



EUROPEAN COMMISSION
DIRECTORATE-GENERAL COMPETITION
Directorate H - State aid: Cohesion, R&D&I and enforcement
Unit H2

CALL FOR TENDERS
COMP/2015/005

Study on State aid granted in the automotive sector and on the link between state aid and potential foreclosure in downstream motor vehicle markets and key technology providers

TENDER SPECIFICATIONS

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1. Purpose and context of the contract

The automotive sector is of key importance for the European economy and for the Commission's strategy for growth and jobs. With an annual turnover of € 843 billion in 2012 and a value added of over € 154 billion in 2012, motor vehicle manufacturing makes a major contribution to the EU's GDP (6.6%). There are almost 13 million jobs dependent on the automotive industry and 2.2 million people are directly employed in motor vehicle production.

The car production sector in the EU has been hit hard by the financial and economic crisis and is still facing the challenge of stagnant demand, coupled with significant structural overcapacities. Despite of some adjustments, no significant restructuring has taken place in recent years. Against this backdrop, available information suggests that the sector has been heavily subsidised by several Member States and that State aid has been granted, in particular, for supporting cohesion, research and development and innovation (R&D&I) activities, rescue and restructuring (R&R) operations and training, in addition to contingent forms of support granted under the Temporary Framework¹. Other forms of public funding, which are not technically considered as State aid, have also benefited the automotive sector, namely through "scrapping schemes" and EIB loans.

At the same time, the EU automotive industry has continued to meet long-term technological challenges in order to remain competitive. In perspective, as the climate agenda becomes more important, traditional internal combustion engines have to be further improved, and new propulsion methods have to be devised. Moreover, industry must develop safer vehicles and more advanced ITC systems to better respond to traffic congestion problems. This leads to intensive research and innovation activities. The industry is therefore a key driver of knowledge-based growth and innovation.

Objectives of the Study

The Commission intends to commission a study with a view to better appraising the role of public funding at various levels of the automotive supply chain, including car production and automotive components manufacturing.

As the data currently available to the Commission are partial and/or not sufficiently precise as regards certain important forms of State aid, as well as other types of public support, a more comprehensive survey is needed in order to evaluate the volume and the impact of public resources benefiting the automotive sector. The collection of a complete set of data covering all the relevant support measures should allow to better appraise possible theories of competitive harm, particularly in view of potential risks of subsidy races and systematic support to national champions.

Moreover, there is also a risk that downstream markets in the automotive sector may be foreclosed to competitors if R&D&I aid granted to automotive components suppliers for the development of key technologies would be such as to raise entry barriers to nascent alternative technologies (e.g. by crowding out investments in competing R&D&I activities).

¹ "Temporary framework for State aid measures to support access to finance in the current financial and economic crisis"

Such aid may also create a competitive advantage for certain car manufacturers to the detriment of others due to structural factors (e.g. existing clusters of components manufacturing plants and car assembly lines within a region), or to cooperation agreements (e.g. joint R&D, and IPR licensing) between aid beneficiaries operating at different levels of the supply chain. Therefore, the study will examine the main technologies designed for automotive applications which have benefited from R&D&I aid and identify the actual or potential competing technologies available to EU car manufacturers.

2. Subject of the contract and task description

2.1. Scope and subject of the study

The study will cover the last ten-year period, i.e. between 2004 and 2014 ('reporting period'), and focus on the automotive supply chain as a whole, i.e. including car manufacturers and automotive component in the EU.

The scope of the study (ie. the study questions) is the following:

- (1) Build a robust, comprehensive set of data in order to evaluate the public support given to the automotive industry in the form of:
 - Regional aid
 - Research and development and innovation aid
 - Rescue and restructuring aid
 - Training aid
 - Aid granted under the Temporary Framework
 - EIB loans
 - Scrapping schemes

In particular the study will:

- (i) identify the forms of public support which have benefitted the sector during the reporting period and, for each of them, quantify the total amounts of financial support provided respectively to car manufacturers (OEMs) and automotive component suppliers;
 - (ii) break down the above mentioned amounts by year, Member State and final beneficiaries in respect of each individual support measure;
 - (iii) to the extent possible provide a summary description of the supported projects.
- (2) Describe the market structure and its evolution during the reporting period (in terms of sales volumes, production capacities and relative market position of the relevant players), by distinguishing the car manufacturing markets and the main upstream markets for automotive component supply in the EU. As regards in particular the latter, the study will focus only on the markets which, on the basis of the data collected pursuant to point (1) above, appear to have been targeted by public support measures.
 - (3) On the basis of the information collected pursuant to point (1) and (2) above:

- (i) examine possible correlations between different forms of aid granted by different Member States with a view to assessing the likelihood of subsidy races within the EU during the reporting period;
- (ii) evaluate the impact of State aid on the process of structural adjustment of production capacities by the EU car manufacturing industry to the evolution of demand in the EU;
- (iii) identify the key technologies (e.g. advanced propulsion systems, batteries for electric engines, charging infrastructures, hydrogen fuel cells, electronic systems for connected vehicles, advanced air conditioning systems, comfort & driving assistance systems, etc.) developed by automotive suppliers and/or car manufacturers, either individually or through cooperation or partnership agreements with other private and/or public entities, which may have benefited from public support by Member States during the reporting period. In relation to these technologies, the study will also identify the actual or potential competing technologies available to EU car manufacturers.

2.2.Methodology

The tender will have to include an outline of the methodology to be used in addressing the above mentioned topics, taking into account the given timeframe and the likelihood to obtain access to the relevant information. At least the following types of analysis are expected to be provided:

1. Conducting desk research, including data gathering based on publicly available sources of Member State authorities (e.g. ministries, state aid monitoring authorities, granting authorities), as well as research into existing literature covering the topics mentioned in Section 2.1 above.
2. A comprehensive questionnaire must be sent to all Member States in order to complete the relevant data set. The contractor will draft, send the questionnaire after the Commission's approval and analyse the replies. If appropriate, the Commission will send under its authority to relevant entities the questionnaire prepared by the contractor.
3. A second questionnaire will be addressed to selected undertakings operating at various levels of the automotive supply chain in order to gather their view regarding the impact of public support measures on the market on which they operate, with a special attention to technology markets (e.g. advanced propulsion systems, batteries for electric engines, charging infrastructures, hydrogen fuel cells, electronic systems for connected vehicles, advanced air conditioning systems, comfort & driving assistance systems, etc.). The contractor will identify a minimum of 25-30 suitable addressees for such questionnaire. This questionnaire will be drafted, sent and analysed following the same process as set out in point 2 above.

The tenderer is free to propose any additional methodology(ies) to be used. In that case an explanation should be provided of how the proposed methodology allows addressing the topics mentioned above in Section 2.1.

In addressing the aforesaid topics, it is encouraged to use quantitative indicators to the extent possible.

The study must support its findings by explaining the degree to which these are based on stakeholders' opinion, own analysis or objectively verifiable evidence. Where opinions are the main source, the degree of consensus and steps taken to “test” the opinions must be given.

The Commission will, within the limits set by the principle of professional secrecy and the protection of personal data and business secret, endeavour to make available to the contractor the text of relevant decisions and, upon request, the relevant parts of the documents contained in its case file. The Commission will however retain full discretion in the choice of documents it makes available to the contractor.

2.3. Specific tasks of the contractor

The contractor will be responsible for carrying out the following specific tasks.

2.3.1. Specific tasks related to the tender

1. Drawing up the overall schedule (timing, etc.) within the timeframe as set out by these tender specifications.
2. Forming a team, including one project manager (in charge of the operation of the study at operational level) who can only be replaced with the consent of DG Competition.
3. Commit to respect the confidentiality requirements laid out by Article II.5. of the draft Service Contract of DG Competition (Annex II to the invitation to tender).
4. Define an operational methodology for the accomplishment of the work described in Section 2.1 above.

2.3.2. Specific tasks related to the implementation of the contract

5. Carry out the tasks in line with the operational methodology to accomplish the requested work described in Section 2.1 above. In that context the contractor shall:
 - identify reliable sources for existing data;
 - ensure the robustness, consistency, completeness and accuracy of the relevant data;
 - identify relevant and reliable addressees for the questionnaires and the drafting, sending and processing of these questionnaires;
 - conduct desk research and/or market research as required in Section 2.2.
6. Liaise with DG Competition when required.
7. Preparation of an interim report.
8. Preparation of the draft final report and of the final report.

9. Presentation of an analysis of the results to DG Competition.
10. Given that a non-confidential version of the study will be publicly disclosed, the contractor will draft the main final report and most of the annexes in a publishable way, only containing non-confidential information. All confidential information must be concentrated in confidential annex(es) that will be provided to the Commission but will not be published.

3. Requirements of the deliverables

All studies produced for the European Commission and Executive Agencies shall conform to the corporate visual identity of the European Commission by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo².

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

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

3.1. Interim report

The report is to be produced after the desk research and the first round of questionnaire analysis have been completed, and should, to the extent possible, include some preliminary conclusions. The report must as a minimum provide:

- An overview of the status of the project;
- The introductory section, which presents the objectives of the study and the broad approach taken to achieve such objectives;
- The short review of the used data sources and of relevant literature (including academic publications, reports from EIB, state aid offices, granting authorities, etc.);
- The descriptive data as well as the data analysis responding to study questions 1 and 2 described under Section 2.1.; The data gathered shall be submitted in Excel format.
- A description of problems encountered and solutions found;

² The Visual Identity Manual of the European Commission is available upon request. Requests should be made to the following e-mail address: comm-visual-identity@ec.europa.eu

- An assessment of the data and other sources of information, whether they meet expectations and will provide a sound basis for responding to the study questions;
- A conclusion whether any changes are required to the work plan, or any other solutions should be sought in order to ensure that the required results of the study are achieved. If any such issues are to be identified, they must have been cleared beforehand in the meeting with the Commission;
- A proposal for the final structure of the Final Report, as well as a structure of the Executive Summary.

The interim report shall not exceed 50 pages, annexes excluded.

3.2.Draft Final report

This document shall deliver the results of all tasks covered by these tender specifications; the same requirements apply as for the final report in Section 3.3. The draft final report must be clear enough for any potential reader to understand.

This report must be submitted no later than six and a half months from the entry into force of the contract. The Commission will call for a meeting in order to discuss the overall conclusions and any other issues that may arise.

3.3.Final report

3.3.1. Requirements concerning the content

The final report must include an introductory section describing the context and objectives of the study. The context shall describe the situation of the EU automotive sector in the reporting period, with special attention to the assisting attempts of Member States. A global outlook, and a small comparison in this respect, in particular with the US is also required.

The core of the study addresses the objectives as explained under Section 1 and shall focus on giving argued responses to the study questions raised under Section 2.1.

The contractor may further propose sub-questions that the study should address in order to lay a basis for answering the study questions identified, in consultation with the Commission.

The concluding section shall highlight the main study results and the conclusions drawn by the contractor.

The annexes must collate all technical details of the study, including the following:

- an annex with a table listing all relevant state aid and other public support as required under question 1 in Section 2.1. must be provided;
- an annex providing a detailed literature review presenting the relevant academic publications. It shall also list the authorities and the stakeholders that were contacted for gathering data and opinions/comments;
- any additional tables, graphics, references and/or sources;

- the annex(es) containing confidential data, which will not be published by the Commission.

3.3.2. Technical requirements of the final report

The report shall be submitted in English. It needs to be edited by a native English speaker to ensure publishable quality (this editing task may be subcontracted).

The final study report shall include

- the following standard disclaimer:

“The information and views set out in this study are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”

- Specific identifiers which shall be incorporated on the cover page provided by the Commission.

An abstract of no more than 200 words in English, French and German must be provided. The purpose of the abstract is to act as a reference tool helping the reader to quickly ascertain the study's subject.

Furthermore, it is accompanied by an Executive Summary of no more than 6 pages. The Executive Summary summarises the study’s main conclusions per study question, the main evidence supporting them and the recommendations arising from them. After having been agreed with the Commission, it must be translated into French and German by a native speaker (this translation task may be subcontracted).

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

- the following standard disclaimer:

“The information and views set out in this study are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”

- specific identifiers which shall be incorporated on the cover page provided by the Commission.

For visual requirements please refer to the template available in (annex IV to the invitation to tender). The cover page shall be filled in by the contractor in accordance with the instructions provided in the template. For further details you may also contact comm-visual-identity@ec.europa.eu.

4. Timetable

The total duration of the contract cannot exceed 9 months.

The Contractor shall participate in at least 3 working meetings with the Commission service in accordance with the following schedule.

- A kick-off meeting, which will take place no later than 21 calendar days after the signature of the contract.
- Four months after the signature of the contract, in order to present the Interim Report.
- Six and a half months after the signature of the contract in order to present the data gathered and the draft Final Report.

In the event that the Commission considers it necessary to call further meetings (maximum two additional meetings) or organise teleconferences with the Contractor, this can be done at the discretion of the Commission and arranged at the reasonable convenience of the Contractor.

In addition to the meetings and deliverables described above, the Contractor is expected to maintain close contacts with the Commission (by e-mail and telephone) in order to keep the latter informed of the development of the project.

The following work plan and indicative timetable are envisaged:

Deadline (from signature of contract by last party)	Task
[T0 + 21 calendar days max]	<i>Kick-off meeting</i>
[T0 + 4 months]	Submission and presentation meeting of Interim report
[T0 + 4 months + 20 working days]	Approval or request for corrections on Interim report
[T0 + 6.5 months]	Submission and presentation meeting of Draft final report
[T0 + 6.5 months + 15 working days]	Approval or request for corrections on Draft final report
[T0 + 9 months]	Submission of Final report

5. Place of performance

The place of performance of the tasks shall be the Contractor's premises or any other place indicated in the tender, with the exception of the Commission's premises. Meetings will take place in the Commission's premises in Brussels.

6. Volume

The budget of the contract, including all costs, travel and incidental expenses, cannot exceed Euro 245 000 for its total duration.

The tenderer should however be aware that the contract will be awarded to the tender offering the best value for money.

7. Terms of payment

Payments shall be made in accordance with Articles I.4 and II.15 of the draft service contract (annex II to the invitation to tender).

8. Evaluation of tenders and award

8.1. Evaluation steps

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

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

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

8.2.Exclusion criteria

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

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

The successful tenderer shall provide the documents mentioned as supporting evidence in the Annex III before signature of the contract and within a deadline given by the contracting authority. This requirement applies to all members of the consortium in case of joint tender and to identified subcontractors whose intended share of the contract is above 20%.

8.3.Selection criteria

Tenderers must provide evidence of economic, financial, technical and professional capacity to carry out the work subject to this call for tender. Tenderers who do not provide the documentation specified, or who are judged, on the basis of the documentation provided, not to have fulfilled the criteria specified below, will be excluded.

The evidence requested should be provided by each member of the group in case of joint tender and identified subcontractors whose intended share of the contract is above 20%. However a consolidated assessment will be made to verify compliance with the minimum capacity levels.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Commission that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

8.3.1. Economic and financial capacity

To be eligible, the tenderer must have the economic and financial capacity to perform the tasks required in this call for tender. Tenderers (i.e. in case of joint tender, the combined capacity of all members of the consortium and identified subcontractors) must provide evidence that they have the economic and financial capacity to perform the tasks continuously and satisfactorily throughout the envisaged lifetime of the contract.

The following evidence should be provided:

- Copy of the profit & loss account and balance sheet for the last two years for which accounts have been closed,
- Failing that, appropriate statements from banks,
- If applicable, evidence of professional risk indemnity insurance;

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

8.3.2. Technical and professional capacity

a. Criteria relating to the tenderer

The ability of service providers to perform services will be assessed in particular with regard to their know-how, efficiency, experience and reliability. In particular, the tenderer must possess and provide evidence for the following:

- Knowledge and expertise in the automotive sector and in competition policy in general and in particular in State aid.
- A track record of projects and/or studies and/or academic papers carried out by the tenderer in relation to the automotive sector and/or in competition policy in the last two years.

- The tenderer should have the appropriate study and research facilities in order to be able to perform the tasks described in the tender.

b. Criteria relating to the team delivering the service

The tenderer must be able to provide a balanced and credible team with proven expertise in market research, acquiring data from various sources, handling large datasets, performing analysis and evaluation of the data. An experience in projects which required cooperation with Member State authorities is appreciated. This means that the tenderer must set up a team, which includes, as a minimum, the following profiles:

Project manager:

- A degree in economics, finance, audit, accounting, law, engineering or relevant discipline related to the issues covered by the study;
- Professional experience of at least 5 years in the automotive sector, in competition policy and in market research and in managing multi-country projects of similar scale and scope, including minimum 3 Member States;
- Excellent command in English, both spoken and written;
- Experience in drafting reports

Senior consultant

- A degree in economics, finance, audit, accounting, law, engineering or relevant discipline related to the issues covered by the study;
- Professional experience of at least 3 years in the automotive sector, in competition policy and in market research and in managing multi-country projects of similar scale and scope, including minimum 3 Member States;
- Excellent command in English, both spoken and written;
- Very good analytical, appraising, reporting and drafting skills;
- Computer literacy (MS Office applications, excel, word, outlook, internet).

Junior consultant

- A degree in economics, finance, audit, accounting, law, engineering or relevant discipline related to the issues covered by the study;
- Two years of professional experience in market research, preferably in the automotive sector;
- Excellent command in English, both spoken and written;
- Very good analytical, appraising, reporting and drafting skills;
- Computer literacy (MS Office applications, excel, word, outlook, internet).

c. Evidence

The following evidence of the technical and professional capacity shall be provided to fulfil the criteria under a. and b. above:

- Detailed description of the resources available to perform the contract: study and resource facilities, infrastructure, equipment, personnel etc.

- A list of relevant services should be provided in the past two years, with dates and recipients, public or private. The most important services shall be accompanied by certificates of satisfactory execution – whenever possible - specifying that they have been carried out in a professional manner and have been fully completed.

- Evidence for the educational and professional qualifications of the persons who will provide the service for this tender (CVs). In particular, the information must indicate dates, places of work and recipients of the work, including a list of publications in the specialised press and/or in the academic journals of reference in the relevant areas. Each CV provided should indicate the intended function in the delivery of the study.

By submitting a tender, each service provider involved therein accepts the possibility of a check being carried out by the Commission on its technical capacities and, if necessary, on its research facilities and quality control measures.

8.4.Award criteria

The contract will be awarded based on the best value for money and the selected tenders will be evaluated according to the following criteria and points will be scored against each quality criterion. The total number of points is one hundred.

No	Quality criteria	Quality points
1.	<p>Proposed methodology and tools Adequacy, efficiency and effectiveness of data collection and processing, as demonstrated by the data collection method proposed, by the means through which the tenderer intends to address the questions raised in Section 2.1.:</p> <ul style="list-style-type: none"> • The quality of the data depends on the quality of the source, e.g. suggested data source, outcome of questionnaires, academic papers, other studies, etc. Hereby, the reliability of the source, level of detail will be taken into account. (15 points) • Ability to identify the relevant granting authorities for the first questionnaire. (15 points) • Capacity to identify suitable candidates/undertakings operating at various levels of the automotive supply chain for the second questionnaire and the ability to ensure a sufficient number and quality of responses. (15 points) • Processing and analysis of the data. (20 points) 	(65 points – minimum threshold 50%)
2.	<p>Approach proposed for the management of the work Tenderers should:</p> <ul style="list-style-type: none"> - provide a detailed description of the means to be employed for the organisation, management and coordination of the work in relation to the services to be performed, how the team will be organised and co-ordinated (15 points), - ensure the coherence of the work plan with the calendar (5 points), - ensure interaction with the Commission (5 points). 	(25 points – minimum threshold 50%)

3.	<p>Quality control measures</p> <p>This criterion will assess the quality control system applied to the service foreseen in this tender specification concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.</p>	<p>(10 points – minimum threshold 50%)</p>
Total number of points:		100

Tenders must score minimum 50% for each criterion or sub-criterion, and minimum 60% in total. Tenders that do not reach the minimum quality thresholds will be rejected.

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

The tender offering the best value for money will be determined on the basis of the price and quality of the tender, by calculating the final score according to the following formula, in which the quality of the tender has a weighting of 70 %, and 30% weighting is given for price:

$$\text{Score for tender } x = \frac{\text{cheapest price}}{\text{price of tender } x} * 100 * 30 \% + \frac{\text{Total quality score (out of 100) for all award criteria of tender } x}{100} * 70 \%$$

8.5. Technical offer

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

8.6. Financial offer

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

Prices must be quoted free of all duties, taxes and other charges, i.e. also VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union.

The quoted price must be a fixed amount which includes all charges (including travel and subsistence).

In order to facilitate the assessment of the price, the tenderer should specify for each category of staff to be involved in the project: the total labour costs; the daily rates and total number of

days (man-days) each member of staff will contribute to the project; other categories of costs, indicating the nature of the cost, the total amount, the unit price and the quantity.

Costs incurred in preparing and submitting tenders are borne by the tenderers and cannot be reimbursed.

9. Information on tendering

9.1.Participation

Participation in this tender procedure is open on equal terms to all natural and legal persons from one of the EU Member States and to all natural and legal persons in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the Multilateral Agreement on Government Procurement³ concluded within the WTO applies, the participation to the call for tender is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down.

9.2.Contractual conditions

The tenderer should bear in mind the provisions of the draft contract which specifies the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, and checks and audits. By submitting an offer the tenderer accepts the conditions of this contract.

9.3.Joint tenders

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

In case of joint tender, all economic operators in a joint tender assume joint and several liabilities towards the Commission for the performance of the contract as a whole. Nevertheless, tenderers must designate a single point of contact for the Commission.

After the award, the Commission will sign the contract either with all members of the group, or with the member duly authorised by the other members via a power of attorney.

9.4.Subcontracting

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

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

³ See http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm

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

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

9.5. Content of the tender

The tenders must be presented as follows:

Part A: Identification of the tenderer (see below)

Part B: Evidence for exclusion criteria (see section 8.2)

Part C: Evidence for selection criteria (see section 8.3)

Part D: Technical offer (see section 8.5)

Part E: Financial offer (see section 8.6)

9.6. Identification of the tenderer: legal capacity and status

The tender must include a cover letter signed by an authorised representative of the tenderer presenting

- the name of the tenderer (including all entities in case of joint offer),
- identified subcontractors if applicable, and
- the name of the single contact person in relation to this tender.

If applicable, the cover letter must indicate the proportion of the contract to be subcontracted.

In case of joint tender, the cover letter must be signed by a duly authorised representative for each tenderer, or by a single tenderer duly authorised by other tenderers (with power of attorney).

Subcontractors must provide a letter of intent stating their willingness to provide the service foreseen in the offer and in line with the present tender specification.

In order to prove their legal capacity and their status, all tenderers must provide a signed Legal Entity Form with its supporting evidence. The form is available on:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

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

The tenderer (or the single point of contact in case of joint tender) must provide a Financial Identification Form and supporting documents. Only one form per offer should be submitted

(no form is needed for subcontractors and other joint tenderers). The form is available on: http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm

Tenderers must provide the following information if it has not been included with the Legal Entity Form:

- For legal persons, a legible copy of the notice of appointment of the persons authorised to represent the tenderer in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation which applies to the legal entity concerned requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.
- For natural persons, where applicable, a proof of registration on a professional or trade register or any other official document showing the registration number.