



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR EDUCATION, YOUTH, SPORT AND CULTURE
Culture, Creativity and Sport
Cultural Policy

European Commission

Call for tenders EAC/2023/OP/0004 -

Discoverability of diverse cultural European content in the digital environment

Open procedure

TENDER SPECIFICATIONS

TABLE OF CONTENTS

1.	SCOPE AND DESCRIPTION OF THE PROCUREMENT	4
1.1.	Contracting authority: who is the buyer?	4
1.2.	Subject: what is this call for tenders about?	4
1.3.	Lots: is this call for tenders divided into lots?	4
1.4.	Description: what do we want to buy through this call for tenders?.....	4
1.5.	Place of performance: where will the contract be performed?.....	16
1.6.	Nature of the contract: how will the contract be implemented?	16
1.7.	Volume and value of the contract: how much do we plan to buy?	17
1.8.	Duration of the contract: how long do we plan to use the contract?.....	17
1.9.	Electronic exchange system: can exchanges under the contract be automated?	17
2.	GENERAL INFORMATION ON TENDERING.....	18
2.1.	Legal basis: what are the rules?.....	18
2.2.	Entities subject to restrictive measures and rules on access to procurement: who may submit a tender?.....	18
2.3.	Registration in the Participant Register: why register?.....	19
2.4.	Ways to submit a tender: how can economic operators organise themselves to submit a tender?	19
3.	EVALUATION AND AWARD	25
3.1.	Exclusion criteria.....	25
3.2.	Selection criteria.....	26
3.3.	Compliance with the conditions for participation and minimum requirements specified in the procurement documents	32
3.4.	Award criteria.....	33
3.5.	Award (ranking of tenders)	34
4.	FORM AND CONTENT OF THE TENDER	35
4.1.	Form of the tender: how to submit the tender?	35

4.2. Content of the tender: what documents to submit with the tender?	35
4.3. Signature policy: how can documents be signed?.....	36
4.4. Confidentiality of tenders: what information and under what conditions can be disclosed?	37
APPENDIX: LIST OF REFERENCES	39
ANNEXES	40
Annex 1. List of documents to be submitted with the tender or during the procedure	41
Annex 2. Declaration on Honour on exclusion and selection criteria.....	46
Annex 3. Agreement/Power of attorney.....	46
Annex 4. List of identified subcontractors and proportion of subcontracting	46
Annex 5.1. Commitment letter by an identified subcontractor	46
Annex 5.2. Commitment letter by an entity on whose capacities is being relied	46
Annex 6. Financial tender form.....	46
Annex 7. Procurements methodology	46

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, DIRECTORATE-GENERAL FOR EDUCATION, YOUTH, SPORT AND CULTURE, referred to as the contracting authority for the purposes of this call for tenders.

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

The subject of this call for tenders is the preparation of a study on the Discoverability of diverse cultural European content in the digital environment.

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 tenders, 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.

1.4.1. Background and objectives

Overall EU policy context for culture and the protection and promotion of culture diversity

The European Union's role in the culture area is specified in Article 167 of the Treaty of the Functioning of the EU (TFEU). The thematic priorities and related activities in this field at EU level are defined by multiannual Work Plans for Culture negotiated between EU Member States and with the European Commission and adopted by the Council; they are framed by the New European Agenda for Culture adopted by the European Commission¹, which aims to reinforce the role and position of culture in an increasingly globalised world. One of the key actions featured in the EU Work Plan 2023-2026² concerns the preparation of a study on **Discoverability of diverse European cultural content in the digital environment**, to be managed by the Commission.

The description of the action in the Work Plan reads as follows:

Discoverability of diverse European cultural content in the digital environment.
Working methods: Technical study and/or workshop.

¹ COM(2018)267 final, 22.05.2019

² Council Resolution on the EU Work Plan for Culture 2023–2026 2022/C 466/01, OJ C 466, 7.12.2022, p. 1–18.

- EU funding under **Creative Europe**¹⁰ and other EU programmes such as **Horizon Europe**¹¹ for research;
- several topical studies and projects in the fields of **engagement with digital audiences** and **artificial intelligence (AI)**¹².

Discoverability of cultural content online

The internet facilitates access to an unprecedented amount of cultural content. However, the fact that diverse content is online, does not necessarily mean that audiences are exposed and have access to it; in other words, mere availability of content does not necessarily mean that internet users discover it. According to the Report of the Franco-Québec mission on the online discoverability of French-speaking cultural content: *The discoverability of content in the digital environment refers to its availability online and its ability to be identified by a large number of people, including by someone who did not precisely look for it*¹³.

To secure presence and discoverability of local content online, specific measures have been adopted at different levels; these range from programmatic documents to regulatory intervention, funding mechanisms, and/or research actions, among others. The UNESCO has in several instances recalled the need of investing in local context(s) as well as of enhancing “discoverability on digital platforms”.¹⁴

At EU level, new due prominence measures have been introduced in the latest revision of the AVMSD so that video on demand services not only are required to ensure as a minimum a 30% share of European works in their catalogues, but the “prominence” of European works has also become an obligation for them¹⁵. Other initiatives such as the common European Data Space for Cultural Heritage¹⁶ and the European Collaborative Cloud for Cultural

¹⁰ <https://culture.ec.europa.eu/creative-europe>.

¹¹ https://research-and-innovation.ec.europa.eu/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-europe/cluster-2-culture-creativity-and-inclusive-society_en.

¹² Such as the various reports produced under the umbrella of previous Work Plans for culture, including the reports [\(Re-\)Engaging digital audiences in the cultural sectors](#) (2022), [Audience development via digital means](#) (2018), [Promoting access to culture via digital means: policies and strategies for audience development](#) (2017) and [Promoting reading in the digital environment](#) (2016); or the recent studies on artificial intelligence, including the European Commission [Study on Opportunities and Challenges of Artificial Intelligence \(AI\) Technologies for the Cultural and Creative Sectors](#) as well as the [Study on copyright and new technologies](#), both published in 2022.

¹³ «La découvrabilité d'un contenu dans l'environnement numérique se réfère à sa disponibilité en ligne et à sa capacité à être repéré parmi un vaste ensemble d'autres contenus, notamment par une personne qui n'en faisait pas précisément la recherche», [Rapport – Mission franco-québécoise sur la découvrabilité en ligne des contenus culturels francophones \(vie-publique.fr\)](#).

¹⁴ See UNESCO's 2022 report: [Re|shaping policies for creativity: addressing culture as a global public good](#). Additionally, the Operational Guidelines on the implementation of the 2005 Convention “reaffirm the Parties' sovereign right to formulate, to adopt and to implement policies and measures for the protection and promotion of the diversity of cultural expressions in the digital environment.” As a follow up, UNESCO issued an Open Roadmap that suggests the adoption of “policies and measures support digital creativity, enterprises and markets to ensure a diverse digital ecosystem.”

¹⁵ Article 13(1) and recital 35 of the AVMSD.

¹⁶ In the field of cultural heritage, the main policy about digitally preserving and making cultural heritage discoverable is the Commission Recommendation to Member States (MS) for a common European data space for cultural heritage aiming at accelerating digital preservation, and sharing, making discoverable and reusing digitised cultural heritage assets. The data space is based on the Europeana initiatives, their network, over 50

Heritage may also contribute to the discoverability of European cultural content. Ongoing projects under Horizon Europe Cluster 2, “Culture, Creativity & Inclusive Society”, such as “Fair MusE”¹⁷ and “OpenMusE”¹⁸, on the economy of streaming in the music sector, plan to touch upon the issue of fairness, cultural diversity, and discoverability. Also under Creative Europe several projects aim at improving the visibility of European works online.

At the national level, as an example, France together with Quebec region, have worked together on the online discovery of French-speaking cultural content. Launched in April 2019, the joint work establishes a diagnosis of the various issues at stake and proposes a strategy structured around 12 objectives to ensure that artists, French-speaking works and content are more visible on the internet.¹⁹ In this context, a joint call to support discoverability of francophone cultural content online has been launched with 16 projects finally retained²⁰.

Besides the many factors that influence exposure to a diversity of content, curation practices and algorithm recommendations may play a fundamental role. On the internet, effective access to one piece of content and actual consumption is to some extent determined by some form of selection and/or curation, notably through algorithmic recommendations of services such as search engines, portals or platforms, that show a high level of concentration and act as gatekeepers for access to content in the context of a growing “platformisation” of culture. Curation strategies and algorithms, depending on how they are designed, could play for or against the promotion of diversity. A number of authors claim that although algorithms could serve cultural diversity, in practice they are often designed to promote mainstream or other specific content, amplify the risk of filter bubbles or self-referential preferences of tastes, or anyhow have a negative impact on cultural diversity.²¹ Other publications, however, are less conclusive, in particular as regards the role played by technology in actual consumption²². Another key factor relates to metadata quality and data management as well as more generally

million data, and work of more than 4000 museums over 15 years. Commission Recommendation (EU) 2021/1970 of 10 November 2021 on a common European data space for cultural heritage, C/2021/7953.

¹⁷ <https://cordis.europa.eu/project/id/101095088>

¹⁸ <https://cordis.europa.eu/project/id/101095295>

¹⁹ [Rapport – Mission franco-québécoise sur la découvrabilité en ligne des contenus culturels francophones \(vie-publique.fr\)](#); [Stratégie commune - Mission franco-québécoise sur la découvrabilité en ligne des contenus francophones.pdf](#).

²⁰ <https://www.culture.gouv.fr/Media/Medias-creation-rapide/Laureats-decouvrabilite.pdf>. On diversity in the field of music see [Le Centre national de la musique publie son rapport annuel sur la diversité musicale dans les médias, élargi pour la première fois à la production phonographique et au streaming \(audio et vidéo\) - CNM - Centre national de la musique](#). Outside Europe, Canada has been particularly active, with initiatives such as the creation in 2018 of a working group on diversity of content on line, the Online Streaming Act seeking to improve the discoverability of Canadian content on media platforms, the launch of the QUB Musique platform, Québecor (offering a wide range of musical content that promotes Quebec works and artists), and projects like Metamusic or the Discoverability index by LATTICE (CEIM).

²¹ CDCE, [The challenge of discoverability. The urgency to act to defend the diversity of cultural expressions, and related references](#). See also [Study on Opportunities and Challenges of Artificial Intelligence \(AI\) Technologies for the Cultural and Creative Sectors](#); and the European Parliament [Research for CULT Committee - The Use of Artificial Intelligence in the Cultural and Creative Sectors - Concomitant expertise for INI report \(europa.eu\)](#). In the same line, GESAC, [Study on the place and role of authors and composers in the European music streaming market](#), September 2022.

²² See for example, UK Gov [Research into the impact of streaming services’ algorithms on music consumption - GOV.UK \(www.gov.uk\)](#). Vid also <https://www.lse.ac.uk/european-institute/Assets/Documents/LEQS-Discussion-Papers/EIQPaper182.pdf>.

to data access, not only to secure visibility but also to understand better audience behaviour and actual use of content.

In this context, the Council²³ and the European Parliament²⁴ have on several occasions highlighted the need to better understand the role of algorithmic recommendations and ensure transparency as regards the exposure to cultural content online, in particular for audiovisual and music content. The recently adopted Digital Services Act (DSA) and Digital Markets Act (DMA) will contribute to these objectives as regards certain online services. The DSA applies to online intermediaries, such as user-uploaded content services, and imposes transparency obligations for the recommender systems of online platforms. On top of that, designated Very Large Online Platforms (VLOPs) will have to assess and mitigate systemic risks on their services, including foreseeable negative effects for the freedom and pluralism of the media. The DMA, among others, includes new obligations for designated gatekeepers on fair, reasonable, and non-discriminatory general conditions of access, as well as the prohibition of self-preferencing. Both regulations are at the early stages of their implementation and application.

At the International level, the operational guidelines for the implementation of the UNESCO Convention on the diversity of cultural expressions in the digital environment recommend the contracting Parties to “*promote dialogue between private operators and public authorities in order to encourage greater transparency in the collection and use of data that generates algorithms, and encourage the creation of algorithms that ensure a greater diversity of cultural expressions in the digital environment and promote the presence and availability of local cultural works*”²⁵. The more recent UNESCO Recommendation on the Ethics of Artificial Intelligence, puts special emphasis on engaging with the tech sector to “*promote a diverse supply of and plural access to cultural expressions, and in particular to ensure that algorithmic recommendation enhances the visibility and discoverability of local content.*”²⁶

The European Commission study “Opportunities and challenges of artificial intelligence technologies for the cultural and creative sectors”²⁷ provides a detailed overview of the significant opportunities for these sectors but also points to challenges and major risks, including that of low quality content, monoculture, bias, lack of language diversity, as well as

²³ See the Romanian Presidency’s Conclusions adopted following the Music Moves Europe programme discussions with Member States on 20-21 June 2019; the French Presidency’s Conclusions on building a European Strategy for the CCI Ecosystem, including various references to discoverability; or the already mentioned Council Conclusions on the Work Plan for Culture 2023-2026.

²⁴ For example in the field of music [European Parliament resolution of 20 October 2021 on the situation of artists and the cultural recovery in the EU \(2020/2261\(INI\)\)](#). A more general call concerning the Media sector is made on the [European Parliament resolution of 20 October 2021 on Europe’s Media in the Digital Decade: an Action Plan to Support Recovery and Transformation \(2021/2017\(INI\)\)](#). For the challenges of AI across the various sectors see European Parliament resolution: Artificial intelligence in education, culture and the audiovisual sector (2020/2017 (INI)). The European Parliament has also announced the preparation of an own-initiative report on “Cultural diversity and the situation of authors in the European music streaming market” that will likely tackle the issue.

²⁵ [Operational Guidelines on the Implementation of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions in the Digital Environment \(2017\)](#).

²⁶ <https://unesdoc.unesco.org/ark:/48223/pf0000381137>.

²⁷ Report 2022 [Opportunities and challenges of artificial intelligence technologies for the cultural and creative sectors - Publications Office of the EU \(europa.eu\)](#). See also the Briefing [Research for CULT Committee - The Use of Artificial Intelligence in the Cultural and Creative Sectors - Concomitant expertise for INI report \(europa.eu\)](#).

manipulation and excessive reliance on AI. The study recommends addressing the issue of algorithm transparency and echoes the UNESCO's call to engage with technology companies and other stakeholders to promote a diverse supply of and plural access to cultural expressions. In particular, it calls for algorithmic recommendations that would enhance the visibility and discoverability of local content.

Scope of the study

Discoverability is a relevant notion for a variety of cultural and creative sectors: from audiovisual to music, books, visual arts, performing arts and cultural heritage²⁸. This study shall examine the topic in various cultural and creative sectors. The tenderer shall suggest a sample of sectors, that, in any case, shall comprise the music and the book sectors. The audiovisual sector shall be excluded from the material scope of the study since it is subject to several other studies, also in light of the specific legal framework established at EU level in the Audiovisual Media Services Directive²⁹.

As regards the geographical scope, the study shall cover the entire EU. The contractor is encouraged to complement the research with the identification of flagship initiatives in a few non-EU countries.

Objectives of the study

The general objective of this study is to have a detailed overview of the state of play as regards the discoverability of diverse European cultural content online and to understand the impact that content prioritisation practices, algorithm recommendations and curation strategies have on cultural and linguistic diversity. The final purpose is to identify possible avenues for action, including the appropriate level (e.g. EU, national, stakeholder), to help protect and promote exposure to cultural and linguistic diversity online with a special focus on music and book sectors.

Specific objectives include to:

- better understand needs and specificities of each cultural and creative sector³⁰ explored (see above Scope of the study), as regards discoverability of diverse cultural content online, including concerning enablers and obstacles;
- gather information on existing policies at all levels and in all EU Member States, i.e., including regulatory measures, support measures and public and private initiatives, to foster discoverability online, in general and also specifically as regards access to culture on line by socially and economically disadvantaged groups, such as people with disabilities and lower income;
- identify curation patterns and trends in algorithm recommendations as regards exposure to cultural content;

²⁸ The views of different sectors have been recently presented in the first EU Discoverability Forum held in March 2023 at the European Parliament, see [Launch of the first European Forum on Discoverability | European Coalitions for Cultural Diversity](#); vid. also [Act for Discoverability](#).

²⁹ Neither the media sector shall be covered by the study. On the media sector see notably the [Study on media plurality and diversity online](#), published end 2022.

³⁰ For the definition of cultural and creative sectors see Regulation (EU) 2021/818 of the European Parliament and of the Council of 20 May 2021 establishing the Creative Europe Programme (2021 to 2027), art 2.

- evaluate the impact of these practices on cultural and linguistic diversity;
- investigate the state of play in algorithm design for discoverability and diversity of cultural content;
- discuss possible policy or regulatory options and provide evidence-based recommendations to increase the exposure to diverse European cultural content online.

1.4.2. Detailed characteristics of the purchase

The procured services and minimum requirements are detailed below.

Task 1: Developing the conceptual framework. Diagnosis

The contractor shall establish the conceptual framework when it comes to discoverability and diversity on line, policy and support measures and curation and algorithm recommendations, by proposing a working definition of key concepts and categorisation of policy and support measures. The contractor shall include a detailed research approach, including a review of metrics and methodologies to explore the extent of the problem in all the sectors examined, and a presentation of the data collection tools to be used in the study.

Under this task, the study shall already investigate the factors, challenges and opportunities that discoverability presents for each of the sectors to be examined, paying special attention to their structural and technical specificities as well as to the obstacles and enablers, including metadata, to secure exposure to diversity.

Task 2: Representative mapping of (selected) measures

The study shall include a representative sample of relevant regulatory and non-regulatory support measures, including public, private sector and research projects, aiming at promoting the discoverability of diverse European/local cultural content on line in the EU Member States. The contractor must also identify best practices in other countries who have implemented flagship policy measures to this end. The study shall also pay attention to discoverability measures targeting people with disabilities as well as people with low income.

Task 3: Identification and evaluation of the impact of curation practices and algorithms recommendation on discoverability of European cultural content online.

The contractor shall identify curation practices as well as algorithm recommendation systems and evaluate impact on exposure to diverse cultural content online.

To this end, the contractor must:

- review in detail existing methodologies for assessing and measuring diversity, discoverability, exposure to cultural diversity, including an overview of possible factors that influence discoverability/exposure as well as relevant indicators to analyse impact;
- analyse and provide a detailed overview of existing practices and trends as regards curation and algorithm recommendations, both in relation to online services as well as research projects and tools;
- examine positive/negative impact of existing practices and trends on users' consumption (including on people with disabilities and low income) as well as creators and service providers.

The identified practices shall be contrasted against theoretical alternatives identified in academic research, industry papers or research projects.

Task 4: Policy options. Assessment and Recommendations. Organisation of a validation workshop and a final conference.

The study must present policy, regulatory and technical options and recommendations to increase the exposure of diverse European cultural content online and map prospective support measures in this area, including by enhancing information and algorithm transparency. This must include avenues for action that could be considered at the appropriate level (European, national, industry level). For each option/recommendation, potential positive and negative effects (or lack of effects) should be explained, also in relation to their potential impact on the different categories of stakeholders concerned.

The Contractor shall organise an **interactive validation workshop** in close coordination with the Commission. The workshop should take place face to face (possibly in Brussels, but other options can be considered in agreement with the Commission) allowing for remote connection if need be. The workshop shall present the preliminary results of the study to stakeholders and experts from Member States. A scoping paper, with identified questions for discussion, shall be prepared and discussed with the Commission in advance. The contractor will be responsible for preparing the workshop, content and logistics, and will manage the discussion together with the Commission.

In addition, the results of the study shall be presented at one **public conference** organised by the contractor in agreement with the Commission. The final conference shall be held in person with possibility to connect remotely and/or streaming it. The contractor should provide for the presentation of the results also in sectoral conferences (not to be organised by the contractor).

Arrangements and all the costs related to the validation workshop and the public conference mentioned above, including costs of attendance of speakers and the contractor's own staff, travel and accommodation costs and potential fees, as well as costs of printing and distributing relevant information material for speakers and participants, must be borne by the contractor and therefore be included in the price of the tender. The costs of participating in sectoral conference shall also be borne by the contractor.

Methodology

Overall, the study shall be developed following a clear methodology covering all aspects of the topic. Tenders are free to propose the specific methodology, considering the context and objectives of the study. The methodology must include a description of the analytical methods adopted, including key assumptions and limitations together with a risk mitigation strategy (including, among other aspects, difficulties in accessing relevant data).

The study shall build on existing work and data from studies, reports and research projects. The contractor should seek synergies with other European and national projects working on the topic.

The study shall be based on a mixed method of quantitative and qualitative analysis with primary and secondary data. Underlying assumptions and data sources shall be duly justified and documented.

The methodology must integrate different research tools and at least make use of desk research, expert interviews, case studies and a series of focus groups bringing together various categories of stakeholders on specific topics. Representatives from the Commission shall be invited to the focus groups. The methodology shall include at least one validation workshop in line with the indications provided above. The methodology shall envisage consultation upfront with relevant stakeholders, including relevant categories of services providers playing a role for the access to cultural content, and experts to frame the research, as well as to obtain further information and validate the findings. Interviewees should comprise representatives from culture and creative sectors, ongoing research projects active in this field, services active on the online content market (including as appropriate content streaming services and user upload sharing platforms), academia, industry and AI experts. Targeted surveys might also be employed to collect and complement the evidence gathered with other methods. It is strongly recommended to count on an advisory board to support the project team. In case acquisition of commercial data is required to perform the tasks required in the methodology, price of data shall be included within the budget of the study.

1.4.3. Timetable, Deliverables, Meetings

Indicative Timetable

Title	Due date	Interim/final payment
Kick-off meeting	M1	
Inception report	M1	
First progress meeting	M3	
First interim report + Progress report	M3	Interim 30 %
Second progress meeting	M9	
Second interim report	M9	
Third progress meeting	M11	
Preliminary final study report + Second progress report	M11	Interim 30 %
Validation workshop	M13	
Post-workshop report	M13	
Draft final study report	M15	
Final progress meeting	M16	
Final study report; Presentation of the final study report in a conference	M 17	
Final progress report	M18	Final payment 40 %

Deliverables

The deliverables listed below must be provided by the contractor. All reports must be drafted in English unless otherwise indicated. Electronic files must be provided in Microsoft ® Word for Windows format or equivalent. Additionally, besides Word (or equivalent), the Final study report and publishable executive summaries must be delivered in Adobe ® Acrobat pdf format or equivalent.

For each report, a draft version shall be made available to the Commission's services at least 5 working days before the corresponding meeting. Each report shall be finalised within 10

working days after receiving the Commission's observations and need to be validated by the Commission.

In the case of the Draft final study report, it shall be made available to the Commission at least 20 working days before the final meeting. The report shall be finalised within maximum 20 working days of receiving the Commission's observations. The finalised report shall take full account of these observations, either by following them precisely or by explaining clearly why they could not be followed. Should the Commission still not consider the report acceptable, the Contractor will be invited to amend the report insofar as such amendments do not interfere with the independence of the evaluator in respect of their findings, conclusions or recommendations.

The contractor should organise a validation workshop and a conference in accordance with the specifications highlighted in the previous sections.

Progress reports

A Progress Report is a document explaining what has been executed so far to justify the payment. The report must explain the activities carried out, the problems encountered, solutions found and impact on future work, delays (if any), the work already performed, and the use of resources. Progress reports must be short (maximum 10 pages).

Progress reports are linked to specific deliverables:

- First progress report: First interim report
- Second progress report: Preliminary final study report
- Final progress report: Final study and related deliverables

All progress reports linked to payments shall be accompanying the related invoice and be sent to the functional mailbox EAC-D1-FINANCIAL@ec.europa.eu with the responsible Policy Officer in copy.

Study reports

Inception report, specifying the methodology, resources and objectives provided in the tender in accordance with the indications provided by the Commission during the kick off/inception meeting. As any other report, the inception report needs to be validated by the Commission. It should include the Contractor's understanding of the intervention logic and detailed work plan including the allocation of experts per task.

First interim report which shall cover **task 1**. As part of the first interim report the contractor shall present the conceptual framework, the diagnosis of the situation across different sectors and the data collection methods (including data sources and draft questions and choreography for each of data collection methods proposed).

Second interim report which will cover research under **tasks 2 and 3** and include in particular a preliminary analysis accompanied by the presentation of the results from the literature review, as well as a summary of the available results from the data collection and stakeholders consultation exercises. The report shall include a proposal for the draft table of contents for the Final study.

Preliminary final study report covering results from **Tasks 1 to 3** as well as preliminary results for Task 4.

Post-workshop report shall contain the presentations, position papers and preparatory papers; a high-quality synthesis of the discussions; and the list of participants. The deliverable should be made available no later than 2 weeks after the workshop.

Draft final study report which shall include the results for the **4 tasks**, including the findings from the validation workshop.

Final study report. The final study report should be finalised after the Final meeting considering all observations and comments raised at the meeting and related exchanges.

The final report must be written in English and proof-read by a native speaker. It should build on the project deliverables and present the findings in a logical and consistent narrative. The final report shall contain as a minimum of:

- edition notice (publisher and copyright) and specific identifiers, which must be incorporated on the cover page, provided by the contracting authority;
- an abstract of no more than 500 words in English, French and German (proofread by native speakers);
- an executive summary of maximum 6 pages;
- an introductory part setting out the purpose of the study, the main problems, as well as the limits of the methodology;
- comprehensive information on all the activities and approaches carried out in pursuit of the results set out in the technical specifications;
- conclusions that summarise the main findings and recommendations;
- annex/annexes describing in detail the underlying methodology and results of the data collection process;
- additionally, the following disclaimer should be included: 'The information and views set out in this report are those of the author(s) and do not necessarily reflect the official opinion of the European Commission. The European Commission does not guarantee the accuracy of the data included. Neither the European Commission nor any person acting on the European Commission's behalf may be held responsible for the use which may be made of the information contained therein.'

The **final study** should be also accompanied by:

- **Publishable executive summaries** in English, French and German that must include:
 - edition notice (publisher and copyright) and, when needed, specific identifiers which must be incorporated on the cover page provided by the Contracting Authority;
 - the following standard disclaimer:

“This document has been prepared for the European Commission; however, it reflects the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.”
- **a power point presentation:** Together with the revised final report, the contractor shall deliver a set of maximum 20 Power Point slides presenting the key findings and

recommendations of the study. The slides should be in English. The Commission will provide the contractor with a template for the slides. The presentation should be catchy, illustrative and easy to follow.

The contractor should present the final study at least in one public conference organised by the contractor and provide for the presentation of sectorial results in sectoral conferences (not to be organised by the contractor).

Data underlying the study shall be properly documented and made available to the Commission together with relevant results unless not possible due to third party's rights. Datasets created for the purpose of the study shall be provided as structured data in a machine-readable format, in an appropriate standard format for European Commission internal usage and for publishing on the Open Data Portal, in compliance with European Commission Decision (2011/833/EU). If third parties' rights do not allow their publication as open data, the subpart that will be provided to the European Commission free of rights for publication and the part that will remain for internal use must be indicated.

Delivery and Publication of the Final Report and the Executive Summary

In view of its publication, the final report as well as the executive summaries must be of high editorial quality. In case the contractor does not manage to produce a final report of high editorial quality within the timeframe defined by the contract, the contracting authority can decide to have the final report professionally edited at the expense of the contractor (e.g. deduction of these costs from the final payment).

Both the report and the executive summaries should be delivered in .pdf format suitable for publication by the European Commission's services on European Commission websites as well as for printing. The Commission will provide the relevant indications as concerns the requirements for web and print files.

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 Project Report and Executive Summaries, 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.

Meetings and regular conference calls

The meetings detailed in the above table shall take place at the Commission premises in Brussels. The contractor will bear the costs of attendance of its own staff to all the meetings. Apart from these meetings, a monthly conference call on the state of progress of the study shall be organised.

Within three days following each meeting/conference call, the contractor will circulate minutes of the meeting to all participants, together with copies of presentations made during the meeting or other related documents. The minutes shall be concise and concentrate on major decisions and shall list the open action points for the next reporting period.

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

The services will be performed at the following locations

- the contractor's premises
- Brussels (meetings, validation workshop, and conference, unless other location is agreed with the Commission for the later)
- Online

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 full set of procurement documents, including the provisions of the draft contract as the latter will define and govern the contractual relationship to be established between the contracting authority and the successful tenderer. 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.

⚠ Please be aware that if a tenderer to whom the contract is awarded (any of the group members in case of a joint tender) has established debt(s) owed to the Union, the European Atomic Energy Community or an executive agency when the latter implements the Union budget, such debt(s) may be offset, in line with Articles 101(1) and 102 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 \(Financial Regulation\)](#)³¹ and the

³¹ 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, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p.1).

conditions set out in the draft contract, against any payment due under the contract. The contracting authority will verify the existence of overdue debts of the successful tenderer (any of the group members in case of a joint tender), and, if any such debt is found, will inform the tenderer (the group leader in case of a joint tender who will then have the obligation to inform all other group members before signing the contract) that the debt(s) may be offset against any payment under due the contract.

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

The maximum total amount of all purchases under this call for tenders is indicated under Section II.1.5 of the contract notice.

1.8. Duration of the contract: how long do we plan to use the contract?

The contract resulting from this call for tenders will be concluded for at most 18 months. The details of the initial contract duration and possible renewals are set out in the draft contract. For a timetable see above section 1.4.3.

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

For all exchanges with the contractor during the implementation of the contract resulting from this call for tenders as well as for future possible subsequent proceedings, including, but not limited to, 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 the Financial Regulation. At the request of the contracting authority, the use of such a system shall become mandatory for the contractor 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 the Financial Regulation.

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. Entities subject to restrictive measures and rules on access to procurement: who may submit a tender?

Tenderers must ensure that no involved entities (see Section 2.4) nor any subcontractors, including those which do not need to be identified in the tender (see Section 2.4.2), are subject to [EU restrictive measures](#) adopted under Article 29 of the Treaty on the European Union (TEU) or Article 215 of the Treaty on the Functioning of the EU (TFEU)³², consisting of a prohibition to make available or transfer funds or economic resources or to provide financing or financial assistance to them directly or indirectly, or of an asset freeze. The prohibition applies throughout the whole performance of the contract.

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 provided that it has a special agreement with the European Union in the field of public procurement on the conditions laid down in that agreement.

As the Agreement on Government Procurement³³ concluded within the World Trade Organisation applies, the participation to this call for tenders is also 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 entities on whose capacity tenderers rely to fulfil the selection criteria nor to subcontractors. Subcontracting may not be used with the intent or effect 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 (in case of a joint tender – the country of establishment of each group member) and must present the supporting evidence normally acceptable under the law

³² Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the [EU Sanctions Map](#).

³³ https://www.wto.org/english/tratop_e/gp_gpa_e.htm.

of that country. The same document(s) could be used to prove the 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 participate in this call for tenders must be registered in the [Participant Register](#) - an online register of organisations and natural persons (participants) participating in calls for tenders or proposals of the European Commission and other EU institutions/bodies.

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 calls for tenders or calls for proposals of the European Commission and other EU institutions/bodies.

⚡ Each participant needs to ensure that its SME status in the Participant Register is registered and kept up to date.

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 and financial capacity. 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 economic operator (sole tenderer) or as a group of economic operators (joint tender)³⁴. In either case subcontracting is permitted.

Tenders must be drawn and submitted in complete independence and autonomously from the other tenders. A declaration in this regard by each tenderer (in case of a joint tender, by each of its members) shall be requested.

A natural or legal person cannot participate at the same time and within the same procedure either as member of two or more groups of economic operators or as a sole tenderer and

³⁴ Each economic operator participating in the joint tender is referred to as “group member”.

member of another group of economic operators. In such case, all tenders in which that person has participated, either as sole tenderer or as member of a group of economic operators, will be rejected.

Economic operators linked by a relationship of control or of association (e.g. belonging to the same economic/corporate group) are allowed to submit different and separate tenders provided that each tenderer is able to demonstrate that its tender was drawn independently and autonomously.

A natural or legal person may act as subcontractor for several tenderers as long as the tenders are drawn and submitted in complete independence and autonomously from each other. However, cross subcontracting among tenderers is forbidden, more precisely an entity “A” may participate as tenderer (either as sole tenderer or as member of a group of economic operators) and as subcontractor to another tenderer “B” within the same procurement procedure. However, in this case it is forbidden that tenderer “B” (or any of its participating members in case of a group of economic operators) is at the same time subcontractor for tenderer “A” (or for the group of economic operators in which “A” participates) within the same procurement procedure. In this case, both tenders A and B shall be rejected.

In order to fulfil the selection criteria set out in Section 3.2 the tenderer can rely on the capacities of subcontractors (see Section 2.4.2) or other entities that are not subcontractors (see Section 2.4.3).

An “**involved entity**” is any economic operator involved in the tender. This includes the following four categories of economic operators:

- sole tenderer,
- group members (including group leader),
- identified subcontractors (see Section 2.4.2), and
- other entities (that are not subcontractors) on whose capacity the tenderer relies to fulfil the selection criteria.

The role of each entity involved in a tender must be clearly specified in the eSubmission application: i) sole tenderer, ii) group leader (in case of a joint tender), iii) group member (in case of a joint tender), or iv) subcontractor³⁵.

For an entity on whose capacities the tenderer relies on to fulfil the selection criteria (that is not a subcontractor), this role is defined in the commitment letter (*Annex 5.2*)

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 in the group. The group as a whole is considered a tenderer³⁶.

³⁵ Only identified subcontractors (see Section 2.4.2) must be specified in the eSubmission application.

³⁶ 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 group members assume joint and several liability towards the contracting authority for the performance of the contract as a whole.

Group members must appoint from among themselves a group leader (the group leader) as 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. All group members (including the group leader) must sign an Agreement/Power of attorney drawn up in the model attached in *Annex 3*.

The joint tender must clearly indicate the role and tasks of each group member, including those 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 also on their behalf via the Agreement/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 deadline for submission of tenders and before contract signature) shall lead to rejection of the tender, with the exception of the following case[s]:

- case of a merger or takeover of a group member (universal succession), provided that the following cumulative conditions are fulfilled:
 - the new entity is not subject to restrictive measures, has access to procurement (see Section 2.2) and is not in an exclusion situation (see Section 3.1),
 - all the tasks assigned to the former entity are taken over by the new entity member of the group,
 - the group meets the selection criteria (see Section 3.2),
 - the change must not make the tender non-compliant with the procurement documents,
 - the terms of the originally submitted tender are not altered substantially and the evaluation of award criteria of the originally submitted tender are not modified,
 - the new entity undertakes to replace the former entity for the implementation of the contract, in case of an award.
- case where a group member is subject to restrictive measures or does not have access to procurement (see Section 2.2) or is in an exclusion situation (see Section 3.1), provided the following cumulative conditions are fulfilled:
 - none of the remaining group members is subject to restrictive measures (see Section 2.2),
 - all the remaining group members have access to procurement (see Section 2.2),
 - the remaining group members meet the selection criteria (see Section 3.2),
 - the change must not make the tender non-compliant with the procurement documents,
 - the terms of the originally submitted tender are not altered substantially and the evaluation of award criteria of the originally submitted tender are not modified,

- the continuation of the participation of the remaining group members in the procurement procedure does not put the other tenderers in a competitive disadvantage,
- the remaining group members undertake to implement the contract, in case of an award, without the excluded group member.

The replacement of the group member not having access to procurement or in a situation of exclusion is not allowed.

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 tenders (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 procurement documents expressly reserve the execution of certain critical tasks to the sole tenderer itself, or in case of a joint tender, to a group member.

By filling in the form available in **Annex 4** (List of identified subcontractors), 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*):

- subcontractors on whose capacities the tenderer relies upon to fulfil the selection criteria as described under Section 3.2;
- subcontractors whose intended individual share of the contract, known at the time of submission, is above 10 %.

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.

⚡ Each tenderer shall identify such subcontractors and provide the commitment letters with its tender. The information must be true and correct at the time of submitting the tender. Any changes or additions regarding the envisaged subcontractors after the deadline for submission of tenders must be justified to the contracting authority.

The above rules apply also where the economic operators, which will perform part of the contract on behalf of a successful tenderer, belong to the same economic/corporate group as the sole tenderer or a member of the group submitting the joint tender.

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 subject to restrictive measures, has access to procurement if the rules on access to procurement apply also to subcontractors (see Section 2.2) and is not in an exclusion situation (see Section 3.1),
- 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 (not subcontractors) 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 (that are not subcontractors), 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 resources³⁷.

☞ The above rules apply also where the economic operators on whose capacities the tenderer relies to fulfil the selection criteria (that are not subcontractors) belong to the same economic/corporate group as the sole tenderer or a member of the group submitting the joint tender.

2.4.4. Rules common to subcontractors and entities (not subcontractors) on whose capacities the tenderer relies on to fulfil the selection criteria

If a successful tenderer intends 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, i.e. the latter will either assume the role of subcontractors or will fall within the exceptions listed in Section 2.4.2 and will then assume the role of entities (not subcontractors) on whose capacities the tenderer relies to fulfil the selection criteria.

☞ 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.

³⁷ This does not apply to subcontractors on whose capacity the tenderer relies to fulfil the selection criteria – for these the documentation required for subcontractors must be provided.

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 is not subject to restrictive measures and 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 the required documents 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 specified in the procurement documents;
- 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 subjected to further full evaluation. The unsuccessful tenderers will be informed of the ground for rejection without being given feedback on the non-assessed content of their tenders. Only tenderer for whom the verification of all elements did not reveal grounds for rejection can be awarded the contract resulting from this call for tenders.

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 tenderer³⁸ needs to submit with its tender a Declaration on Honour³⁹ in the model available in *Annex 2*.⁴⁰ The declaration must be signed by an

³⁸ See Annex 1 which of the involved entities participating in a tender need to provide the Declaration on Honour.

authorised representative of the entity providing the declaration. Where the declaration has been signed by hand, the original does not need to be submitted to the contracting authority, but the latter reserves the right to request it from the tenderer at any time during the record-keeping period specified in Section 4.3.

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 in the Declaration on Honour as supporting evidence on non-exclusion must be provided with the tender⁴¹.

At any time during the procurement procedure, the contracting authority may request 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, and appropriate evidence that none of those persons are in one of the exclusion situations referred to in Section A point (1) (c) to (f) of the Declaration on Honour.

⚡ If the tenderer does not provide valid documentary evidence within the deadlines set by the contracting authority, the latter reserves the right to reject the tender. In any event, in case a tenderer proposed for the award of the contract fails to comply with the above evidence requirement, its tender will be rejected, unless the tenderer can justify the failure on the grounds of material impossibility to provide such evidence.

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.

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.

³⁹ The European Single Procurement Document (ESPD) may not be used yet in European Commission's calls for tenders.

⁴⁰ 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.

⁴¹ 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 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 this call for tenders. The model Declaration on Honour available in *Annex 2* shall be used.

The initial assessment of whether a tenderer fulfils the selection criteria will be done on the basis of the submitted declaration(s).

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, within a deadline given by the contracting authority⁴².

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 entity to whom the criterion applies individually.

In case not all selection criteria evidence is requested with the tender, all tenderers are **invited to prepare in advance the documentary evidence**, since they may be requested to provide such evidence within a short deadline. In any event, the tenderer proposed by the evaluation committee for the award of the contract will be requested to provide such evidence.

☞ If the tenderer does not provide valid documentary evidence within the deadlines set by the contracting authority, the contracting authority reserves the right to reject the tender. In any event, in case a tenderer proposed for the award of the contract fails to comply with the above evidence requirement, its tender will be rejected, unless there is a ground for a waiver.

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

3.2.1. Legal and regulatory capacity

Tenderers can be natural or legal persons. Tenderers are not obliged to take a specific legal form in order to submit their tenders.

Where tenderers submit a tender through an entity, which lacks legal personality (e.g., a branch), the compliance with the exclusion criteria, selection criteria, the rules on access to

⁴² 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 and are still up-to-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.

procurement as well as the absence of restrictive measures shall be assessed at the level of the tenderers.

In addition, involved entities (see Section 2.4) and all subcontractors, including those which do not need to be identified in the tender (see Section 2.4.2), must not be subject to [EU restrictive measures](#) adopted under Article 29 of the Treaty on the European Union (TEU) or Article 215 of the Treaty on the Functioning of the EU (TFEU)⁴³ that constitute a legal impediment to perform the contract. This requirement will be assessed by reference to the EU restrictive measures in force. Therefore, the tenderer is not required to submit any evidence of not being subject to EU restrictive measures.

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 F1	
Minimum level of capacity	Average yearly turnover of the last two financial years above EUR 350,000.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> will be carried out.
Evidence	<p><i>Contracts worth more than EUR 140 000</i></p> <p>For contracts worth more than EUR 140 000, proof of economic and financial capacity is provided by the following documents:</p> <ul style="list-style-type: none"> • the declaration on honour in <i>Annex 2</i>; • profit and loss accounts; • balance sheets; • explanatory notes to the financial statements (if available) dated and signed by the management of the tenderer; • for newly created entities: the business plan might replace the above documents. <p>All documents must cover the last two closed financial years (the most recent one must have been closed within the last 18 months).</p>

Criterion F2

⁴³ Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the [EU Sanctions Map](#).

Minimum level of capacity	Satisfactory results following the analysis of the financial capacity which will be performed by the Contracting Authority based on the methodology provided in Annex 7.
Basis for assessment	The ratio will be checked against tenderer, and if applicable the leader of the Consortium, and may be requested against each member of the group in case of joint tender and each subcontractor, provided that the subcontracting value is 10 % or more of the value of the contract.
Evidence	Same evidence as indicated above for the criterion F1.

☞ Only *the Declaration on Honour* must be provided with the tender. The other evidence of economic and financial capacity may be requested by the *Central Validation Service* at any time during the procedure, in accordance with section 5.3. **Please note that a request for evidence in no way implies that the tenderer has been successful.**

The contracting authority reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

Important information

- 1) **the collection of data** for the financial capacity assessment **will be performed according to the Participant Register rules** (see section 5.3 above);
- 2) **the analysis of the collected data and the assessment** of the financial capacity **will be performed according to the methodology and rules described in Annex 7;**
- 3) **in case of conflict** between those documents:
 - a. **For the collection of data** for the financial capacity assessment: **the rules on the Participant Register takes precedence over Annex 7.**
 - b. **For the analysis of the collected data and the assessment** of the financial capacity: **the Annex 7 describing the specific methodology and rules takes precedence over the rules on the Participant Register.**

3.2.3. Technical and professional capacity

☞ 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. The entity on whose capacity the tenderer relies will either assume the role of a subcontractor or fall within the exceptions listed in Section 2.4.2.

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:

Criterion T1	
The tenderer must prove knowledge and experience in the field of culture policies as well as of cultural and creative sectors (CCS) , in particular as regards the sectors and industries covered by the study, i.e. comprising at least the music and book industries, and the CCS's digital transformation.	
Minimum level of capacity	At least 2 similar (in scope and complexity) projects or relevant services completed in the last five years preceding the tender submission deadline.

Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> .
Evidence	A list of contracts or services meeting the minimum level of capacity. The list shall include details of their start and end date, total project amount and scope, role and amount invoiced. In case of projects still on-going only the portion completed during the reference period will be taken into consideration. As supporting documents for each project reference the Contracting authority may request statements issued by the clients and take contact with them.

Criterion T2

The tenderer must prove **research experience** and mastering of interview techniques, questionnaires, data collection, drafting reports and policy recommendations.

Minimum level of capacity	At least 2 similar (in scope and complexity) projects or relevant services completed in the last five years preceding the tender submission deadline.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> .
Evidence	A list of contracts or services meeting the minimum level of capacity. The list shall include details of their start and end date, total project amount and scope, role and amount invoiced. In case of projects still on-going only the portion completed during the reference period will be taken into consideration. As supporting documents for each project reference the Contracting authority may request statements issued by the clients and take contact with them.

Criterion T3

The tenderer must prove experience in **project management**, including overseeing project delivery, experience in managing transnational projects, quality control of delivered service, client orientation and conflict resolution experience in project of a similar size and coverage. **The tenderer** must prove experience in **organising events**, both physical and hybrid, and debates/panel discussions.

Minimum level of capacity	At least 2 transnational projects completed in the last 5 years preceding the tender submission deadline, with a minimum value of EUR 140 000 for each of them. At least 2 events (including panel debates and discussions) organised in the last five years preceding the tender submission deadline. At least 2 experts with at least 5 years of professional experience in the organisation of debates and conferences, including logistics and moderation.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all involved entities.
Evidence	A list of projects with a description addressing the minimum level of capacity. Concise but informative curricula vitae, with the educational and professional qualifications. Please

	make sure the precise contractual link with the tenderer is clearly indicated.
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Criterion T4

The **tenderer** must prove its **capacity to work in the EU Member States**.

Minimum level of capacity	2 projects delivered in the last 5 years. The combination of projects must cover the required geographical scope.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> .
Evidence	A list of contracts or services meeting the minimum level of capacity.

Criterion T5

The **proposed team** must include **experts in cultural policies and in culture and creative sectors and industries**

Minimum level of capacity	At least 3 experts of the team should have relevant higher education degree, or have at least 5 years of professional expertise related to cultural policies and industry and sectoral expertise in the sectors concerned.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> .
Evidence	Concise but informative curricula vitae, with the educational and professional qualifications. The Europass curriculum vitae template (available at https://europass.cedefop.europa.eu/documents/curriculum-vitae) shall be filled in by each person involved in the execution of the tasks foreseen in the tender. Please make sure the precise contractual link with the tenderer is clearly indicated.

Criterion T6

The **proposed team** must include **experts in Artificial Intelligence, in particular in AI recommender systems as applied to the cultural and creative sectors**.

Minimum level of capacity	At least 2 experts of the team should have relevant higher education degree or have at least 5 years of professional expertise related to AI and, preferably as regards recommender systems.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> .
Evidence	Concise but informative curricula vitae, with the educational and professional qualifications. The Europass curriculum vitae template (available at https://europass.cedefop.europa.eu/documents/curriculum-vitae) shall be filled in by each person involved in the execution of the tasks foreseen in the tender. Please make sure the precise contractual link with the tenderer is clearly indicated.

Criterion T7

The proposed team must include **experts from the field of Economics (digital economy) and Digital/Internet Law**

Minimum level of capacity	<p>At least 1 expert of the team should have relevant higher education degree, or equivalent 5 years of professional expertise relating to Economics in the Cultural and Creative Sectors and in particular in the digital economy.</p> <p>At least 2 experts of the team should have relevant higher education degree, or equivalent 5 years of professional expertise in the field of Internet or digital law.</p>
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> .
Evidence	Concise but informative curricula vitae, with the educational and professional qualifications. The Europass curriculum vitae template (available at https://europass.cedefop.europa.eu/documents/curriculum-vitae) shall be filled in by each person involved in the execution of the tasks foreseen in the tender. Please make sure the precise contractual link with the tenderer is clearly indicated.

Criterion T8

The proposed team members shall prove **capacity to work in the English and/or French**.

Minimum level of capacity	At least 5 members of the team should have at least C1 level in the Common European Framework for Reference for Languages ⁹ in English and/or French.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> .
Evidence	Concise but informative curricula vitae, with the educational and professional qualifications.

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

3.3. Compliance with the conditions for participation and minimum requirements specified in the procurement documents

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 tenders. 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.

Tenderers must declare when submitting their tenders in eSubmission whether their tenders comply with the minimum requirements specified in the procurement documents.

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

3.4. Award criteria

The objective of the award criteria is to evaluate the tenders with a view to choosing the most economically advantageous tender.

Tenders will be evaluated on the basis of the following award criteria and their weighting:

1. Price - **30%**

The price considered for evaluation will be the total price of the tender, covering all the requirements set out in the tender specifications.

2. Quality - **70%**

The quality of the tender will be evaluated based on the following criteria:

A. Relevance and quality of the proposed methodology (60 points)

This criterion will assess the relevance and quality proposed, notably the extent to which the offer addresses the objectives of the call and complies with the tasks described in the call for tender. The relevance and quality will be assessed for each task, taking into account the understanding of the topic; the scope, adequacy and feasibility of the research approach; and the suitability of the data sources /collection and analysis.

B. Organisation of the work and resources (30 points)

This criterion will assess how the roles and responsibilities of the proposed team and of the different economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task. It will in particular look at the quality of the tender regarding the capability to organise, coordinate and implement the various aspects of the proposed activities and to meet the objectives specified in the tender specifications. It will also assess the allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the work.

C. Quality control measures, including risk management (10 points)

This criterion will assess the quality control system applied to the service envisaged in this tender specification concerning the quality of the deliverables, the language quality check, the continuity of the service in case of absence of any member(s) of the team and the specific risk management strategy. The quality system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.

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

3.5. Award (ranking of tenders)

Tenders shall be ranked according to the best price-quality ratio in accordance with the formula below:

score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}}$	*	100	*	price weighting (in %)	+	total quality score (out of 100) for all award criteria of tender X	*	quality criteria weighting (in %)
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Should the outcome of the formula lead to two or more tenders with the same result, the tenderer who has been awarded the highest marks for quality will be deemed to be the most economically advantageous tender. This approach will continue to be applied to each of the award criteria in the descending order listed in below until a most economically advantageous tender can be determined: Relevance and quality of the proposed methodology, Organisation of the work and resources, Quality control measures.

☞ The contract shall be awarded to the tender ranked first, which complies with the minimum requirements specified in the procurement documents and is submitted by a tenderer not subject to restrictive measures, having access to procurement, not in an exclusion situation and fulfilling the selection criteria.

☞ **Detection of abnormally low tenders**

Tenderers must be aware of Point 23 of Annex I to the Financial Regulation on abnormally low tenders and of the possibility for rejection of the tender based on it.

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 letter and the eSubmission Quick Guide available at the link below:

https://wikis.ec.europa.eu/display/FTPPortal/Open+procedures_EN

☞ Make sure you prepare and submit your tender in eSubmission early enough to ensure it is received within the deadline indicated under Section IV.2.2 of the contract notice and/or on TED eTendering.

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

The documents to be submitted with the tender in eSubmission are listed in *Annex 1*.

The following requirements apply to the technical and financial tender to be uploaded in eSubmission:

- *Technical tender.*

The technical tender 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.

Tenderers are free to choose where the personal data will be processed or stored as long as they comply with the contractual obligations on data processing (Art.I.9.2 and Art. II.9) and, in particular, with the requirements for transfer of personal data to third countries and international organisations laid down in Chapter V of Regulation (EU) 2018/1725⁴⁴.

Tenderers must specify in their technical tender the location where the personal data will be processed and stored only where this location is outside the territory of the European Union or the European Economic Area. If no location is specified in the tender, the contracting authority will consider that the personal data will be processed and stored only within the territory of the European Union or the European Economic Area.]

- *Financial tender.*

A complete financial tender, including the breakdown of the price, needs to be submitted. For this purpose, the Financial Model in *Annex 6* shall be used.

⁴⁴ [Regulation \(EU\) 2018/1725 of 23 October 2018](#) on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295/39, 21.11.2018.

The total amount of the tender as indicated in cell E “*Price /Indicate grand total (binding offer)*” of the Financial tender form workbook 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 tender. In case of discrepancies, only the amount indicated in the financial tender will be taken into account.

The financial tender 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 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.

In case of doubt about the applicable VAT system, it is the tenderer's responsibility to contact its 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, preferably, a qualified electronic signature (QES) as defined in [Regulation \(EU\) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market \(the eIDAS Regulation\)](#).

Tenderers are strongly encouraged to sign with a QES⁴⁵ all documents requiring a signature and only exceptionally to sign such documents by hand as hand-written signatures lead to an additional administrative burden for both the tenderer and the contracting authority. The originals of any hand-signed documents (other than the contract) do not need to be submitted to the contracting authority, but the tenderer must keep them for a period of five years starting from the notification of the outcome of the procedure or, where the tenderer has been awarded a contract resulting from this call for tenders and the contract has been signed, the payment of the balance.

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

⁴⁵ See [here](#) how to apply a QES on a document exchanged with a European institution, body or agency.

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 a joint tender – the Declarations on Honour of all group members);
- (in the case of a joint tender) the Agreement/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, bodies and agencies, 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 are not subject to restrictive measures, 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 its total financial tender amount⁴⁶. 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 tender, technical or trade secrets⁴⁷.
- 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

⁴⁶ For a call for tenders resulting in multiple framework contracts this information will be provided for all successful tenderers and tenders.

⁴⁷ 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](#).

disclosure. Unless there is an overriding public interest in disclosure⁴⁸, 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.

☞ 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.

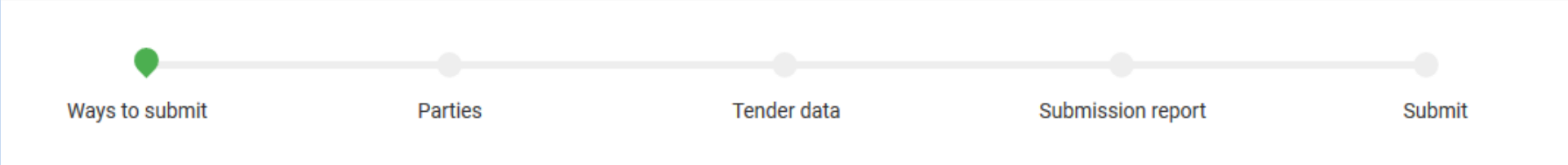
⁴⁸ See Article 4 (2) of the [Regulation \(EC\) No 1049/2001 regarding public access to European Parliament, Council and Commission documents](#).

APPENDIX: LIST OF REFERENCES

<i>Award criteria</i>	See Section 3.4
<i>Contracting authority</i>	See Section 1.1
<i>Entities on whose capacities the tenderer relies to fulfil the selection criteria</i>	See Section 2.4.3
<i>EU Validation services</i>	See Section 2.3 EU Grants and Tenders Rules on Legal Entity Validation, LEAR appointment and Financial Capacity assessment
<i>Exclusion criteria</i>	See Section 3.1
<i>Financial Regulation</i>	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
<i>Group leader</i>	See Section 2.4.1
<i>Group member</i>	See Section 2.4.1
<i>Identified subcontractors</i>	See Section 2.4.2
<i>Involved entities</i>	See Section 2.4
<i>Joint tender</i>	See Section 2.4.1
<i>Participating entities</i>	See Section 1.1
<i>Participant Register</i>	See Section 2.3 https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/how-to-participate/participant-register
<i>Selection criteria</i>	See Section 3.2
<i>Sole tenderer</i>	See Section 2.4
<i>Subcontracting/subcontractor</i>	See Section 2.4.2
<i>Treaties</i>	The EU Treaties: https://europa.eu/european-union/law/treaties_en

ANNEXES

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

Description	Sole tenderer	Joint tender		Identified Subcontractor	Entity on whose capacity is being relied (that is not subcontractor)	When and where to submit the document?	Instructions for uploading in eSubmission (if applicable)	
		Group leader	Group member				How to name the file?	Where to upload?
<p>1. Identification and information about the tenderer.</p> <p><i>eSubmission view</i></p> 								
<p>Declaration on Honour on Exclusion and Selection Criteria (see Section 3.1)</p> <p><i>model in Annex 2</i></p>	☒	☒	☒	☒	☒	With the tender in eSubmission	'Declaration on Honour'	<p>With the concerned entity under 'Parties'</p> <p>→ 'Identification of the participant'</p> <p>→ 'Attachments' → 'Declaration on Honour'.</p> <p>For entities that are not subcontractors and on whose capacity the tenderer relies to fulfil the selection criteria, the document must be uploaded in the section of the sole tenderer or group leader:</p>

								→'Identification of the participant' →'Attachments'→'Other documents'.
Evidence that the person signing the documents is an authorised representative of the entity ⁴⁹ (see Section 4.3)	☒	☒	☒			With the tender in eSubmission	'Authorisation to sign documents'	With the concerned entity under 'Parties' →'Identification of the participant' →'Attachments'→'Other documents'.
Agreement/Power of attorney (see Section 2.4.1) <i>model in Annex 3</i>		☒	☒			With the tender in eSubmission	'Agreement_ Power of attorney'	In the group leader's section under 'Parties' →'Identification of the participant' →'Attachments'→'Other documents'.
List of identified subcontractors (see Section 2.4.2) <i>model in Annex 4</i>	☒	☒				With the tender in eSubmission	'List of identified subcontractors'	In the sole tenderer's or the group leader's section under 'Parties' →'Identification of the participant' →'Attachments'→'Other documents'.
Commitment letter (see Section 2.4.2 and 2.4.3)				☒ <i>(model in</i>	☒ <i>(model in Annex</i>	With the tender in eSubmission	'Commitment letter'	With the concerned entity under 'Parties' →'Identification of the participant'

⁴⁹ 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.

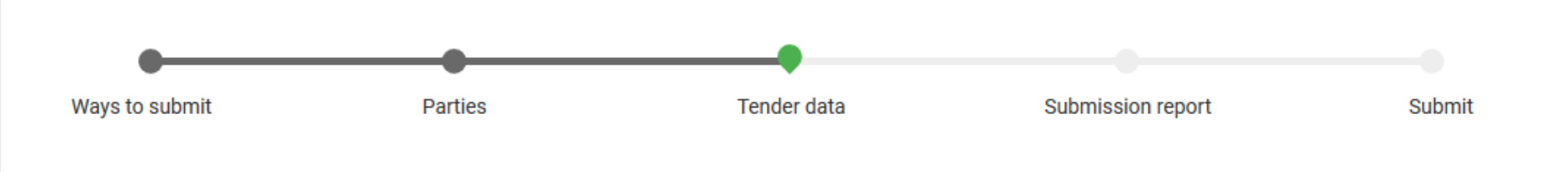
				<i>Annex 5.1)</i>	5.2)			→'Attachments'→'Other documents'.
Evidence of non-exclusion (see Section 3.1)	☒	☒	☒	☒	☒	Tenderers (sole tenderers/all group members in case of a joint tender) must provide the evidence with their tenders in eSubmission. Subcontractors and entities on whose capacity a tenderer relies to fulfil the selection criteria must provide the evidence only upon request by the contracting authority.	No specific requirements how to name the file(s).	With the concerned entity under 'Parties' →'Identification of the participant' →'Attachments'→'Exclusion criteria'.
Evidence of legal existence and status (see Section 2.3)	☒	☒	☒			Only upon request by <i>the EU Validation services</i> At any time during the procedure In the Participant Register	n.a.	n.a.
Evidence of legal capacity (see Section 3.2.1)						Only upon request by the contracting authority At any time during the procedure	n.a.	n.a.
Evidence of economic and financial capacity F1 (see Section 3.2.2)						Only upon request by the contracting authority, i.e the	n.a.	n.a.

	<p style="text-align: center;">The documents must be provided only by the involved entities which contribute to reaching the minimum capacity level for criterion F1</p>				<p>EU Validation services</p> <p>At any time during the procedure</p>		
<p>Evidence of economic and financial capacity F2 (see Section 3.2.2)</p>					<p>Only upon request by <i>the</i> contracting authority, i.e. the EU Validation services</p> <p>At any time during the procedure</p>	n.a.	n.a.
<p>Evidence of technical and professional capacity T1-T8 (see Section 3.2.3)</p>	<p style="text-align: center;">The documents must be provided only by the involved entities who contribute to reaching the minimum capacity level for criteria T1-T8</p>				<p>With the tender in eSubmission</p>	<p>'Project_ reference_ T1_No.1'</p> <p>'Project_ reference T1_No.2'....</p> <p>[...]</p> <p>'Project_ reference_</p>	<p>With the group leader or the sole tenderer under 'Parties'</p> <p>→'Identification of the participant' →'Attachments'→'Technical and professional capacity'.</p>

			T8_No.1" Project_ reference_ T8_No.2" ...	
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2. Tender data.

eSubmission view



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

Technical tender (see Section 4.2)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				With the tender in eSubmission	'Technical tender'	Under section 'Tender Data' → 'Technical tender'
Financial tender (see Section 4.2)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				With the tender in eSubmission	'Financial tender'	Under 'Tender Data' → 'Financial tender'

model in Annex 6

Annex 2. Declaration on Honour on exclusion and selection criteria

Annex 2 is published as a separate document

Annex 3. Agreement/Power of attorney

Annex 3 is published as a separate document

Annex 4. List of identified subcontractors and proportion of subcontracting

Annex 4 is published as a separate document

Annex 5.1. Commitment letter by an identified subcontractor

Annex 5.1 is published as a separate document

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

Annex 5.2 is published as a separate document

Annex 6. Financial tender form

Annex 6 is published as a separate document

Annex 7. Procurements methodology

Annex 7 is published as a separate document