESS: .................................................................................................................................................................

Telephone and E-mail: ..................................................................................................................................................

BANK DETAILS FOR CONTRACT:
(N.B. these must correspond to those encoded in the PIC register for this tender – see point 2.3)

Name of bank: .............................................................................................................................................................
Full address of branch: ..............................................................................................................................................
Exact denomination of account holder: .......................................................................................................................
Full account number including bank codes: ..............................................................
IBAN code: .................................................................
Annex 9. Content, Structure and graphic requirements of the final deliverables

The contractor must deliver the study and other deliverables as indicated below.

**Content**

**Final study report**

The final study report must include:

- an abstract of no more than 200 words and an executive summary of maximum 6 pages, both in English and French;
- specific identifiers which must be incorporated on the cover page provided by the Contracting Authority;
- the following 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.”

**Publishable executive summary**

The publishable executive summary must be provided in both in English and French and must include:

- specific identifiers which must be incorporated on the cover page provided by the Contracting Authority;
- the following 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.”

**Requirements for publication on Internet**

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

For the publishable versions of the study, abstract and executive summary, the contractor must respect the W3C guidelines for accessible pdf documents as provided at: http://www.w3.org/WAI/.
**Graphic requirements**

The contractor must deliver the study and all publishable deliverables in full compliance with 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 logo. The graphic rules, the Manual and further information are available at:

http://ec.europa.eu/dgs/communication/services/visual_identity/index_en.htm

A simple Word template will be provided to the contractor after contract signature. The contractor must fill in the cover page in accordance with the instructions provided in the template. The use of templates for studies is exclusive to European Commission's contractors. No template will be provided to tenderers while preparing their tenders.