



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT
Directorate D - WATERBORNE
D.2 - Maritime Safety

CALL FOR TENDERS

N° MOVE/D2/2019-539 V1.1

Decarbonisation of shipping: Technical study on the future of the Ship
Energy Efficiency Design Index

TENDER SPECIFICATIONS

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1. INFORMATION ON TENDERING

1.1. Participation

Participation in this procurement procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties, as well as to international organisations. It is also open to all natural and legal persons established in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the multilateral Agreement on Government Procurement¹ concluded within the World Trade Organisation applies, the participation to this procedure is also open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions it lays down.

1.2. Contractual conditions

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

1.3. Compliance with applicable law

The tender must comply with applicable 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/EU².

1.4. Joint tenders

A joint tender is a situation where a tender is submitted by a group of economic operators (natural or legal persons). Joint tenders may include subcontractors in addition to the members of the group.

In case of joint tender, all members of the group assume joint and several liability towards the Contracting Authority for the performance of the contract as a whole, i.e. both financial and operational liability. Nevertheless, tenderers must designate one of the economic operators as a single point of contact (the leader) for the Contracting Authority for administrative and financial aspects as well as operational management of the contract.

After the award, the Contracting Authority will sign the contract either with all members of the group, or with the leader on behalf of all members of the group, authorised by the other members via powers of attorney.

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

² Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

1.5. Subcontracting

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

Tenderers are required to identify subcontractors whose share of the contract is above 20 % and those whose capacity is necessary to fulfil the selection criteria.

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

1.6. Structure and content of the tender

The tenders must be presented as follows:

Part A: Identification of the tenderer (see section 1.7)

Part B: Non-exclusion (see section 4.1)

Part C: Selection (see section 4.2)

Part D: Technical offer

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

Part E: Financial offer

The maximum contract price is EUR 170.000 €. Tenders with prices higher than the maximum will be considered unacceptable.

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

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

The quoted price must be a fixed amount which includes all charges (including travel and subsistence). Travel and subsistence expenses are not refundable separately.

Part F: Power of attorney (for consortia only)

1.7. Identification of the tenderer

The tender must include a **cover letter** signed by an authorised representative presenting the name of the tenderer (including all entities in case of joint tender) and identified subcontractors if applicable, and the name of the single contact point (leader) in relation to this procedure.

In case of joint tender, the cover letter must be signed either by an authorised representative for each member, or by the leader authorised by the other members with powers of attorney. The signed powers of attorney must be included in the tender as well. Subcontractors that are identified in the tender must provide a letter of intent signed by an authorised representative stating their willingness to provide the services presented in the tender and in line with the present tender specifications.

In addition the tenderer must fill and sign Annex I (identification of the Tenderer) and join it to the tender.

2. TECHNICAL SPECIFICATIONS

The contractor will submit the final study report to the Commission at the latest **14** months after the entry into force of the contract.

The duration of the tasks shall not exceed **14 months**. This period is calculated in calendar days.

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

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

Physical meetings:

1. **Kick-off meeting** will take place in Brussels, at the latest 10 days following the entry into force of the contract, in order to settle all the details of the work to be undertaken.
2. **Presentation of the interim results** during a session of the **European Sustainable Shipping Forum relevant sub-group** around month 8-9.
3. **Review Meeting** in Brussels or Lisbon at month 11.

General Background

The 2015 Paris Agreement under the United Nations Framework Convention on Climate Change (UNFCCC) sets the goal to contain the rise in average global temperatures to well below 2°C above pre-industrial levels and to pursue efforts to limit it to 1.5°C. It is a historic and legally binding global climate agreement adopted by 195 countries.

The international shipping sector has to contribute its fair share of emission reductions to achieve these goals. Greenhouse gases (GHG) emissions from international shipping are addressed by the International Maritime Organization (IMO).

Following the Paris Agreement, the IMO adopted in April 2018 the Initial strategy on reduction of GHG emission from ships, setting several carbon intensity as well as total GHG emissions reduction targets, coupled with a vision for the full decarbonisation of the sector, and a list of possible short-, mid- and long-term further measures to achieve such objectives.

Energy Efficiency Design Index (EEDI) is one of the key short-term measures that will contribute to the achievement of the objectives of the IMO GHG strategy. It is a key instrument to further stimulate the long-term improvements of ship designs and the use of innovative technologies in line with the levels of ambitions of the IMO initial GHG strategy. It is high on the agenda of the Commission as well as EU Member States – in its previous input on the issue at international level, the Commission argued for an ambitious EEDI phase 4 that should aim at reducing significantly the GHG emissions of all new ships entering the market as of around 2030.

The EEDI has also important safety implications and is therefore closely linked to DG MOVE priorities.

To accelerate the delivery of concrete GHG emissions reduction measures, the Maritime Environment Protection Committee in its 74th session decided to advance the technical work, which requires an in-depth analysis and revision of the EEDI framework because the margins to improve energy efficiency are progressively reducing. This will require, in turn, new analytic work for most of the ships' categories. Any further contribution by the Commission to this high-priority work will therefore need to be based on a scientific and technical analysis. Given the fast-track process at IMO (interim report of the Correspondence Group to MEPC 75 and final report to MEPC 76 in 2020), this study should bring about preliminary results ahead of MEPC 76 and be concluded shortly afterwards.

State of play

A number of issues remains to be addressed while progressing with the EEDI framework towards phase IV such as the definition of ambitious but realistic targets, the shaft power limitation, minimum propulsion, alternative propulsion systems and use of innovative technologies.

From the point of view of available data, the IMO secretariat recently informed with document MEPC 74/INF.13 (Secretariat) that the EEDI database contains 4,505 ships.

Concerning the issue of Shaft Power Limitation and minimum propulsion power to maintain the manoeuvrability of ships in adverse conditions, the 2013 Interim guidelines for determining minimum propulsion power to maintain the manoeuvrability of ships in

adverse conditions are actually applicable, however the issue remains open for further examination. In particular new considerations are contained in:

MEPC 74/5/5 (France et al.), containing an updated proposal for Shaft Power Limitation ("ShaPoLi"), which was initially introduced in document MEPC 73/5/1, and proposing a technical solution for potential conflicts between EEDI requirements and minimum required propulsion power;

MEPC 74/5/17 (Denmark), introducing a concept to increase engine torque at low engine loads called the "adverse weather condition" function by which an engine may ensure sufficient power to the ship in adverse weather conditions; and concluding that different solutions to address the challenge with minimum propulsion power requirement should be considered in order to motivate the development of the best solutions.

Concerning the issue of Non-Conventional Propulsion considerations are contained in:

Document MEPC 74/5/13 (Norway) inviting discussion during MEPC 74 on how to calculate the EEDI for non-conventional ships and document MEPC 74/INF.20 (Norway) providing a study on calculating EEDI for non-conventional propulsion.

In particular in MEPC74/5/13 Norway states the following;

The method of calculation of the attained EEDI is only applicable for ships with conventional propulsion, meaning that ships with engines coupled either directly to the shaft and propeller, or via a gear. At MEPC 62, a work plan for further development of the EEDI was adopted (MEPC 62/24, annex 9), which included developing a method for calculation of EEDI for ships with non-conventional propulsion. Several proposals have been submitted to IMO, but so far only methods applicable for cruise passenger ships and LNG carriers have been developed, which were added to the 2014 EEDI calculation Guidelines (resolution MEPC.245(66)).

Developing a concept for non-conventional propulsion should be done by following these principles:

- .1 no new reference lines should be developed. The calculation method should be fully compatible with the method for ships with conventional propulsion, and the EEDI should be comparable;
- .2 the concept should take into account the proposal on shaft power limitation submitted by Germany, Norway and Spain in document MEPC 73/5/1 and in document MEPC 74/5/5 by France, Germany, Japan, Norway and Spain;
- .3 the concept should be based on the principles used for LNG carriers and cruise passenger ships; and
- .4 the concept should not prevent and penalize innovative propulsion solutions.

A new study will start in July 2019 to support the Commission for the preparation of the first annual report on CO₂ emissions from ships (ref CLIMA.B.3/ETU/2019/0001). As part of this study, the contractor will analyse and interpret the EEDI values reported by companies in the framework of the EU regulation on the monitoring, reporting and verification (around 2000 EEDI values). More specifically, the contractor will prepare, for each ship category, a graph showing the average EEDI performance per deadweight tonnage (DWT) and giving information on major EEDI trends. The graph will also show the EEDI reference line, as well as the requirements for the EEDI phase 1, 2 and 3. In addition, the contractor will compare the EEDI reported index with the data stemming from the International Maritime Organisation EEDI database in view to understand how ships calling at EEA ports perform compared to the global fleet. Based on these indicators, the contractor will assess if the most technically energy efficient ships tend to increase their average speed compared to the rest of the fleet and it will prepare at least 10 case studies explaining why certain ships are over performing compared to the average fleet. These case studies will analyse the impact of different factors on the EEDI calculation and assess the use of specific energy saving solutions.

The analysis carried out in the abovementioned study shall be considered during the analysis carried out in this study (see in particular Task A).

Working and Correspondence Groups

In its final report, the Correspondence Group (CG) on EEDI review beyond Phase 2 recommended the Committee to consider EEDI phase 4 separately from phase 3 but within the current regulatory framework under MARPOL Annex VI, and taking into account the Initial IMO GHG Strategy. It also recommended to accelerate the consideration of the introduction of EEDI phase 4.

In its contribution to the CG final report, the European Commission recommended the introduction of an ambitious EEDI phase 4 in 2027 separately from the early implementation of phase 3, and highlighted the following ideas:

- Meeting the 2050 objectives of the initial IMO GHG Strategy will require the development of a long-term pathway covering all GHG emissions from international shipping, including both emissions from existing and new ships. The introduction of an ambitious EEDI phase 4 is therefore an important step on this path towards 2050. Such a new phase should aim at reducing significantly the GHG emissions of all new ships entering the market as of around 2030. It should stimulate shipbuilders and naval architects to rapidly progress towards the development of carbon-neutral ships based on a strong market demand driven by appropriate measures on existing ships. It should accelerate innovations and the adoption of new technology.

- As shown by a number of studies and models (e.g. https://www.theicct.org/sites/default/files/publications/IMO_Short_term_potential_20181011.pdf), tightening the carbon intensity requirements of new ships is a strong enabling factor to meet the agreed long-term objectives, in particular when combined with concrete operational measures for all ships. Similar conclusions were found in the EU long-term strategy for a carbon neutral Europe by 2050. This recent analysis shows that in all three decarbonisation variants, energy efficiency (up to 33% improvements) and the use of alternative fuels is projected to provide significant contribution to the achievement of emissions reductions from international shipping by 2050.

At MEPC 74 many delegations supported the establishment of the correspondence group to address some open issues on the EEDI framework. Some delegations (MEPC74 WP.1), in supporting the establishment of the correspondence group, noted that a holistic review must be taken into account including the human element, and that the technical issue and challenges identified in document MEPC 74/5/6 (ICS et al.) should be taken into account in the correspondence group including the need to resolve ambiguities.

At MEPC 74 a Correspondence Group was established with the following terms of references (MEPC 74/J/9):

**Draft terms of reference for a Correspondence Group on
the Possible introduction of EEDI Phase 4**

"The Correspondence Group is instructed to:

.1 consider, collate and analyse information and data pertinent to possible introduction of EEDI phase 4, including:

- .1 information obtained from the EEDI database;
- .2 publicly available and verifiable information from shipyards, naval architects, engine manufacturers and others regarding measurable energy improvements occurring from the actual installation and use of energy-saving technologies on ships, either in service or in demonstration programmes, including the technologies identified in document MEPC 68/INF.38; and
- .3 such other publicly available and verifiable information as the Correspondence Group identifies as being relevant;

.2 using the above data and information, consider the status of technological developments for improvement of energy efficiency of the EEDI regulations in chapter 4 of MARPOL Annex VI and the possible introduction of EEDI phase 4, including:

- .1 range of technologies (e.g. engine technologies, materials, appliances, apparatus, alternative fuels, reduction of engine power and speed, hull improvements) that may be used to comply with the possible more stringent required EEDI;

- .2 current and future use of these technologies on board ships with a characterization of their introduction and demonstration in real-world applications, including consideration of cost benefit analysis and safety implications; and
- .3 progress of shipbuilders, designers and engine manufacturers towards incorporating such technologies as relevant to meeting the required EEDI;

.3 consider how the introduction of possible EEDI phase 4 can contribute to the *Initial IMO Strategy on reduction of GHG emission from ships* (resolution MEPC.304(72)), taking into account the Programme of follow-up actions of the Initial IMO Strategy on reduction of GHG emissions from ships up to 2023 approved at MEPC 73;

.4 further consider introduction of possible EEDI phase 4, taking into account the ideas identified in paragraph 46 of document MEPC 74/5/2, ship safety aspects for various ship types and implications for the human element, views expressed at MEPC 74 including the need to resolve ambiguities, and documents MEPC 74/5 and MEPC 74/5/6; and

.5 submit an interim report to MEPC 75 and a final report to MEPC 76 in 2020."

At the EU level, a sub-group on "Ship energy efficiency was established under the European Sustainable Shipping Forum (ESSF) with the following terms of reference concerning the EEDI for new ships and each ship category:

- a) Identification of design trends and case studies focusing on the most energy efficient ships and latest state-of-play on R&I;
- b) Detailed review of applicability, use and potential savings of energy efficiency solutions;
- c) Methods to effectively take into consideration innovative technologies including alternative fuels (i.e. review of the EEDI formulation, emission factors);
- d) Pros and cons of updating/revising the EEDI reference lines based on the EEDI values reported in phase 0, phase 1 and phase 2.

Objectives

The aim is to:

- a) On the basis of the available data and following the guidance given in the terms of references of the working and correspondence groups described above, develop a concept for the so-called EEDI phase 4 compatible with the IMO 2050 objectives;
- b) While devising the concept for EEDI phase 4, the effect of issues such as shaft power limitation, minimum power requirements, alternative propulsion and innovative technologies need to be evaluated.

Specific Tasks

The project will be articulated in 5 tasks as follow:

| Task N. | Content | Deliverables |
|---------------|---|---|
| Task A | Task A contains a survey on the EEDI implementation to date : A brief review of the available innovative technologies and the statistics on their application. | Inception Report.A.0 Progress Report.A.1 |
| Task B | Task B contains a Survey on the implementation of innovative technologies | Progress Report.B.1 |
| Task C | Task C contains an EEDI framework tuning | Progress Report.C.1 |
| Task D | Task D contains Stakeholders Consultation | Progress Report.D.1 |
| Task E | Task E contains Final Recommendations | Progress Report.E.1 and Final Report (includes Progress Report.E.1) |

Task A - Problem definition and EEDI implementation

Problem definition:

Upon the agreement on EEDI phase 3 at MEPC 74, considerations should be given on the available margins to improve energy efficiency of ships and how to translate them into an EEDI phase 4, devising methods to encourage the implementation of existing energy efficiency technologies and cleaner fuels.

Deliverable: Inception Report.A.0

Task A.1 – Survey on the EEDI implementation to date

This Task should include the following analysis:

Impact on ship design:

- Analysis of the EEDI ability to motivate improved designs and identification of the best-performing ships and technology available today.
- Analysis of changes in reference speed.

- Analysis on how the installed power has changed after the implementation of the EEDI and explore trends towards the implementation of the upcoming EEDI phase 3 and its relation with minimum power requirements.
- It should also contain a more general analysis about the powering of the ships as such helping to build an understanding on why and how the power on board is used for and where are the physical limits to increased efficiency/installed power reduction (while maintaining constant a chosen fuel scenario). On this basis the Task should detail the analysis for each ship type and size.

EEDI framework pros and cons summary:

- Review of the EEDI formula to explore whether the current formula sufficiently captures and reflects the benefits of different design and technology applications, including whether the formula places undue weight on installed power over other design changes and technology applications;
- Assess the influence of “correction factors” for different ship types
- Analysis of the EEDI verification process and its implementation identifying weaknesses and potential issues (such as non-uniform implementation) to be further addressed. Also this analysis should be carried out per ship type (or at least per groups of ships’ types).

Deliverable: Progress Report.A.1

Task B – Survey on the implementation of innovative technologies

The Task will contain a succinct review of the existing innovative technologies and alternative fuels (including LNG) that could be usefully used to increase the energy efficiency of ships.

The Task will therefore analyse the implementation to date of such technologies on board of ships meeting the requirements of EEDI phase 1, and 2 assessing at the same time their effects on the EEDI values; this analysis should take into account the EEDI verified values and reported into the IMO EEDI database. It should increase our understanding of why specific design trends and changes are underway in certain segments and why certain design modifications and technology changes are not occurring

The Task should contain an evaluation of how the innovative technologies have impacted the EEDI and how have been implemented on board, drawing some conclusions on the fairness of their implementation (e.g.: Does the actual EEDI formulation fairly takes into consideration the use of LNG or other lower carbon fuels, or the use of batteries? Or is it fair to account for a sky sail discount in full when during the operation it is used only at certain times? , etc....)

Task C – EEDI framework tuning

This Task will explore new and/or revise the EEDI formulation beyond Phase 3 and propose updated targets in the light of the analysis carried out in Task A, B.

In particular the new/revised EEDI formulation(s) should aim at speeding up the deployment of low carbon solutions, as well as innovative non-conventional power solutions (such as electric batteries, fuel cells, hybrid solutions), fast enough to reach IMO's goals. It should devise ways of correctly integrate innovative technologies, as they become available into the EEDI framework. An estimation of the impact in terms of environmental footprint of the new proposed EEDI targets should also be provided.

While devising a tuned EEDI formulation, the minimum powering for safety should be assessed and possible solutions such as, but not limited to, ShaPoLi.

The new/revised framework (including formulation(s)) should also better integrate and further promote non-conventional propulsion ships (such as electric batteries, fuel cells, alternative fuels, hybrid solutions). The Contractor should inspire himself to the principles lay down in MEPC 74/5/13 (Norway), without however being bound to them (and in particular point 1 of MEPC 74/5/13), preserving the possibility to always compare the new proposal with the existing rules.

The contractor should also reflect on the key challenges related to the definition of carbon factors for alternative fuels and how the transport work may relate to carbon intensity

The new/revised formulation should be also assessed against the issue of shaft power limitation and minimum power Guidelines to evaluate if any adverse effect on the safety of vessels is induced by the new formulation and new target values.

The new/revised formulation should take into due consideration the ship type and size.

The level of ambition should be compatible with the 2050 IMO's objectives.). It should overall contribute to increase the demand for low-or zero emissions ships. It should be based on the best performing shipping technologies and be prepared to include future technologies as they become available.

[Timing for the implementation of the EEDI phase IV framework should also be considered.]

Finally, the contractor should keep in mind the importance of developing a framework that is relatively simple and easy to understand for market actors.

First concepts/proposals should be made available in anticipation of the Workshop with the relevant stakeholders foreseen in Task D.

Deliverable: Progress Report.C.1

Task D – Consultation of interested parties - Stakeholders Consultation

Consultation of interested parties: establishment and implementation of a consultation plan covering the entirety of the study; determining the objective of the consultation, relevant target groups; appropriate consultation tool(s); consultation time(s) and consultation document(s). The consultation must be carried out according to the Commission's general principles and minimum standards for consultation.

The consultation shall be drafted accordingly to the Better Regulation Guidelines COM(2015) 215, Chapter VIII.

Stakeholders will be consulted on the technical results of Tasks A, B and C. Stakeholder consultation may include:

- Identifying the stakeholders concerned (industry sectors, SMEs, consumers, public authorities, NGOs etc.).
- Developing appropriate access strategy (questionnaires, interviews, expert panels, bilateral meetings, conferences) to acquire a representative sample of the opinions of all relevant stakeholders.
- Drafting the questionnaire and conducting the consultations.
- Processing the results (including statistical analysis, validating results) and preparing an overview report.

The contractor is made also aware that the consultation documents need to be agreed by the European Commission.

In particular, at least two Workshops with administrations and stakeholders should be foreseen during the consultation process with a view to build a consensus-based approach on the overall study recommendations. The first workshop should aim at presenting the results of Task A and B, while the second should include Task C and assist the contractor in the preparation of Task E.

Deliverable: Progress Report.D.1

Task E – Final Recommendations

Building on the results of Tasks A, B, C and D this Task will contain the final considerations and recommendations concerning:

- the overall effect of the EEDI implementation and its potential;
- the possible improvement of the EEDI verification process;
- the proposal(s) for the effective implementation of the existing innovative technologies in the EEDI framework and;
- the proposal(s) for EEDI phase IV.

Deliverable: Progress Report.E.1 and Final Report (includes Progress Report.E.1)

Input by the Contracting Authority

One of the qualifying elements in the study is the involvement of the administrations. To this end European Commission will make available the expertise of EMSA that will assist during the development of the project.

Deliverables and milestones

The following outputs are required:

| N. | Deliverable Title | Deliverable Type | Short Description of the Content | Timeline (Month) | Payments |
|----|---|-----------------------------|--|--|--|
| 1 | Kick off Meeting | Meeting | General presentation of the timeline and actions | M0 (within 10 days after the signature of the contract) | |
| 2 | Inception Report.A.0 | Report | Report contains the implementation plan of the project further detailing the content of the deliverables and making a first detailed time line | M0 (It should be delivered at the time of the Kick-Off meeting) | |
| 3 | Progress Report.A.1 | Report | Report contains the Survey on the implementation of EEDI to date | M5 | |
| 4 | Progress Report B.1 | Report | Progress Report B.1 contains the Survey on the implementation of innovative technologies | M6 | Interim 30% payment |
| 5 | - | Steering Committee Meeting | Analysis of the on-going Task B and preparation of Task C. | M7 | Not a physical meeting |
| 6 | Criteria and consultation | Milestone | Definition of the content of the stakeholders consultation that will be launched in M8 | M7 | |
| 7 | Launch of the Stakeholders consultation | Consultation made available | - - - | M8 | |
| 8 | Stakeholders Workshop | Meeting (Workshop) | Consultation with relevant stakeholders on the findings and first concepts for EEDI phase 4 | M8-9 | In parallel to the presentation of interim results to the ESSF |
| 9 | Progress Report C.1 | Report | Contains the analysis of the proposal(s) for EEDI index tuning | M10 | |
| 10 | Progress Report D.1 | Report | Stakeholders consultation and workshop results | M10 | |

| | | | | | |
|----|---|----------------------------|---|-----|-------------------|
| | | | and analysis | | |
| 11 | Review Meeting | Steering Committee Meeting | EC and Tenderer(s) meet to draft a detailed plan for Task E | M11 | |
| 12 | Draft Final Report (includes Progress Report E.1) | Report | Draft Final Report embedding the previous results and containing the final considerations and recommendations | M12 | |
| 13 | Final Report (includes Progress Report E.1) and Executive Summary | Report | Final Report with conclusions and recommendations | M14 | 70% Final Payment |

Meetings, presentations, workshops will all be held in Brussels or Lisbon.

Steering Committee: A Steering Committee will be set up at the beginning of the project and it will be composed by the Project Manager (PM), Technical Manager (if different from the PM), Manager of the Pilot Project (if different from the PM) and the European Commission. Other Steering Committee meetings can be either physical meetings or realized via teleconferencing tools.

3. CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE DELIVERABLES

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

3.1. Content

3.1.1. Final study report

The final study report must include:

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

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

3.1.2. Publishable executive summary

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

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

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

3.1.3. Requirements for publication on Internet

The Commission is committed to making online information as accessible as possible to the largest possible number of users including those with visual, auditory, cognitive or physical disabilities, and those not having the latest technologies. The Commission supports the Web Content Accessibility Guidelines 2.0 of the W3C.

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

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

3.2. Structure

Each report should be delivered in an electronic version in MS Word format and/or Excel format (if figures). Additionally, the final report shall be delivered in maximum 4 hard copies.

All relevant evidence of the analysis process (questionnaires, results of surveys, calculations, etc) has to be annexed to the report to allow the argument to be followed in a transparent manner. Excel sheets including formulas for any calculations carried out by the consultants to support tables or graphs in the study, should also be provided.

The contractor is requested to present:

1. An inception report (Progress Report A.0) specifying the detailed work programme and planning of the study in order to complete the Tasks. It should describe the proposed methodological approaches and working assumptions, and note any areas where there is need for additional Commission's assistance and approval. A detailed timetable and work plan including the allocation of experts per task per number or working-days should also be provided.
2. Progress Report A.1 is produced after the main desk and field research has been completed and should summarise the results reached until that moment and stipulated in Task A.1 and it should take account of the comments made by the Commission earlier in the process. The report should contain all elements deemed necessary to technically analyse the matter at stake. It should also give clear indications and detailed planning of the work to be carried out during the rest of the period. It should flag any changes in the initially planned methodology, specify the status of any findings/conclusions/recommendations and raise any problems encountered with sufficient information to permit reorientation, if appropriate. It should include a proposal for the structure of the final report which will be agreed with the Commission.

The executive summary of the report should provide an overview and orientation of the report and outline the preliminary conclusions. It should also mention what parts of the document have been carried over from inception report or recycled from other documents, and what represent progress of the work under the contract.

5. Progress Report B.1 is produced based on the specifications given in Task B and it should contain all elements deemed necessary to technically analyse the matter at stake.
5. Progress Report C.1 should contain all elements and analysis sufficient to formulate proposal(s) on the EEDI for phase IV as specified in Task C description.
6. Progress Report D.1 it should provide an overview and analysis of the stakeholders' consultation on the basis of the specifications given in Task D.
6. A Draft final report containing Progress Report E.1 should cover all study tasks and take account of the comments made earlier in the process. It should provide a sound analysis of findings along with factually based conclusions and recommendations, in line with the rationale of the initiative and description of Tasks, including comparisons and evaluation as foreseen in Task E.
7. A Final report follows in principle the same structure as the draft final report while taking into account Commission's comments and requests and be accompanied by a publishable executive summary. The final report and the executive summary follow the requirements set out in paragraph 3.1.

The Commission services decide on the dissemination of findings and conclusions and its related materials produced under this Framework Contract. In principle, the Commission will publish all the final reports. For these purposes, the contractor must ensure that there are no restrictions based on confidentiality and/or intellectual property rights expected from a third party.

3.3. 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.

4. EVALUATION AND AWARD

The evaluation is based solely on the information provided in the submitted tender. It involves the following:

- 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 set out in these tender specifications
- Evaluation of tenders on the basis of the award criteria

The contracting authority may reject abnormally low tenders, in particular if it established that the tenderer or a subcontractor does not comply with applicable obligations in the fields of environmental, social and labour law.

The tenders will be assessed in the order indicated above. Only tenders meeting the requirements of one step will pass on to the next step.

4.1. Verification of non-exclusion

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

In case of joint tender, each member of the group must provide a declaration on honour signed by an authorised representative.

In case of subcontracting, identified subcontractors must provide a declaration on honour signed by an authorised representative.

The successful tenderer must provide the documents mentioned as supporting evidence in the declaration on honour before signature of the contract and within a deadline given by the contracting authority. This requirement applies to each member of the group in case of joint tender, and to identified subcontractors.

The obligation to submit supporting evidence does not apply to international organisations.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the contracting authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that there has been no change in its situation.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the contracting authority can access the document in question on a national database free of charge.

4.2. Selection criteria

Tenderers must prove their legal, regulatory, economic, financial, technical and professional capacity to carry out the work subject to this procurement procedure.

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

The tender must include the proportion of the contract that the tenderer intends to subcontract.

4.2.1. Declaration and evidence

The tenderers (and each member of the group in case of joint tender) and subcontractors whose capacity is necessary to fulfil the selection criteria must provide the declaration on honour (see Annex 2), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them. In case of joint tender or subcontracting, the criteria applicable to the tenderer as a whole will be verified by combining the various declarations for a consolidated assessment.

This declaration is part of the declaration used for exclusion criteria (see section 4.1) so only one declaration covering both aspects should be provided by each concerned entity.

For the selection criteria, the Contracting Authority will evaluate:

- Economical and financial capacity criteria on the basis of the evidence uploaded in the "Participant Register of the Participant Portal"
- Technical and professional capacity criteria on the basis of the evidence to be submitted with the tenders.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the contracting authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that there has been no change in its situation.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the contracting authority can access the document in question on a national database free of charge.

4.2.2. Regulatory capacity

Tenderers must prove that they have legal capacity to perform the contract and the regulatory capacity to pursue the professional activity necessary to carry out the work subject to this call for tenders

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

1. Proof of enrolment in a relevant trade or professional register
2. Proof of authorisation that the tenderer is authorised to perform the contract in its country of establishment
3. Proof that the tenderer is a member of a specific professional organisation
4.

4.2.3. Economic and financial capacity criteria

The tenderer must have the necessary economic and financial capacity to perform this contract until its end. In order to prove their capacity, the tenderer must comply with the following selection criteria.

- **Criterion F1:** Turnover of the last two financial years above EUR 1.000.000; this criterion applies to the leader in case of a joint tender.

Evidence F1: a statement on the annual turnover for the last two years for which accounts have been closed from each concerned legal entity;

- **Criterion F3:** The tenderer must have a professional risk indemnity insurance of at least EUR 150.000; this criterion applies to the leader in case of a joint tender.

Evidence F2: a copy of the professional risk indemnity insurance

4.2.4. Technical and professional capacity criteria and evidence

a. Criteria relating to tenderers

Tenderers (in case of a joint tender the combined capacity of all members of the group and identified subcontractors) must comply with the criteria listed below. The project references indicated below consist in a list of relevant services provided during the requested time period, with the sums, dates and clients, public or private, accompanied by statements issued by the clients.

- **Criterion A1:** The tenderer must prove experience in the field of design and/or shipbuilding and/or certification and/or ships' operation of as many as possible ships' types included in the EEDI framework, with at least 2 projects delivered in the field of ship's efficiency in the last three years, as well as experience in drafting reports and recommendations.

Evidence A1: the tenderer must provide references for at least 2 projects delivered in these fields in the last three years with a minimum value for each project of € 150.000, indicating also the direct experience in relation to which ship's type(s).

- **Criterion A2:** The tenderer must prove capacity to work in two EU official languages including at least English and any other official EU language.

Evidence A2: the tenderer must provide references for 2 projects delivered in the last three years showing the necessary language coverage.

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

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

- **Criterion A4:** The tenderer must prove its experience in: (1) ship design for efficiency and EEDI calculations, (2) EEDI verification, (3) estimation of minimum power requirements (4) ship's powering, ships' resistance, prime movers related systems, (5) implementation of existing innovative technologies

Evidence A4: the tenderer must provide references for at least 2 projects delivered in at least 3 of these fields in the last three years.

b. Criteria relating to the team delivering the service:

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

Evidence will consist of CVs of the team responsible for delivering the service. Each CV should indicate the intended function in the delivery of the service.

B1 - Project Manager: At least 5 years' experience in project management, including overseeing project delivery, quality control of delivered service, client orientation, conflict resolution experience and in use of impact assessment methodologies in projects of a similar size (at least € 150.000) and coverage (at least 3 countries covered), with experience in management of teams of at least 5 people.

Evidence: CV

B2 - Language quality check: at least 1 member of the team should have at least C1 level in the Common European Framework for Reference for Languages³ in English.

Evidence: CV and a language certificate or past relevant experience.

B3 - Expert in ship design and ship efficiency: At least 5 years of professional experience. Relevant higher education degree or equivalent professional experience and at least 5 years' professional experience in the field. At least 1 expert.

Evidence: CV

³ See http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp

B4 - Expert in EEDI verification process: At least 3 years of professional experience in this field. Relevant higher education degree or equivalent professional experience and at least 5 years' professional experience in the field. At least 1 expert.

Evidence: CV

B5 - Expert in ship's powering. Relevant higher education degree or equivalent professional experience and at least 5 years' professional experience in the field. At least 1 expert.

Evidence: CV

B6 - Expert in innovative technologies (for domains not covered by the previous experts): At least 5 years of professional experience. Relevant higher education degree or equivalent professional experience and at least 5 years' professional experience in the field. At least 1 expert.

Evidence: CV

4.3. Award criteria

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

- **Quality of the proposed methodology (70 points – minimum score 50%)**

| Task N. | Content | Points |
|---------------|---|--------------------------------|
| | | (Minimum score is 50% for all) |
| Task A | Task A that contains the Survey on the EEDI implementation and recommendations to improve the verification process. | 20 |
| Task B | Task B that contains the Survey on the EEDI implementation of innovative technologies. | 20 |
| Task C | Task C that contains the EEDI proposals for phase IV | 20 |
| Task D | Task D that contains the stakeholders consultation | 5 |
| Task E | Task E that contains the final considerations and recommendations. | 5 |

- **Organisation of the work and resources 20 points – minimum score 50%)**

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 also assesses the global allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the work. The tender

should provide details on the allocation of time and human resources and the rationale behind the choice of this allocation. Details should be provided as part of the technical offer. It is not a budget requested as part of the financial offer.

- **Quality control measures (10 points – minimum score 50%)**

This criterion will assess the quality control system applied to the service foreseen in this tender specification concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality control 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 sub-criterion, and minimum 70% in total. Tenders that do not reach the minimum quality levels will be rejected and will not be ranked.

4.4. Ranking of tenders

The contract will be awarded to the most economically advantageous tender, i.e. the tender offering the best price-quality ratio determined in accordance with the formula below. A weight of 70/30 is given to quality and price.

$$\text{Score for tender X} = \frac{\text{cheapest price}}{\text{price of tender X}} * 100 * \text{price weighting (in \%)} + \text{total quality score (out of 100) for all award criteria of tender X} * \text{quality criteria weighting (in \%)}$$

The tender ranked first after applying the formula will be awarded the contract.

Technical offer

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

Financial offer

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

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

The quoted price must be a fixed amount which includes all charges (including travel and subsistence). Travel and subsistence expenses are not refundable separately.

Maximum price: 170.000 €

5. LEGAL VALIDATION AND FINANCIAL VIABILITY ASSESSMENT

In the course of the procedure, tenderers are requested to register in the European Commission's Participant Register. On registering, each organisation obtains a Participants Identification Code (PIC, 9-digit number),

In the course of the procedure, the EU Validation Services (Research Executive Agency Validation Services) may contact tenderers via the Participant Register and ask for supporting documents with respect to the legal existence and status and economic and financial capacity. Please note that a request for supporting documents in no way implies that the tenderer has been successful.

For this purpose, the EU Validation Services may request the tenderer to submit the following documents:

i. For the purpose of the legal validation of the entities:

- Signed legal entity identification form⁴:
Natural Person Form
Private Legal Entity Form
Public Legal Entity Form
- Official VAT document or — if the entity is not registered for VAT — the proof of VAT exemption, not older than 6 months.
- Signed Bank Account Form, and
- the following additional documents, where relevant:

| Status | Documents to be submitted |
|-------------------------------------|---|
| Private body (including SME) | Registration extract (not older than 6 months). |

⁴ http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal-entities_en.cfm

| | |
|---|---|
| | |
| Public body | Copy of the act, law, decree or decision that established the organisation as a public body (or, if this doesn't exist, any other official legal document that proves this). |
| Non-profit organisation | <p>Copy of an official document attesting that the organisation has a legal or statutory obligation not to distribute profits to shareholders or individual members.</p> <p>The certificate of tax exemption may only constitute an indication of the non-profit status of the entity, which has to be assessed together with other elements.</p> |
| Research organisation | Copy of an official document attesting that one of the main objectives of the entity is carrying out research or technological development. |
| Secondary or higher education establishment | Copy of an official document attesting that the organisation is recognised such as 'secondary or higher education establishment by the national education system and is entitled to deliver diplomas recognized by the State. |
| International organisation International organisation of European interest | Copy of the relevant international treaty creating the organisation under international public law. |
| Natural person | Copy (legible) of valid identity card or passport. |
| Entities without legal personality | <p>-Copy of an official document attesting that the representatives of the entity have the capacity to undertake legal obligations on its behalf.</p> <p>- Copy of an official document attesting that the entity has the same operational and financial capacity as that of a legal entity :i.e.</p> <p>a document showing patrimony/asset/capital that is separated and different from those of the members/owners of the entity, and</p> <p>a copy of the rules providing that creditors can rely on this patrimony/asset/capital and — in case of liquidation/insolvency — are reimbursed before the patrimony/asset/capital is divided between the owners/members.</p> |

| | |
|--|--|
| | |
| | |

ii. For the purpose of preparing the financial capacity assessment:

| Status | Documents to be submitted |
|--|---|
| Legal entity | <p>1. Profit and loss account</p> <p>2. Balance sheet</p> <p>3. Explanatory notes and/or annexes that form part of the above financial statements (if available)</p> <p>4. External audit report¹², for the procurement domain – to be submitted on voluntary basis if the entity has already been audited for other purposes</p> |
| Natural Person | <p>1. Income tax declaration</p> <p>2. Certified declaration of current patrimony (may not be applicable to procurement), including:</p> <p>a. fixed patrimony (e.g. land, tenement, hereditament, medium/long-term time deposits (more than one year), stock options that cannot be exercised within one year)</p> <p>b. current patrimony (e.g. available cash, savings, short-term time deposits (maximum of one year), stock-options that can be exercised within one year)</p> <p>3. List of certified debts, which must contain all debts (with dates and figures), broken down in short-term debts (of maximum one year) and medium/long-term debts (of more than one year)(may not be applicable to procurement).</p> |
| Start-up companies without closed accounts | Business plan |

6. ANNEXES

1. Tenderer 's Identification Form
2. Declaration of honour on exclusion criteria and selection criteria
3. Power of attorney (mandate in case of joint tender)
4. Standard Word template for studies

5. Draft Contract or purchase order

ANNEX 1

IDENTIFICATION OF THE TENDERER

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

Call for tenders MOVE 2019/272

| Identity | |
|---|--|
| Name of the tenderer | |
| Legal status of the tenderer | |
| Date of registration | |
| Country of registration | |
| Registration number | |
| VAT number | |
| Description of statutory social security cover (at the level of the Member State of origin) and non-statutory cover (supplementary professional indemnity insurance) ⁵ | |
| Address | |
| Address of registered office of tenderer | |
| Where appropriate, administrative address of tenderer for the purposes of this invitation to tender | |
| Contact Person | |
| Surname: First name: Title (e.g. Dr, Mr, Ms) : Position (e.g. manager): Telephone number: Fax number: | |

⁵ For natural persons.

| | |
|---|------------|
| E-mail address: | |
| Legal Representatives | |
| Names and function of legal representatives and of other representatives of the tenderer who are authorised to sign contracts with third parties | |
| Declaration by an authorised representative of the organisation⁶ I, the undersigned, certify that the information given in this tender is correct and that the tender is valid. | |
| Surname: First name: | Signature: |

⁶ This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.

ANNEX 2

Declaration of honour on exclusion criteria and selection criteria

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

| | |
|--|---|
| <i>(only for natural persons)</i> himself or herself | <i>(only for legal persons)</i> the following legal person: |
| ID or passport number: | Full official name: Official legal form: Statutory registration number: Full official address: VAT registration number: |

| ➤ declares whether the above-mentioned person is in one of the following situations or not: | | |
|--|--------------------------|--------------------------|
| SITUATION OF EXCLUSION CONCERNING THE PERSON | YES | NO |
| a) it is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under national legislation or regulations; | <input type="checkbox"/> | <input type="checkbox"/> |
| b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the law of the country in which it is established, with those of the country in which the contracting authority is located or those of the country of the performance of the contract; | <input type="checkbox"/> | <input type="checkbox"/> |
| c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following: | | |
| (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract; | <input type="checkbox"/> | <input type="checkbox"/> |
| (ii) entering into agreement with other persons with the aim of distorting competition; | <input type="checkbox"/> | <input type="checkbox"/> |
| (iii) violating intellectual property rights; | <input type="checkbox"/> | <input type="checkbox"/> |
| (iv) attempting to influence the decision-making process of the contracting authority during the award procedure; | <input type="checkbox"/> | <input type="checkbox"/> |
| (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure; | <input type="checkbox"/> | <input type="checkbox"/> |

| | | |
|---|--------------------------|--------------------------|
| d) it has been established by a final judgement that the person is guilty of any of the following: | | |
| (i) fraud, within the meaning of Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995; | <input type="checkbox"/> | <input type="checkbox"/> |
| (ii) corruption, as defined in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of EU Member States, drawn up by the Council Act of 26 May 1997, and in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the legal provisions of the country where the contracting authority is located, the country in which the person is established or the country of the performance of the contract; | <input type="checkbox"/> | <input type="checkbox"/> |
| (iii) participation in a criminal organisation, as defined in Article 2 of Council Framework Decision 2008/841/JHA; | <input type="checkbox"/> | <input type="checkbox"/> |
| iv) money laundering or terrorist financing, as defined in Article 1 of Directive 2005/60/EC of the European Parliament and of the Council; | <input type="checkbox"/> | <input type="checkbox"/> |
| (v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision; | <input type="checkbox"/> | <input type="checkbox"/> |
| (vi) child labour or other forms of trafficking in human beings as defined in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council; | <input type="checkbox"/> | <input type="checkbox"/> |
| e) the person has shown significant deficiencies in complying with the main obligations in the performance of a contract financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an Authorising Officer, OLAF or the Court of Auditors; | <input type="checkbox"/> | <input type="checkbox"/> |
| f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95; | <input type="checkbox"/> | <input type="checkbox"/> |
| g) for the situations of grave professional misconduct, fraud, corruption, other criminal offences, significant deficiencies in the performance of the contract or irregularity, the applicant is subject to: <ul style="list-style-type: none"> i. facts established in the context of audits or investigations carried out by the Court of Auditors, OLAF or internal audit, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body; ii. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics; iii. decisions of the ECB, the EIB, the European Investment Fund or international organisations; iv. decisions of the Commission relating to the infringement of the Union's competition rules or of a national competent authority relating to the infringement of Union or national competition law; or v. decisions of exclusion by an authorising officer of an EU institution, of a | <input type="checkbox"/> | <input type="checkbox"/> |

| | | |
|---|--|--|
| European office or of an EU agency or body. | | |
|---|--|--|

[Only for legal persons other than Member States and local authorities, otherwise delete this table]

- declares whether a natural person who is a member of the administrative, management or supervisory body of the above-mentioned legal person, or who has powers of representation, decision or control with regard to the above-mentioned legal person (this covers the company directors, members of the management or supervisory bodies, and cases where one natural person holds a majority of shares) is in one of the following situations or not:

| SITUATIONS OF EXCLUSION CONCERNING NATURAL PERSONS WITH POWER OF REPRESENTATION, DECISION-MAKING OR CONTROL OVER THE LEGAL PERSON | YES | NO |
|--|--------------------------|--------------------------|
| Situation (c) above (grave professional misconduct) | <input type="checkbox"/> | <input type="checkbox"/> |
| Situation (d) above (fraud, corruption or other criminal offence) | <input type="checkbox"/> | <input type="checkbox"/> |
| Situation (e) above (significant deficiencies in performance of a contract) | <input type="checkbox"/> | <input type="checkbox"/> |
| Situation (f) above (irregularity) | <input type="checkbox"/> | <input type="checkbox"/> |

- declares whether a natural or legal person that assumes unlimited liability for the debts of the above-mentioned legal person is in one of the following situations or not:

| SITUATIONS OF EXCLUSION CONCERNING NATURAL OR LEGAL PERSONS ASSUMING UNLIMITED LIABILITY FOR THE DEBTS OF THE LEGAL PERSON | YES | NO | N/A |
|---|--------------------------|--------------------------|--------------------------|
| Situation (a) above (bankruptcy) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Situation (b) above (breach in payment of taxes or social security contributions) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- declares whether the above-mentioned person is in one of the following situations or not:

| GROUND FOR REJECTION FROM THIS PROCEDURE | YES | NO |
|--|--------------------------|--------------------------|
| h) has not distorted competition by being previously involved in the preparation of procurement documents for this procurement procedure; | <input type="checkbox"/> | <input type="checkbox"/> |
| i) has provided accurate, sincere and complete information to the contracting authority within the context of this procurement procedure; | <input type="checkbox"/> | <input type="checkbox"/> |
| ➤ acknowledges that the above-mentioned person may be subject to rejection from this procedure and to administrative sanctions (exclusion or financial penalty) if any of the declarations or information provided as a condition for participating in this procedure prove to be false. | | |

REMEDIAL MEASURES

If the person declares one of the situations of exclusion listed above, it should indicate the measures it has taken to remedy the exclusion situation, thus demonstrating its reliability. They may include e.g. technical, organisational and personnel measures to prevent further occurrence,

compensation of damage or payment of fines. The relevant documentary evidence which appropriately illustrates the remedial measures taken should be provided in annex to this declaration. This does not apply for the situations referred in point (d) of this declaration.

EVIDENCE UPON REQUEST

Upon request and within the time limit set by the contracting authority the person shall provide information on the persons that are members of the administrative, management or supervisory body, as well as the following evidence concerning the person or the natural or legal persons which assume unlimited liability for the debt of the person:

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

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

If the person already submitted such evidence for the purpose of another procedure, its issuing date does not exceed one year and it is still valid, the person shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

| | | |
|---|--------------------------|--------------------------|
| ➤ declares whether the above-mentioned person complies with the selection criteria as provided in the tender specifications: | | |
| SELECTION CRITERIA | YES | NO |
| (a) It has the legal and regulatory capacity to pursue the professional activity needed for performing the contract as required in section <i>[insert]</i> of the tender specifications; | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) It fulfills the applicable economic and financial criteria indicated in section <i>[insert]</i> of the tender specifications; | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) It fulfills the applicable technical and professional criteria indicated in section <i>[insert]</i> of the tender specifications. | <input type="checkbox"/> | <input type="checkbox"/> |
| ➤ declares that the above-mentioned person will be able to provide the necessary supporting documents listed in the relevant sections of the tender specifications and which are not available electronically upon request and without delay. | | |

Full name

Date

Signature

ANNEX 3

POWER OF ATTORNEY

mandating one of the partners in a joint tender as lead partner and lead contractor⁷

The undersigned:

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

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

HEREBY AGREES TO THE FOLLOWING:

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

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

Signed in on [dd/mm/yyyy]

Place and date:

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

⁷ To be filled in and signed by each partner in a joint tender except the lead partner.

ANNEX 4

Standard Word template for studies

Please see separate document

ANNEX 5

DRAFT CONTRACT

Please see separate document

