



**TENDER SPECIFICATIONS**

**No OLAF/D1/73/2016**

**Study to support the evaluation of the application of Regulation (EC, Euratom) No 883/2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF)**

**Open Procedure with publication in the Supplement of the Official Journal of the European Union (TED)**

**Contracting Authority:  
The European Commission  
represented by the European Anti-Fraud Office (OLAF)**

**Deadline:**

**Tuesday, 10 May 2016**

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## **1. BACKGROUND**

The European Commission, represented by the European Anti-Fraud Office (OLAF) as its contracting authority, is launching an invitation to tender for the provision of a study, as described in Annex I, to support the evaluation of Regulation No 883/2013 by the Commission.

Further information about OLAF's areas of activity can be found at:

[http://ec.europa.eu/anti\\_fraud/index\\_en.htm](http://ec.europa.eu/anti_fraud/index_en.htm).

## **2. TITLE OF THE CONTRACT**

Service contract for the provision of a study to support the **evaluation of the application of Regulation (EC, Euratom) No 883/2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF)**.

## **3. GLOSSARY**

The following terms are used throughout these specifications:

Call for tender	A public procurement procedure (regardless of the type of procedure).
Contracting authority	The public body launching the procurement procedure.
Contractor	Successful tenderer chosen through this call for tender.
Day	Unless otherwise specified, a calendar day (not a working day).
Economic operator	Any natural or legal person, public entity or group thereof that offers supplies, services or labour on the market.
Service contract	A contract that sets out the service to be delivered.
Tender	Offer, bid, proposal.
Tenderer	Any natural or legal person, public entity or group specified in the 'participation in the tender procedure' section who submits a tender under this call for tender.

## **4. NATURE OF THE CONTRACT**

The contract takes the form of a service contract (see Annex II). The service will be rendered in the form of a study.

The contract will come into force on the day it is signed by the contracting authority. As long as the contract has not been signed by the European Commission, there is no commitment of the contracting authority towards the contractor and it does not give the contractor any exclusive rights to the service

covered by the contract. The contracting authority is entitled to cease the tender procedure without the contractor having the right to any compensation. It can do so at any point during the procedure.

## **5. INFORMATION ON TENDERING**

### **5.1. Participation**

Participation in this tender procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement.

Where the Multilateral Agreement on Government Procurement<sup>1</sup> concluded within the WTO applies, the participation to the call for tender is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down.

### **5.2. Contractual conditions**

The tenderer should bear in mind the provisions of the Service contract (see Annex II), which specifies the contractor's rights and obligations, particularly those relating to payments, performance of the contracts, confidentiality, and checks and audits.

Any limitation, amendment or denial of the terms of contract will lead to automatic exclusion from the procurement procedure.

Before the contract is signed, the contracting authority may either abandon the procurement procedure or cancel the award procedure without the tenderers being entitled to any compensation.

### **5.3. 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/EU

### **5.4. Joint tenders**

A joint tender is a situation where a tender is submitted by a group of economic operators (consortium), who will not be required to adopt a particular legal form prior to the service contract being awarded, but the consortium selected may be required to assume a given legal form when it has been awarded the service contract if this change is necessary for proper performance of the specific contracts.

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

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

<sup>1</sup> See [http://www.wto.org/english/tratop\\_E/gproc\\_e/gp\\_gpa\\_e.htm](http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm)

### **5.5. Variants**

Variants are not allowed. Tenderers may not submit bids for only part of the services required.

### **5.6. Subcontracting**

Subcontracting is permitted but the contractor retains full liability towards the contracting authority for performance of the service contract as a whole.

Tenderers are required to identify all subcontractors whose share of the contract is above 10% of the offer. Their full details (name, place of establishment, services and amounts provided) must be included in the tender. Tenderers must ensure that Article II.7 of the contract (see Annex II) can be applied to all subcontractors.

The lead contractor is fully responsible for delivering all services under the service contract.

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

During the service contract's implementation, any change to the subcontractors identified in the tender will be subject to prior written approval of the contracting authority.

Contractors must be able to demonstrate that subcontracting must be based on the best value for money given the quality of the service proposed (best price-quality ratio).

## **6. CONTRACT DURATION**

The service contract resulting from this call for tender will enter into force on the date on which it is signed by the last contracting party.

The provisional date for starting the service contract is July 2016.

The service contract will have a maximum duration of 15 months from the date on which it enter into force, and cannot be renewed.

The specific contract must be signed by the contractor first and returned to the contracting authority.

## **7. ESTIMATE OF VOLUMES**

The global value of the service contract is estimated to be no more than EUR 500,000.

## **8. PLACE OF PERFORMANCE OF THE CONTRACT**

The main place of performance of services will be in the contractor premises.

## **9. CONTRACTOR'S STAFF**

In the framework of this contract, the Contractor will only use staff capable of performing the services, who are trustworthy and are employed in compliance with national and/or local employment legislation.

The Contractor shall ensure that his /her staff complies with the social legislation of the country where they are employed.

## **10. DESCRIPTION OF TASKS**

**Please refer to the terms of reference (Annex I).**

## **11. CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE DELIVERABLES**

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

### **11.1. Content**

#### **11.1.1. Final study report and publishable executive summary**

In addition to the requirements set out in the Terms of Reference (see Annex I), the final study report and the publishable executive summary must include specific identifiers which must be incorporated on the cover page provided by the Contracting Authority as well as the following disclaimer:

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

#### **11.1.2. 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](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/>.

### **11.2. 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](http://ec.europa.eu/dgs/communication/services/visual_identity/index_en.htm)

### 11.3. **Raw data and datasets**

Any final datasets<sup>2</sup> should be provided as structured data in a machine readable format (e.g. in the form of a spreadsheet and/or an RDF file) for Commission internal usage and for publishing on the Open Data Portal, in compliance with Commission Decision (2011/833/EU).<sup>3</sup>

The data delivered should include the appropriate metadata (e.g. description of the dataset, definition of the indicators, label and sources for the variables, notes) to facilitate reuse and publication.

The data delivered should be linked to data resources external to the scope of the evaluation, preferably data and semantic resources from the Commission's own data portal or from the Open Data Portal<sup>4</sup>. The contractor should describe in the offer the approach they will adopt to facilitate data linking.

## 12. PRESENTATION OF THE TENDER

Tenders must be clear and concise, with continuous page numbering throughout, including for annexed forms and other documents. They must be assembled in a coherent way (e.g. bound or stapled), and printed double-sided.

Tenders must include all information and documents requested by the contracting authority so that each tender can be assessed on based on the exclusion, selection and award criteria defined below.

They must be signed by signed by the legal representative of the tenderer.

They must be submitted in accordance with the specific requirements of the invitation to tender letter, within the deadline laid down.

## 13. THE TENDER'S STRUCTURE AND PRESENTATION

The **tender** must be organised into the following **three sections**:

Section one	Administrative documents and documents related to the exclusion (see section 15 below) and selection criteria (see section 16 below)
Section two	Technical offer

<sup>2</sup> Any type of raw data collected in the course and as part of the contract. The data formats may include long-established formats such as CSV or XLS, but also newer web formats like JSON and XML or advanced formats for interlinked data such as RDF and SQL.

<sup>3</sup> If third parties' rights do not allow their publication as open data, the tenderers should describe in the offer the subpart that will be provided to the Commission free of rights for publication and the part that will remain for internal use.

<sup>4</sup> For a list of shared data interoperability assets see the ISA program joinup catalogue (<https://joinup.ec.europa.eu/catalogue/repository/eu-semantic-interoperability-catalogue>) and the Open Data Portal resources.

Section three	Financial offer
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The tenderer should ensure that each section's cover page specifies which section it relates to.

The tender documents (one original, two hard copies, and one electronic copy, e.g. CD, DVD, memory stick) must be sent in **two parts**, each in separately sealed and clearly-marked envelopes.

- **one part** must contain the **administrative documents and technical offer**;
- the **second part** must contain only the **financial offer**.

### **13.1. Section one: Administrative documents**

#### **13.1.1. Administrative information**

The tender must include:

- A **cover letter** presenting the names of the tenderer (including all entities involved in the case of a joint offer), the subcontractors whose share of the contract is above 10% of the offer, if applicable, and the single contact person for the tender.
- The **tender submission form** (see Annex III).
- For **joint tenders**, the cover letter must be signed by a duly authorised representative of each tenderer, or by a single tenderer duly authorised by the others (by power of attorney).
- **If applicable, subcontractors** must provide a **letter of intent** stating their willingness to provide the service specified in the offer in line with the tender's specifications.
- In order to prove their legal capacity and their status, all tenderers must provide a signed **legal entity form** and supporting evidence.

The form is available on:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/legal\\_entities/legal\\_entities\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm)

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

- The tenderer (or the single point of contact for joint tenders) must provide a **financial identification form** and supporting documents.

Only one form per offer should be submitted (no form is needed for subcontractors and other joint tenderers).

The form is available on:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/index\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm)



- Tenderers must provide the following information if it had not been submitted with the legal entity form:
  - For legal persons, a legible copy of the notice of appointment of the persons authorised to represent the tender in dealings with third parties and in legal proceedings, or a copy of the publication of this appointment if the legislation which applies to the legal entity concerned requires such publication.

Any delegation of this authorisation to another representative not indicated in the official appointment must be supported by evidence.
  - For natural persons, where applicable, proof of registration in a professional or trade register or any other official document showing the registration number.

### **13.1.2. Information regarding exclusion and selection criteria**

The tender must include evidence related to:

- the exclusion criteria (see article 15 below); and
- the selection criteria (see article 16 below).

### **13.2. Section two: Technical offer**

The technical offer must be complete, consistent and clear and cover all aspects and tasks required in the technical specification and provide all the information needed to apply the award criteria.

This section should contain all technical information relevant for the evaluation. Offers that deviate from these requirements or that do not cover all requirements may be excluded on the basis of non-conformity with the tender specifications and will not be evaluated.

To make evaluation of the tenderers' technical capacity possible, the technical part of the tender must contain information covering the topics listed below.

<b>General organisation and management structure</b>
<p>Tenderers should as minimum describe:</p> <ul style="list-style-type: none"><li>– Mechanisms put in place to ensure overall coordination of works throughout the whole duration of the contract;</li><li>– Detailed allocation of tasks to the individual members of the team throughout the whole duration of the contract (in man/day/task) and explanation of the basis for such an allocation;</li><li>– In the case of a consortium, the structure set up for coordinating the work between the different members of the consortium, including working criteria for the distribution of assignments between them and the composition of ad hoc teams;</li><li>– Arrangements to manage legal, administrative and financial aspects related to the performance of the contract;</li><li>– Mechanisms for notification to the Contracting Authority, and assurance of the timely and full replacement of any reduction in personnel capacity,</li></ul>

<p>in order to ensure the committed level of expertise and resources throughout the whole duration of the contract;</p> <ul style="list-style-type: none"><li>– Communication mechanism with the Contracting authority in terms of project development;</li><li>– See also Terms of Reference, section 5.</li></ul>
<b>Quality control</b>
<p>Tenderers should:</p> <ul style="list-style-type: none"><li>– Describe the procedures for quality control, assurance of client satisfaction and complaint management, including indicators to be used to ensure the quality and monitoring of the services rendered over the life time of the contract. In particular, explain the mechanism to ensure that all reports submitted to the Steering Group comply with the methodology requirements and are submitted in time;</li><li>– Identify major risks, challenges or difficulties and suggest mitigating measures;</li><li>– Set, manage and respect the deadlines agreed for each stage of the evaluation;</li><li>– Describe the procedure for updating and adapting the quality control mechanism, taking into account that any such updating and adaptation must have the Commission's prior approval;</li><li>– See also Terms of Reference, section 7.4.</li></ul>
<b>Methodology and conduct of evaluation</b>
<p>Tenderers should fully reflect all aspects and tasks required in Terms of Reference. In particular they have to explain how they will address all requirements set in section 2. &amp; 3. of the Terms of Reference (Annex I).</p>

The technical offer must be completed in full and signed by the person authorised to represent the tenderer.

The technical part of the tender must be submitted in **a separate envelope** marked '**technical offer**' together with the administrative documents.

### **13.3. Section 3: Financial offer**

This section should contain all financial information relevant to the activities to be organised which will constitute the future contractual basis for the pricing of the contract.

The contractor will submit a financial offer (using the price table in **Annex IV**) including a lump sum price for all services included in the contract. The price will be calculated by applying:

- a) the expert fees expressed as the number of person-days multiplied by the unit price per working day for each expert proposed,
- b) an estimate of travel costs and subsistence expenses for field missions,
- c) any other costs (e.g. translation, methodological tools, etc.).

These estimated fees and costs will be exclusively used for the calculation of the offer. As indicated above, the price will be a lump sum for the whole of the services and deliverables provided. The difference between estimated and actual costs will not be considered for the final payment.

The financial offer form may not be altered: omissions or changes to the original layout may lead to the tenderer's offer being eliminated.

The financial part of the tender must be submitted in **a separate envelope** marked '**financial offer**'.

The financial offer must be completed in full and signed by the person authorised to represent the tenderer.

#### **13.4. Payment & Performance guarantee arrangements**

Payments will be executed pursuing the special conditions of the service contract article I.5 & I.6.1 (see template Annex II)

#### **13.5. Prices**

Prices must be expressed in euros. Tenderers are liable for any losses that may result from fluctuations in the exchange rate with non-euro-area countries. The price quoted may not be revised in line with exchange rate movements.

**Prices must be quoted free of all duties, taxes and other charges, including value added tax (VAT)**, as the European Union is exempt from these under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union.

It is contractor's entire responsibility to determine the place of taxation and the possibility to deduct/to have reimbursed the VAT if necessary after having consulted the relevant national authorities and to implement correctly the applicable legislation.

#### **13.6. Language**

Tenders may be submitted in any of the European Union's official languages.

After the contract is awarded, all communication between the contracting authority and the contractor will be carried out in **English**.

The contractor must ensure that all documents are proofread and of high linguistic quality.

#### **13.7. Terms and conditions for submitting tenders**

Once the contracting authority accepts the tender, the tender becomes its property.

The contracting authority will not reimburse expenses incurred while preparing and submitting tenders. Tenderers whose tenders are not accepted may not claim any compensation, including if the contracting authority decides not to award them the contract.

The contractor has sole responsibility for complying with all legal obligations incumbent on him, especially those arising from employment law, tax law and social legislation.

The contractor may not represent the contracting authority or behave in any way that would give this impression.

It must inform third parties that it is not part of the European public service (EU institutions and other bodies (<http://europa.eu/about-eu/institutions-bodies>), and is carrying out work on behalf of the contracting authority.

### **13.8. Contact between the tenderer and the Commission**

Contacts between the contracting authority and tenderers are generally not allowed throughout the contract award procedure.

However, 6 days before the closing date for submission of tenders and in exceptional circumstances, at the request of the tenderer, the contracting department may provide additional information solely for the purpose of clarifying the nature of the contract.

Such requests for information may be submitted:

- Preferably in the front office eTendering page:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=1387>

or

- to the following e-mail address: **OLAF-FMP-TENDERS@ec.europa.eu**

## **14. EVALUATION PROCEDURE**

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

1. Verification of the non-exclusion of tenderers based on the **exclusion criteria**.
2. Selection of tenderers based on the **selection criteria**:
  - economic and financial capacity;
  - technical and professional capacity.
3. Verification of compliance with the minimum requirements set out in these tender specifications.
4. Evaluation of tenders based on the **award criteria**.

Only tenders that meet the requirements of one stage will pass on to the next stage.

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.

## **15. EXCLUSION CRITERIA**

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

For joint tenders, this requirement applies to all members of the consortium.

A declaration on their honour is also required for identified subcontractors whose intended share of the contract is above 10% of the offer.

The tenderer to whom the contract is to be awarded must provide the documents mentioned as supporting evidence in Annex V. It must do so within the time limit defined by the contracting authority before the contract is signed.

## **16. SELECTION CRITERIA**

Tenderers must prove their economic, financial, technical and professional capacity to carry out the work specified in this call for tender.

For joint tenders, each member of the group must provide the evidence requested.

If there are subcontractors whose intended share of the contract is above 20% of the offer, they must also each provide the evidence requested. However, all consortium members and sub-contractors will be assessed together to verify compliance with minimum capacity levels.

### **16.1. Economic and financial capacity and evidence**

In order to prove their economic and financial capacity, the tenderers (i.e. in case of joint tender, the combined capacity of all members of the consortium and identified subcontractors) must:

1. Show that their annual compound turnover exceeds EUR 1.000.000 in each book year.
2. Have a sufficient positive net operating cash-flow over the past two years to secure EUR 400.000 over a period of 15 months (calculated according the International Accounting Standards IAS 7 – indirect method).
3. Evidence of professional risk indemnity insurance which secures the value of the contract which is maximum EUR 500.000.
4. Solvency ratio = (After Tax Net Profit + Depreciation)/Total liabilities higher then 0,20.

Tenderers must provide the following evidence:

1. Copy of the **balance sheet, profit and loss account** and the cash flow statement for the last two financial years for which accounts have been closed, if the tenderer is required by law to produce such statements.

2. **Simplified balance sheet and simplified profit and loss account** (Annex VI must be completed) for the last two financial years for which accounts have been closed, if the tenderer is required by law to produce such statements.
3. **The audit statements**, if the relevant company law requires these financial statements to be audited.

If, for some exceptional reason which the contracting authority considers justified, a tenderer is unable to provide one or more of the above documents, it may prove its economic and financial capacity with any other document that the contracting authority considers appropriate.

In this case, the tenderer must inform the contracting authority about the exceptional reason and its justification in the tender itself.

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

Tenderers should note that failure to provide sufficient information on the above-mentioned points could lead to their tenders being rejected.

## **16.2. Technical and professional capacity criteria and evidence**

Tenderers (for joint tenders this means the combined capacity of all tenderers and identified subcontractors) must comply with the criteria listed below.

### **16.2.1. Criteria relating to the tenderers**

Tenderers (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

- The tenderer must prove experience of mobilising appropriate expertise to carry out studies, with at least two projects delivered in the last five years in the following areas:
  - The protection of the Union's financial interests, including the EU's institutional setting and the fight against fraud at EU level;
  - Anti-fraud policies and tools at international, EU or national level in the Member States;
  - Public, administrative and criminal law;
- The tenderer must prove experience of drafting reports in English language with at least four delivered reports during the last five years.
- The tenderer must prove experience in running evaluations at EU level with at least two successfully completed projects.
- The tenderer must prove experience in survey techniques, data collection, statistical analyses and drafting policy recommendations with at least three projects delivered in the last five years.

### **16.2.2. Criteria relating to the team delivering the service**

The contract requires the following personnel: Project Director and evaluation team.

The Project Director will have the ultimate responsibility for the whole evaluation, including timely delivery of the outputs of the evaluation and quality control of all the reports prior to the submission to the Steering Group.

The evaluation team should include a Team Leader and a combination of senior and junior experts. The contractor shall ensure that the core evaluation tasks are conducted by senior experts with appropriate knowledge and experience, including the planning, organisation and supervision of field work. Junior experts must be available to enable senior experts to concentrate on their core evaluation tasks. The experts should be adequately supported and equipped; in particular, sufficient administrative, secretarial and interpreting resources. CVs must be attached to the tender bid for the Project Director and all team members.

The minimum qualifications of the **Project Director** are:

- A graduate/post-graduate degree;
- Excellent oral and writing skills in English;
- Minimum of 15 years post-degree relevant professional experience;
- Minimum of 7 years' experience with management responsibilities in complex projects (evaluations, policy initiatives, academic research, or consultancy assignments), including at least two projects with a multinational dimension and at least two projects in one or more areas covered by this evaluation.

The minimum qualifications of the **Team Leader** are:

- A graduate/post-graduate degree;
- Excellent oral and writing skills in English;
- Minimum of 10 years post-degree relevant professional experience;
- Minimum of 5 years team leadership experience in complex projects (evaluations, policy initiatives, academic research, or consultancy assignments), including at least two projects with a multinational dimension and at least two projects in one or more areas covered by this evaluation.
- Minimum of 5 years professional experience in one or more of the areas covered by this evaluation, gained in judicial or law enforcement authorities, international organizations, academic research, or consulting organisations.

The **evaluation team** (including the Team Leader and senior and junior experts) as a whole should have:

- Graduate/post-graduate degree (all members of the team). At least two of the senior experts (or a senior expert and the team leader) should have a law degree;
- Senior experts: minimum of 7 years post-degree relevant professional experience. Experts that do not meet this criterion will be considered junior.
- Excellent oral and writing skills in English (all members of the team). Knowledge of other languages would be an asset;
- The evaluation team should include experts with minimum 3 years of relevant professional experience gained in judicial or law enforcement authorities, public administration, international organizations, academic research, or consultancy, in all of the following areas:
  - The protection of the Union's financial interests, including the EU's institutional setting and the fight against fraud at EU level;
  - Anti-fraud policies and tools at international, EU or national level in the Member States;
  - Public, administrative and criminal law;

- The evaluation and/or research studies of the application of EU legislation and the policy cycle in the EU institutions. At least one of the senior experts (or the team leader) should have participated as a senior expert in at least two evaluations and/or research studies.

The following structure can be used to summarise the team composition, competencies and background of individual members of the team and their role in evaluation:

<b>Name of Expert</b>	<b>Category</b>	<b>Role in the Team</b>	<b>Primary background/ specific competencies</b>
<i>[insert name]</i>	Project Director		
<i>[insert name]</i>	Team Leader		
<i>[insert name]</i>	<i>[senior/junior expert]</i>		

The quality of the expertise of the team and its relevance to the subject-matter and scope of the study tender will be evaluated against the award criteria (see section 17). The description must be in agreement with the submitted financial offer.

### **16.2.3. Evidence**

The tenderer must submit the following documents and information:

1. **A statement showing the average annual number of staff members employed in the last three years, and the current management structure.**
2. **A description of the structure of the evaluation team**, specifying the names and tasks of the project director, team leader and the contractor's team which will be assigned to the evaluation to be provided.
3. **Detailed CVs of all personnel who will be assigned** (in Europass format, see <http://europass.cedefop.europa.eu/en/home>)
4. **A list of the main projects, conducted by the tenderer or the team**, relevant for the assessment of the criteria in sections 16.2.1 and 16.2.2 of these tender specifications. For each project, the following details must be outlined: (1) objectives and layout/format; (2) duration of the project; (3) number of team members; (4) Information on which services were subcontracted to third parties; (5) the overall budget and budget spent.
5. **An indication of the proportion of the contract** which the tenderer may **intend to subcontract**, and for which services.

Tenderers should note that failure to provide sufficient information on the above-mentioned points could lead to their tenders being rejected.

## **17. AWARD CRITERIA**

The tender will be awarded according to the best-value-for-money principle, as follows.



**A. Technical part:**

The quality of the tender will be evaluated based on the following criteria, using the weighting specified below:

No	Award criteria	Maximum score	Minimum score
1	Quality of the evaluation and team organisation for the successful management of the project, in particular: <ul style="list-style-type: none"> <li>- Appropriateness of the composition of the team, including the balance of profiles and distribution of tasks and the global allocation of time and resources to the different tasks;</li> <li>- Appropriateness of the management and coordination of the project;</li> <li>- Appropriateness of the work plan and timetable;</li> <li>- Appropriateness of the quality control measures.</li> </ul>	<b>25</b>	<b>12,5</b>
2	Understanding of the objectives, scope, required tasks and challenges of the evaluation.	<b>25</b>	<b>12,5</b>
3	Quality and relevance of the methodology proposed, including inter alia the quality and relevance of the judgement criteria and sources of information proposed to answer the evaluation questions.	<b>40</b>	<b>20</b>
4	Clarity, completeness and overall coherence of the proposal	<b>10</b>	<b>5</b>
<b>Total score</b>		<b>100</b>	<b>65</b>

Tenders that score less than 50% of each criterion (1 to 4) and that obtain less than 65 points out of 100 in the total quality score **will be rejected and will not be ranked.**

**B. Financial part:**

After the tenders' quality is evaluated, they will be ranked according to the formula shown below. This will determine which tender offering the best value for money.

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

The price weighting will represent 30% of the score and the quality criteria weighting 70%.

The bid which, in the final evaluation, receives the highest price/quality ratio (rounded to two decimal places) will be regarded as the tender offering the best value for money.

## **18. AWARDING THE CONTRACT AND NOTIFICATION**

The Commission will notify tenderers of the results of the assessment of this call for tenders. Upon written request, the Commission will inform a tenderer of the grounds for the rejection of his tender and the name of the successful tenderer.

The procurement procedure will be concluded with the signature of a service contract (Annex II) to be signed by both parties.

## **19. HOW TO SUBMIT A BID**

### **Tenders may be:**

A) either sent by registered mail, posted no later than **10 May 2016** (as evidenced by the postmark), to the following address:

*European Commission  
European Anti-Fraud Office (OLAF)  
Invitation to tender No OLAF/D1/73/2016  
Unit OLAF 02 HR & Budget  
Work: J- 30 1/112  
B- 1049 Brussels, Belgium*

B) be submitted (directly or through any authorised representative of the tenderer, including private courier service) no later than 16:00 on **10 May 2016** to the following address:

*European Commission  
European Anti-Fraud Office (OLAF)  
Invitation to tender No OLAF/D1/73/2016  
Unit OLAF 02 HR & Budget  
Office: J- 30 1/112*

**Central mail service  
Avenue du Bourget 1  
BE- 1140 Brussels, Belgium**

*Please note that, for security reasons, delivery by hand (including private courier services) is no longer accepted in other Commission buildings. An acknowledgement of receipt will be delivered by the "Service central de réception du courrier".*

### **Method of dispatch**

The tender shall be submitted in three paper copies and one copy on an electronic medium (USB stick) in PDF format.

In case of discrepancy between the paper version and the electronic version, the original of the paper version is authentic.

The tenderer will scan the device for viruses in order to avoid contamination with viruses of the IT infrastructure of the EC. It shall indicate in the tender:

- the software used for the virus scan (and version)
- a guarantee that the device was verified and does not contain any viruses.

Tenders must be sent under double envelope. Both envelopes must be sealed, and the inner envelope must bear, in addition to the name of the department to which it is addressed as indicated above, the words **“Invitation to tender No OLAF/D1/73/2016 not to be opened by the mail department”**.

If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

Tenderers will follow precisely the above instructions in order that tenders can reach their destination on time.

**Reminder: Late submission will lead to the exclusion of tender from the tendering procedure.**

## **20. DEADLINES**

Final date for submitting tenders: **Tuesday, 10 May 2016**

Final date for submitting written questions: **Monday, 2 May 2016**

## **21. DATE AND PLACE OF OPENING OF THE TENDERS**

The opening of tenders will take place on the following address:

**European Antifraud Office (OLAF)  
Front desk  
Rue Joseph II 30  
B-1000 BRUSSELS  
BELGIUM**

**on Thursday, 19 May at 10am.**

Each tenderer may authorise one representative to attend the opening of the tenders.

The request to attend the opening session must be sent to:

[OLAF-FMB-TENDERS@ec.europa.eu](mailto:OLAF-FMB-TENDERS@ec.europa.eu)

by **Wednesday, 10 May 2016 before 4pm.**

## **22. PERSONAL DATA AND COMPLAINTS**

If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community

institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by the appointed Members of the Evaluation Committee. Details concerning the processing of your personal data are available on the privacy statement at

[http://ec.europa.eu/dataprotectionofficer/privacystatement\\_publicprocurement\\_en.pdf](http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf)

Your personal data may be registered in the Early Detection and Exclusion System (EDES) if you are in one of the situations mentioned in Article 106 of the Financial Regulation. For more information, see the Privacy Statement on

[http://ec.europa.eu/budget/explained/management/protecting/protect\\_en.cfm](http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm)

You may submit any observations concerning the procurement procedure to the contracting authority to the following email address:

**OLAF-FMP-TENDERS@ec.europa.eu**

If you believe that there was maladministration, you may lodge a complaint to the European Ombudsman within two years of the date when you became aware of the facts on which the complaint is based (see <http://www.ombudsman.europa.eu>).

Within two months of notice of the award decision, you may launch an action for annulment of the award decision. Any request you may make and any reply from us, or any complaint for maladministration, will have neither the purpose nor the effect of suspending the time-limit for launching an action for annulment or to open a new period for launching an action for annulment. The body responsible for hearing annulment procedures is indicated in Section VI.4.1 of the contract notice published in the Official Journal.

## **23. ANNEXES**

- I. Terms of Reference
- II. Draft Service Contract + Annex
- III. Tender Submission form (to be completed and signed by the tenderer)
- IV. Financial offer fix template (to be completed and signed by the tenderer)
- V. Exclusion Criteria Form (to be completed and signed by the tenderer)
- VI. Simplified balance sheet and simplified profit and loss account (to be completed and signed by the tenderer).
- VII. Declaration on the list of pre-existing rights (cfr. article I.5.3 & article II.13.4 of the service contract)