DIRECTORATE-GENERAL FOR PERSONNEL

DIRECTORATE FOR HUMAN RESOURCES DEVELOPMENT

PROFESSIONAL TRAINING UNIT

TENDER SPECIFICATIONS

INTERINSTITUTIONAL INVITATION TO TENDER

Open procedure

Driver training services to be given to the drivers at certain European institutions in Brussels and Luxembourg

EP PERS 2014 048
1. INTRODUCTION

These specifications are an integral part of the documents drawn up for the invitation to tender for the contract in question. The aforementioned documents relating to the invitation to tender comprise:

– conditions for submitting a tender;

– specifications and the annexes thereto;

– and a model contract.

These specifications are supplemented by the following annexes, which are an integral part thereof:

Annex I"A", I"B" and I"C": Tenderer's financial offer form for each lot

Annex II: The European Parliament's environmental policy

Annex III: Declaration on the tenderer's honour concerning the exclusion criteria and absence of any conflict of interest

Annex IV: Financial identification form - supplier

Annex V: Information sheet concerning consortia of economic operators

Annex VI: Declaration concerning subcontractors

Annex VII: Financial data sheet

Annex VIII: Label to be affixed to the outer and inner envelopes when a tender is sent
PART I – GENERAL INFORMATION

2. SUBJECT OF THE CONTRACT

In accordance with the provisions of Regulation (EC, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the European Union, the European Parliament has decided to issue this invitation to tender for ‘Driver training services for drivers at certain European institutions in Brussels and Luxembourg’, on behalf of the following institutions:

the European Parliament;
the Council of the European Union;
the Court of Justice of the European Union,
Office for Infrastructure and Logistics Brussels
Office for Infrastructure and Logistics Luxembourg
the Committee of the Regions (CoR)
the European Economic and Social Committee (EESC)

This invitation to tender was the subject of Contract Notice 2015/S 063-109963 in the Official Journal of the European Union S63 of 31 March 2015.

DESCRIPTION, PURPOSE AND ESTIMATED VALUE OF THE CONTRACT

Background to the contract

The Institutions' drivers regularly carry out various assignments related to the transportation of people and sometimes of equipment. They all have recognised professional qualifications in their field of activity. The purpose of this contract for high-level training services is to enable them to update, develop and supplement the skills they have already acquired.

Target group

The training sessions and teaching methods must take account of the specific nature and needs of the target population (internal organisation and the driver’s various roles: the transportation of people, equipment or mail; the cultural and educational diversity of the target population, and allow analysis of each person's practical working experience).

Implementation sites

The training sessions must, for the most part, take place in infrastructure that complies with current standards.

Teaching methods and languages used

The topics are covered, first and foremost, through practical exercises suitably adapted to the day-to-day reality of road traffic conditions and the obligations and constraints faced by the drivers. The related theoretical aspects are also elaborated upon in appropriate detail.
It should be noted that the minimum number of participants at a training session is two (2) and the maximum is six (6). The practical section of the training may involve a maximum of two (2) drivers per car and one instructor.

The Institutions' main working languages are French and English. The training sessions are held in the majority language for the group of participants, either in French or English. The instructors must have a good knowledge of both these working languages so as to be able to understand and reply to questions put to them in that language.

The contract is divided into 3 (three) lots: A, B and C. The 3 lots are aimed at different groups of drivers working for European Institutions in either Brussels or Luxembourg. Tenderers may submit a tender for one or more lots. The lots are independent of each other and may be awarded to different tenderers. The European Parliament reserves the right to award only one lot or only some of the total number of lots envisaged.

**Lot A** Training services split into 6 (six) modules, namely 4 (four) progressive training modules and 2 (two) refresher modules, for drivers assigned to one of the Institutions in Luxembourg.

**Lot B** Training services split into 6 (six) modules, namely 4 (four) progressive training modules and 2 (two) refresher modules, for drivers assigned to one of the Institutions in Brussels.

**Lot C** Training services for the institutions in Brussels, according to the terms and conditions stipulated in Directive 2003/59/EC (OJ L 226 of 10 September 2003, p.4) and Royal Decree of 04 May 2007, section 4, regarding approval for the training centre, the content, accreditation, duration and frequency of training, etc.

### 3.1 DESCRIPTION OF THE MODULES IN LOTS A, B AND C

**MODULE 1: BASIC TRAINING**
Duration: Two days max.
Content: Transportation of people, taking into account the special case of passengers with reduced mobility.

**MODULE 2: ADVANCED TRAINING**
Duration: Two days max.
Content: A reminder of the material covered in module 1.
Driving electric and hybrid cars. Driving in difficult conditions (fog, rain, snow, aquaplaning, black ice). Driving in an escorted convoy or motorcade

**MODULE 3: SPECIAL TRAINING ON ‘VIP PROTOCOL & BEHAVIOUR’**
Duration: Two days max.
Content: A reminder of the material covered in modules 1 and 2; Managing stress and emotions
Prevention and/or advanced-level training in attitudes to adopt in a threatening and/or aggressive situation (car-jacking or tailing) and assessment/identification of risky situations;
Train the drivers in the behaviour and common practices to adopt when in the presence of VIPs they are transporting and towards members of the cabinet where they work; learn how to progress from ‘good driver’ to ‘excellent driver’ status.
MODULE 4: SPECIFIC TRAINING ON 'DRIVING IN EXCEPTIONAL CIRCUMSTANCES'
Duration: max. 2 days
Content: Reminder of the matters addressed in modules 2 & 3; High-speed practice on a racetrack; High-speed driving in safety

MODULE 5 - REVISION OF THE KNOWLEDGE GAINED IN MODULES 1 & 2
Duration: one day
The objective of the module is to revise the knowledge gained in modules 1 and 2.

MODULE 6 - REVISION OF THE KNOWLEDGE GAINED IN MODULES 3 & 4
Duration: one day
The objective of the module is to revise the knowledge gained in modules 3 and 4.

As regards Lots A & B, the training should:

Incorporate physical phenomena related to the movement of a vehicle (speed, acceleration, centrifugal force) to allow the driver to better adjust their reflexes to different situations and to the reactions of the car.

Remind of and ensure the application of the basic principles of driving V.I.P.s with or without escort.

Assess the capabilities of the participants to assimilate and master the different topics, while proposing any necessary corrections.

Prevent or cope with threats and/or assaults such as car jackings.

Drive sensibly, in particular to reduce environmental damage, especially in terms of fuel consumption.

The content of the modules offered by the tenderer are tailored to the groups of drivers concerned and on the selected topics.

LOTS A & B (INDICATIVE LIST OF TOPICS)

MODULE 1 – BASIC TRAINING
Preventive checks (car and vehicle documents and equipment, as well as technical aspects)

Knowledge of the Highway Code, the legislation in and the latest changes to the neighbouring countries of Belgium and Luxembourg (Germany, Belgium, France, Luxembourg and the Netherlands)

Knowledge of the physics and dynamics of the car

Awareness of defensive driving (road safety)

Driver's position, position and mobility of hands on the steering wheel, wedging of left foot

Reasonable driving in terms of ecology and economy
Inspection and observation techniques to be able to anticipate necessary actions

Obstacle avoidance (line change), vision techniques, reflexes

Turning: Trajectories, transfer of mass, centrifugal force

How to manage over- and under-steering (drift control)

Corner exiting (traction-propulsion)

Different surface types and analysis of grip coefficients

Braking techniques

Passengers with reduced mobility and others (children, pregnant women, etc.)

**MODULE 2 - ADVANCED TRAINING**

Vehicle control techniques in the case of burst tyres

Awareness of the protection of the person being transported (vehicle parking, prior inspection)

Integration in an escorted motorcade

Road test - study of routes and integration into traffic

Economic and ecological driving (to demonstrate that significantly less can be consumed at an almost equivalent speed)

Theory and driving practice with practical implementation of defensive, ecological, and economical driving.

Individual mistakes analysis (good and bad habits)

Highlighting of consumption disparities according to each driving style

Driving in difficult conditions (fog, rain, snow)

Driving in situations with precarious grip (ice, snow, rain, black ice, aquaplaning)

Reactions in the case of car fires - brakes not working - accelerator stuck

Ideal trajectories - negotiating turns with ‘smooth driving’

Skidding on various surfaces (gravel)

Emergency braking (with/without ABS), evaluation of braking zones, reaction time

Driving of electric and hybrid vehicles
MODULE 3 - SPECIFIC TRAINING - BEHAVIOUR & V.I.P. PROTOCOL

Driving V.I.P.s responsibilities, duties and behaviour as regards the persons transported; etiquette, good practice, protocol and different customs in different Member States to adopt by drivers towards people transported (e.g. the vehicle must be clean, the radio off, mobile phones in silent mode, the driver must wear clean and neat clothes, open the door for the person being transported to get in and out safely and in comfort (umbrella), carry and lift bags for the person being transported, ensure excellent quality of service).

How to behave with members of Commissioner cabinets/Judges/Members of the European Parliament: politeness, mutual respect? How to explain politely that what is requested is not in accordance with the rules? How to assert your rights in a courteous manner (without demanding them)?

How to respect (and be respected) during work without intrusion into private lives? Know how to remain discreet (tact and restraint) regarding private information discovered by chance during work. How to politely respond to an indiscreet question? How to be 100% available and responsive to the individual needs of the persons transported without being over-the-top?

The responsibilities, duties and behaviour regarding persons being transported and law enforcement officials; introduction to reactions in case of an incident, accident or potentially threatening or dangerous situation (carjacking)

Reactions to assault threats or actual assaults (what to do and what not to do) - advice - self-control

Management of stress and emotions (techniques to master risky situations)

Assessment of potential risk situations

Active and passive safety - preventive security and anti-terrorism measures (U Turn - G Turn)

Driving on surfaces with precarious grip to apply the training in modules 1 & 2, ice, snow, rain, aquaplaning, black ice)

Driving for personal protection

Situation awareness and analysis of travel plans
Awareness of the detection of surveillance
Dynamics and control of the vehicle
Tactical manoeuvres, positioning and formations
Attack recognition and exercises
Basic driving techniques for an all-terrain vehicle
Instinctive defensive and evasive driving

Progressive high-speed driving techniques

Ability to handle tight turns
Emergency braking
Awareness of dangers and ability to avoid accidents
Close driving
Slalom driving
Driving while speaking
Head to tail
Driving techniques
Action in the case of traffic paralysis
Practical awareness

**MODULE 4 - SPECIFIC TRAINING - DRIVING IN EXCEPTIONAL CIRCUMSTANCES**

Assessment of knowledge acquired in previous modules

Study of new driver assistance systems

High-speed driving on race track and/or adapted circuit, with safety and timing as objectives

Fast and flexible driving (checking of this using both longitudinal and lateral accelerometers to achieve objectives)

Very fast driving: if needed, how to drive faster without taking risks. The trainer should assess the participant's ability to achieve a given speed depending on the circumstances

Braking assistance with and without avoidance

**MODULE 5 - REVISION OF THE KNOWLEDGE GAINED IN MODULES 1 & 2**

**MODULE 6 - REVISION OF THE KNOWLEDGE GAINED IN MODULES 3 & 4**

Lot C

Training must fully meet the conditions set out in Directive 2003/59/EC (OJ L 226 of 10 September 2003, p.4) and the Royal Decree 04-05-2007, section 4, regarding the approval of the training centre, content, attestation, duration, frequency of training, etc.

**3.2 KICK OFF MEETING AND PREPARATION OF TRAINING OF LOTS A, B and C**

Following the entry into force of the framework agreement a meeting will be called to be attended by the relevant Institution services and the Contractor. The following topics will be included:

the names of the officials responsible for the contract within each Institution will be communicated to the Contractor,
definition of the content, objectives of the different modules and training support which make up the first proposals made by the Contractor,
the module schedule:

The Contractor shall ensure coordination between all the Institutions to establish an annual training schedule.

This is established in agreement with the Institution officials on the basis of the training needs of each Institution (number of sessions in each module, periods of the year preferred, etc.). The schedule shows the dates of the training sessions planned for the different modules, the composition of the group (number of participants from each Institution) and the language to
use. Any change to the schedule requires the agreement of each Institution concerned and the Contractor.

The implementation of the training begins only when the Institutions and the Contractor believe that the preparations have been carried out in a satisfactory manner.

The first session of each module is driver training.

Before each training session, the list of participants is transmitted directly to the Contractor by each Institution.

3.3. EVALUATION OF TRAINING IN LOTS A, B and C

The Contractor is responsible for evaluating how the training is given (trainer, content, processes and methods). The results of this evaluation shall be forwarded to the responsible departments of the Institutions.

On the basis of this evaluation and the evaluation made by the Institutions, the contents of the modules may be adapted by the Contractor at the request of the Institutions, in close collaboration with the services concerned. If necessary, the Contractor shall also update the educational support and any other documents related to training.

For each module the Contractor shall certify via a formal document the knowledge or skills acquired by each participant at the end of each module session.

3.4 ESTIMATION OF THE MAXIMUM VOLUME OF THE MARKET OVER FOUR YEARS

LOT A - 751 days training
LOT B - 2082 days training
LOT C - 160 days training

3. PARTICIPATION IN THE TENDER PROCEDURE

Participation in this invitation-to-tender procedure is open on the same terms to all natural or legal persons and public entities in a European Union Member State and to all natural and legal persons and public entities of a third country which has concluded a specific public-procurement agreement with the European Union giving them access to the contract which is the subject of this invitation to tender and on the terms laid down by that agreement. To determine the eligibility of tenderers, they must indicate in their offer the Member State in which their headquarters or residence are located. They must also submit the evidence required under their national law or other, equivalent proof enabling the European Parliament to check where they come from.

4. CONSORTIUMS OF ECONOMIC OPERATORS

If the tender is submitted by a consortium of economic operators, Annex V must be completed and included with it.

Consortiums of economic operators may submit a tender. The European Parliament reserves the right to require the consortium selected to have a given legal form if this is necessary for the proper performance of the contract. This requirement may be communicated by the
European Parliament at any time during the contract award procedure, but at all events before the contract is signed.

The consortium of economic operators shall provide proof of its legal form by the time the contract - if awarded to it - is signed. This may take one of the following forms:

- an entity with legal personality recognised by a Member State;
- an entity without legal personality but offering sufficient protection of the European Parliament's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary partnership);
- the signature by all the partners of a type of ‘power of attorney’ or equivalent document confirming a form of cooperation.

The consortium's actual status shall be established by any document or agreement signed by the members of the consortium, which shall be appended to the tender.

Those documents or agreements may exceptionally be modified and/or submitted after the time limit for submission of a tender, but under no circumstances after the outcome of the invitation to tender has been communicated to the tenderers concerned. The European Parliament reserves the right to reject a tender if the terms of agreements between the members of a consortium are modified during the procedure, if those terms make no provision for the joint and several liability of the consortium's members or if no agreement with legal force has been submitted with the tender.

The European Parliament may accept other legal forms not referred to above, provided that they ensure the parties’ joint and several liability and are compatible with performance of the contract. At all events, it should be noted that, in the contract to be signed with the consortium, the European Parliament will refer expressly to the existence of such joint and several liability. In addition, it reserves the right to require, contractually, the appointment of an authorised representative who may represent the members and who is empowered, inter alia, to issue invoices on behalf of the other members.

Tenders from consortiums of economic operators must specify the role, qualifications and experience of each of the members of the consortium. The tender shall be submitted jointly by the economic operators, who shall also assume joint and several liability for the tender submission.

In the case of a consortium of economic operators, each member shall furnish proof of right of access to the contract (eligibility), as well as proof concerning compliance with the exclusion and selection criteria. With regard to the selection criteria, the European Parliament may rely on the capacity of the other members of the consortium in order to establish whether the tenderer will have the resources needed to perform the contract. In this case an undertaking shall be required from those members stating that they will make available to the other members the resources needed to perform the contract.

5. **SUBCONTRACTING**

Subcontracting is permitted.

If the tenderer uses subcontractors, Annex VI must be completed and included with the tender.
The tender shall give details, as far as possible, of that part of the contract which the tenderer proposes to subcontract and the identity of the subcontractors. During the contract award procedure, or performance of the contract, the European Parliament reserves the right to require tenderers to supply information about the financial, economic, technical and professional capacity of the proposed subcontractor(s). Similarly, the European Parliament will demand the necessary evidence to determine whether subcontractors meet the required exclusion criteria. Tenderers are hereby informed that proposed subcontractors may not be in one of the situations described in Articles 106, 107 and 109 of the Financial Regulation, which entail exclusion from participation in a contract issued by the European Union.

The European Parliament is entitled to reject any subcontractor who does not comply with the exclusion and/or selection criteria (see points 13 and 14 respectively).

Furthermore, the European Parliament must be informed by the Contractor of any subsequent use of subcontracting not provided for in the tender. The authorising officer responsible reserves the right to accept or reject the proposed subcontractor. Accordingly, it may demand the requisite proof to establish whether a subcontractor complies with the requisite criteria. The European Parliament’s authorisation will always be granted in writing.

If the contract is awarded to a tenderer who proposes a subcontractor in his tender, this equates to giving consent for the subcontracting.

6. VARIANTS

Variants are not permitted.

7. PRICES

Prices shall be revised in accordance with the terms set out in the contract.

Pursuant to Article 3 of the Protocol on the privileges and immunities of the European Union, the price quotation shall be submitted excluding VAT and other equivalent indirect taxes.

The price quoted must be all-inclusive and expressed in euros. Tenderers shall submit a separate price for each of the lots in respect of which they submit a tender. For the submission of a tender covering several lots, a reduced overall price may be quoted if all the lots are awarded to the tenderer concerned. However, that overall price will not be taken into consideration for the assessment of the tenders submitted. The assessment will take account only of the separate prices for each of the lots for which the tenderer submits a bid.

8. FINANCIAL GUARANTEES – NOT APPLICABLE

9. ENVIRONMENTAL ASPECTS

The European Parliament's environmental policy

Tenderers shall undertake to comply with the environmental legislation in force in the field of the contract, should it be awarded to them. It should be noted in this connection that the European Parliament applies the EMAS environmental management system in accordance with Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009. Information about EMAS is provided by the authorising department in

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Annex II to these specifications. The successful tenderer will be required to ensure that the information provided by the European Parliament on the EMAS programme in general, and more specifically on the implementation of environmental measures in practice, is known by all his staff working for the European Parliament. At the European Parliament's request the successful tenderer may be required to certify that anyone assigned to work under the contract has received the appropriate professional training required (technical, safety and environmental training) concerning compliance with safety rules and correct handling of the equipment and products to be used, including action to be taken in the event of incorrect handling or any other incidents. Upon request the successful tenderer will also supply the requisite information for European Parliament staff on the environmental measures to be taken with regard to the products used in connection with performance of the contract.

10. POLICY ON THE PROMOTION OF EQUAL OPPORTUNITIES

Tenderers shall undertake to observe a policy on the promotion of equality and diversity in the performance of the contract, should it be awarded to them, by applying the principles of non-discrimination and equality set out in the Community Treaties in full and in their entirety. More particularly, the tenderer awarded the contract shall undertake to establish, maintain and promote an open and inclusive working environment which respects human dignity and the principles of equal opportunities, based on three main elements:

- equality between men and women;
- employment and integration of disabled persons;
- the removal of all obstacles to recruitment and all potential discrimination based on sex, race or ethnic origin, religion or convictions, disability, age or sexual orientation.

11. PERFORMANCE OF FRAMEWORK CONTRACTS

The framework contracts will be performed on the basis of order forms, to be signed following the application of a system whereby orders are placed without competition being reopened.

The establishment of this system will entail a maximum of nine (9) framework contracts with the first nine (9) economic operators ranked upon completion of the evaluation of the tenders submitted.

When an order is placed, and before the corresponding order form is issued, the European Parliament will contact the economic operator ranked first and, if he is unavailable, the second, and then, on the same terms, possibly the third, and so on until the final Contractor.

Where an economic operator refuses to perform a specific order, he may not cite any reasons other than those laid down in the contract.

However, where there have been three (3) refusals by the same operator during a period of six (6) months, the Contractor will be re-ranked in last position in the system and will be penalised by the application of the penalties provided for in the framework contract in Article I.11, including termination of the contract.

In principle, the ranking of the contractors will remain unchanged throughout the duration of the framework contract unless the terminations or re-rankings provided for in the preceding
paragraph take place.
PART II - EXCLUSION CRITERIA, SELECTION AND AWARD

12. EXCLUSION CRITERIA

Article 106 of the Financial Regulation

1. Candidates or tenderers shall be excluded from participation in procurement procedures if:

   a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

   b) they or persons having powers of representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgement of a competent authority of a Member State which has the force of res judicata;

   c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of the EIB and international organisations;

   d) they are not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;

   e) they or persons having powers of representation, decision making or control over them have been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such illegal activity is detrimental to the Union’s financial interests;

   f) they are subject to an administrative penalty referred to in Article 109(1).

Points a) to d) of the first subparagraph shall not apply in the case of the purchase of supplies on particularly advantageous terms from a supplier which is definitively winding up its business activities or from the receivers or liquidators of a bankruptcy, through an arrangement with creditors, or through a similar procedure under national law.

Points b) and e) of the first subparagraph shall not apply where the candidates or tenderers can demonstrate that adequate measures have been adopted against the persons having powers of representation, decision making or control over them, who are subject to a judgement as referred to in points b) or e) of the first subparagraph.

Article 107 of the Financial Regulation

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2 These criteria are reproduced from Articles 106 and 107 of the Financial Regulation. They may not be modified, nor may anything be deleted from them or added to them.
2. A contract shall not be awarded to candidates or tenderers who, during the procurement procedure for that contract:

a) are subject to a conflict of interests;  
b) are guilty of misrepresenting the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply that information;  
c) find themselves in one of the situations of exclusion, referred to in Article 106(1), for the procurement procedure.

Evaluation of the exclusion criteria

1. All tenderers must submit the declaration on the tenderer’s honour, duly dated and signed, which is set out in Annex III. The declaration on the tenderer's honour is also required for the subcontractors identified whose envisaged market share exceeds 10%.

2. The tenderer to whom the contract is to be awarded shall be required, within ten (10) calendar days of the date of notification of the provisional award of the contract and before the contract is signed, to supply the following documentary evidence:

- a recent extract from the judicial record or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that the tenderer to whom the contract is to be awarded is not in one of the situations referred to in Article 106(1)(a), (b) or (e) of the Financial Regulation; for the instances referred to in Article 106(1)(b) and (e), the same shall apply to persons having powers of representation, decision making or control over the tenderer;  
- a recent certificate issued by the competent authority of the State concerned proving that the tenderer is not in the situation referred to in Article 106(1)(d) of the Financial Regulation.  
- where the documents or certificates referred to above are not issued in the country concerned, and in respect of the other exclusion situations referred to in Article 106 of the Financial Regulation, they may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance;

3. The tenderer to whom the contract is to be awarded shall be exempt from the requirement to submit the documentary evidence referred to in paragraph 2 if that evidence has already been submitted for the purposes of another European Parliament procurement procedure and provided that the documents in question were not issued more than one year previously and are still valid. In such cases, tenderers shall attest on their honour that the supporting documents have already been provided in a previous procurement procedure, which they shall identify, and that no changes in their situation have occurred.

1. Tenderers shall be exempt from the requirement to submit the documentary evidence referred to in paragraph 1 if that evidence has already been submitted for the purposes of

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3 Tenderers must declare that they do not have any conflict of interest in connection with the contract (economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest).
another European Parliament procurement procedure and provided that the documents in question were not issued more than one year previously and are still valid. In such cases, tenderers shall attest on their honour that the supporting documents have already been provided in a previous procurement procedure, which they shall identify, and that no changes in their situation have occurred.

13. SELECTION CRITERIA

Any tenderer must furnish proof of its authorisation to perform the contract under its national law. To do so, he shall submit one or more supporting documents substantiating that authorisation. The European Parliament accepts, as supporting documents, registration in the business or professional registry, a sworn statement or certificate substantiating membership of a specific organisation or registration in the VAT registry. If none of these documents provides the requisite proof to substantiate and assess the existence of such authorisation, the European Parliament may accept other equivalent official documents furnished by the tenderer.

In the case of a consortium of economic operators, each member shall furnish proof of authorisation to perform the contract.

Proof of status and legal capacity

As proof of their status and legal capacity, tenderer must append to their tenders a copy of their articles of association or equivalent document enabling the European Parliament to determine their form and legal capacity to perform the contract. Should the proof submitted not be sufficient for that purpose, the European Parliament may demand other proof during the tender assessment process. Where no such proof is submitted, the European Parliament reserves the right to deem the tender inadmissible.

14.1. Financial and economic capacity

Tenderers shall have sufficient economic and financial resources to enable them to perform the contract in compliance with the contractual provisions, given the value and scope thereof. If, on the basis of the information supplied by the tenderer, the European Parliament has doubts about a tenderer’s financial resources, or if these are insufficient for performance of the contract, the tender may be rejected without the tenderer being entitled to claim any financial compensation.

Financial and economic capacity will be assessed on the basis of the information included in the following documents, to be supplied by tenderers:

- financial statements (balance sheets, profit and loss accounts and any other related financial information) for at most the last three years for which accounts have been closed;
- failing this, relevant bank statements;
- if necessary, evidence of professional risk indemnity insurance;

However, the European Parliament may require other, more comprehensive documents if it considers them necessary for a satisfactory assessment of economic and financial capacity.
If the tenderer is unable to provide the references requested, he may prove his economic and financial capacity by any other means which the European Parliament considers appropriate.

The tenderer may also rely on the capacity of other entities, irrespective of the legal nature of the links between him and those entities. In that case, he must prove to the European Parliament that he will have the resources needed to perform the contract, for instance by providing an assurance of the undertaking by those entities to make them available to him. In that case the European Parliament is entitled to refuse the application or the tender submitted if it has doubts about the undertaking by the third party or about that party’s financial capacity. Parliament may require the tenderer and those other entities to be jointly liable for performance of the contract.

On the same basis, a consortium of economic operators may rely on the capacity of members of the consortium or of other entities.

Tenderers may also rely on the economic capacities of one or more subcontractors in so far as they undertake to take part in the process of performing the contract. In such instances, the European Parliament will assess the capacities of the subcontractor(s) in the light of the extent to which the latter is/are involved in performing the contract.

14.2 Technical and professional capacity

Tenderers must have sufficient technical and professional capacity to enable them to perform the contract in compliance with the contractual provisions, taking into account its value and scale. If, in the light of the information supplied by the tenderer, the European Parliament has doubts about a tenderer's technical and professional capacity, or if it is clearly insufficient for performance of the contract, the tender may be rejected without the tenderer being able to claim any financial compensation.

In respect of the contract which is the subject of this invitation to tender the European Parliament requires tenderers to have the following technical and professional capacity:

A) Experience of at least three (3) consecutive years in providing similar services to those subject of this call for tenders. In his/her offer the tenderer must enclose a list of the main services provided during the past five (5) years, with the sums, dates and recipients, whether public or private. If the recipient of those services and supplies was a department of a EU institution, economic operators shall furnish proof in the form of certificates issued or countersigned by the competent authority.

B) a team of at least three (3) trainers with employee status. The tenderer shall include three (3) CVs of employed trainers and three (3) CVs of freelance trainers with their offer and a statement indicating the number of trainers who will actually be available to the Contractor to supply the services described in points 3.1, 3.2 and 3.3. of these Specifications.

Trainer's profile:

- at least 5 (five) years of professional and teaching experience in the subject area and use of teaching techniques

- working knowledge of English or French (oral and written comprehension) at language level B2 on the CEFR scale (http://www.coe.int/t/dg4/linguistic/cadre1_EN.asp)

C) vehicles similar to those commonly used by institutions, including representation sedans with 2 to 3 litre traction engines, propulsion and AWD. In his offer the tenderer must enclose
a detailed description of the vehicles that they consider making available to the contracting authority (passenger vehicles for Lots A and B, and vehicles requiring a ‘C’ licence for Lot C)

D) a fleet of vehicles that meet the European environmental standards in force, including the EURO 5 standard. All vehicles to be made available to the contracting authority must conform to at least the EURO 4 standard. In their offer the tenderer will include a copy of the registration certificate for each vehicle that it considers using for delivery of the services which are the object of this contract.

E) place of delivery of training services (theoretical and practical parts) including high-speed circuit. The tenderer will include in its offer the exact address of the training facilities they expect to use if this contract is awarded to them:

for the training in Lot A: within a ±350 km radius of Brussels
for the training in Lot B: within a ±250 km radius of Luxembourg
for the training in Lot C: within a ±350 km radius of Brussels;

However, an exception is made for Lot C, for which the theoretical modules could take place in the premises of the Brussels Institutions.

F) Lot C - tenderers shall include with their offer the certificate of approval attesting conformity with Directive 2003/59/EC and Royal Decree 04-05-2007

G) in their offer the tenderer will indicate whether he intends to subcontract part of the services. If this is the case, the tenderer must clearly indicate the percentage outsourced, the elements to be subcontracted and the identity of all subcontractors undertaking the tasks. The full contact details of these subcontractors shall also be specified in the bid. During the contract award procedure or the performance of the contract, the European Parliament will require tenderers to supply information about the financial, economic, technical and professional capacities of the proposed subcontractor(s). Similarly, the European Parliament will demand the necessary evidence to determine whether subcontractors meet the required exclusion criteria. Tenderers are hereby informed that proposed subcontractors may not be in one of the situations described in Articles 106 and 107 of the Financial Regulation, which entail exclusion from participation in a contract issued by an Institution, Agency or Body of the European Union.

**Environmental management standards**

Tenderers must include in their tenders a copy of a certificate of compliance, issued by an independent body, with the European Eco-Management and Audit Scheme (EMAS). The European Parliament will accept certificates equivalent to those requested from bodies established in a European Union Member State.

The independent certifying body must comply with European Union legislation or with European or international standards on certification. Should that not be the case, certification of tenderer compliance will not be accepted by the European Parliament.

A tenderer unable to provide the certificates required may provide other proof enabling the European Parliament to assess whether it has introduced environmental management measures equivalent to those laid down by the requisite environmental standards.

**Quality Plan**
Every tenderer must submit a Quality Plan. The Contractor must implement the Quality Plan for the purposes of the framework contract. This plan shall become an integral part of the framework contract and is designed to keep the EP informed of its implementation.

This Quality Plan, which is based on the Specifications, shall stipulate how the Contractor intends to control and guarantee that the services provided to the EP are top quality:

* selection and recruitment of trainers and consultancy service providers,
* Contractor’s staff management policy,
* continuous training of trainers,
* familiarity with state of the art and relevant standards or regulations,
* service planning and responsiveness to potential demands by the EP,
* delivery of the training in the EP,
* invoicing,
* risk management,
* evaluation of performance of trainers and consultancy service providers,
* complaint management and planned corrective action,
* procedure for updating and adaptation of the changes in the Quality Plan.

The cost of preparing and implementing the Quality Plan shall be borne in full by the Contractor.

### 14. AWARD CRITERIA

The contract will be awarded to the tender offering the best value for money according to the following weighting:

#### 15.1. Qualitative evaluation of the offer (out of 60 points)

The tenderer will be required to provide a detailed description of a complete training cycle by lot (see 3.1) as regards the subject of this call for tender, the trainer's manual and the participant's manual, as well as a technical description of equipment, tools and materials they plan to use for execution of the contract. The documents will be assessed according to the following principles:

1. **Relevance of the proposal (20 points)**
   1.1 Target audience, potential prerequisites, skills to be acquired, operational objectives
   1.2 Topics, training programme
   1.3 Training schedule

2. **Infrastructure (20 points)**
2.1 Number of hours of practice/number of hours of theory
2.2 Educational support model
2.3 System for evaluation of the skills of the participants

3. Technical facilities/technical equipment, tools and equipment (20 points)

These must be properly arranged so as to allow practical exercises to be made in conditions close to reality, that is to say the ability to drive at full and high speed.
To evaluate this sub-criterion the following will be considered: parameters, size and reception room on the circuit

The weighting given to the different criteria is as follows:

- Qualitative criterion 1: maximum of 20 points
- Qualitative criterion 2: maximum of 20 points
- Qualitative criterion 3: maximum of 20 points
- To be selected for the next price evaluation stage, tenders will be required to obtain at least 50 points for criteria 1, 2 and 3 combined.

the price will be divided by the number of points obtained during the evaluation of the qualitative criteria. The tender ranked first will be the one obtaining the lowest quotient;
the number of points obtained for the price criterion is added to the number of points obtained in the evaluation of the qualitative criteria. The following formula indicates the weighting given to the number of points for each type of criterion:

$$(\text{points for the price criterion}) \times [40 \%] + (\text{qualitative criteria points}) \times [60 \%]$$

The tender which obtains the highest number of points following the application of the above formula will be ranked first.

Annexes I ‘A’, I ‘B’ and I ‘C’ : Financial slips
Annex II: The European Parliament's environmental policy
## Annex III: Declaration on the tenderer’s honour concerning the exclusion criteria and absence of conflicts of interest

<table>
<thead>
<tr>
<th>Official name of the candidate/tenderer:</th>
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<th>Official address:</th>
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<table>
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<tr>
<th>Official legal form (only for legal person):</th>
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I, the undersigned, Mr/Ms............, being the representative authorised to sign on behalf of the [candidate/tenderer], hereby declare on my honour that:

6 a) the candidate/tenderer is not bankrupt or being wound up, is not having his/her affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, or is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

b) the candidate/tenderer or persons having powers of representation, decision making or control over the candidate/tenderer have not been convicted of an offence concerning their professional conduct by a judgement of a competent authority of a Member State which has the force of res judicata;

c) the candidate/tenderer has not been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of the EIB and international organisations;

d) the candidate/tenderer is in compliance with his/her obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which he/she is established or with those of the country of the contracting authority or those of the country where the contract is to be performed;

e) the candidate/tenderer or persons having powers of representation, decision making or control over the candidate/tenderer have not been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such illegal activity is detrimental to the Union’s financial interests;

f) the candidate/tenderer is not subject to an administrative penalty imposed by the contracting authority under Article 109(1) of the Financial Regulation;  

---

6 Delete as appropriate.
7 The contracting authority will check in the central exclusion database whether an administrative penalty is still in force.
I hereby undertake to supply any documents specifically requested from me.

The undersigned is aware of the fact that contracts may not be awarded to candidates or tenderers who, during the procurement procedure:

1. are subject to a conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest;

2. are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information;

3. find themselves in one of the situations of exclusion ((a) to (f) above), referred to in Article 106(1) of the Financial Regulation, for the procurement procedure.

In addition, I, the undersigned, declare on my honour that:

- the candidate/tenderer will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;

- the candidate/tenderer has not granted and will not grant, has not sought and will not seek, has not attempted and will not attempt to obtain, and has not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award or the execution of the contract;

- the information provided to the European Parliament within the context of this invitation to tender is accurate, sincere and complete.

Time: .........................

Access to the offices of Members of the European Parliament .................................
Annex IV: Financial identification form - Supplier

The form is available at:

Annex V: Information sheet concerning consortia of economic operators

Official name of the member authorised by the consortium:\(^8\):

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

Official address:

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

Legal form of the consortium:\(^9\):

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

I, the undersigned, Mr/Ms ................., representing the authorised representative of the consortium of operators submitting this tender, hereby declare that I have noted the conditions laid down by the European Parliament for submission of a tender by a consortium and that the submission of a tender and the signing of this declaration imply acceptance of those conditions:

‘The consortium of economic operators shall furnish proof of its legal form in the tender. This may take one of the following forms:

- an entity with legal personality recognised by a Member State;
- an entity without legal personality but offering sufficient protection of the European Parliament’s contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary association);
- the signature by all the partners of a type of ‘power of attorney’ or equivalent document confirming a form of cooperation.

The document supplied must prove the consortium’s actual status. In that document or in an annex thereto, the economic operators making up the consortium shall undertake, as tenderers, to bear joint and several liability during performance of the contract, should it be awarded to them.

The European Parliament may accept other legal forms not referred to above, provided that they ensure the parties’ joint and several liability and are compatible with performance of the contract. However, in the contract to be signed with the consortium the European Parliament will refer expressly to the existence of such joint and several liability. In addition, it reserves the right to require, contractually, the appointment of an authorised representative who may

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\(^8\) State the name and address of the member authorised by the other members of the consortium to represent it. If no authorisation has been given, all consortium members must sign this declaration.

\(^9\) To be indicated if a precise form has been chosen by the consortium members. If that is not the case, leave blank.
represent the members and who is empowered, inter alia, to issue invoices on behalf of the other members.

<table>
<thead>
<tr>
<th>Name of member of consortium</th>
<th>Address of member of consortium</th>
<th>Name of member’s representative</th>
<th>Description of technical, professional and economic capacities</th>
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**Time:** .........................  **Access to the offices of Members of the European Parliament** .................................

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10 Should such a description already have been provided in the tender, reference may be made to precisely where that description appears.
Annex VI: Declaration concerning subcontractors

Name of the tenderer:

I, the undersigned, Mr/Ms………………………………, in my capacity as representative of the above-mentioned tenderer, hereby declare that, in the event that the contract, or one or more lots thereof, is awarded to the tenderer, the following economic operators will act as subcontractors:

<table>
<thead>
<tr>
<th>Name &amp; address of subContractor</th>
<th>Description of the subcontracted part of the contract</th>
<th>Value of subcontracted part of contract (in EUR and as a percentage of estimated total amount of contract)</th>
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I acknowledge that the European Parliament reserves the right to request information on the financial, economic, technical and professional resources of the proposed subcontractor(s) and that the European Parliament may demand the requisite proof to establish whether the subcontractors comply with the exclusion criteria applying to tenderers.

In this context, the European Parliament reserves the right to reject any proposed subcontractor not complying with the exclusion and/or selection criteria.

Furthermore, the European Parliament must be informed by the Contractor of any subsequent use of subcontracting not provided for in the tender. The European Parliament therefore reserves the right to accept or reject any subcontractor proposed during the performance of the contract. Accordingly, it may demand the requisite proof to establish whether a subcontractor complies with the requisite criteria. The European Parliament’s authorisation will always be granted in writing.

If the contract is awarded to a tenderer who proposes a subcontractor in his tender, this equates to giving consent for the subcontracting.
Time: ............................ Access to the offices of Members of the
European Parliament ..............................................
Annex VII: Financial data sheet

To be completed by the tenderer or by each company in the case of a consortium with a joint representative, on the basis of the financial statements for the last three financial years, which must be attached.

**Turnover**
Total turnover for the last three financial years

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>n-1</td>
<td></td>
<td>EUROS</td>
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<tr>
<td>n-2</td>
<td></td>
<td>EUROS</td>
</tr>
<tr>
<td>n-3</td>
<td></td>
<td>EUROS</td>
</tr>
</tbody>
</table>

**Profit**
Total net profit after tax for the last three financial years

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Unit</th>
</tr>
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<tbody>
<tr>
<td>n-1</td>
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<td>EUROS</td>
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<td>n-2</td>
<td></td>
<td>EUROS</td>
</tr>
<tr>
<td>n-3</td>
<td></td>
<td>EUROS</td>
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</table>

**Assets available in the short term**
Total assets available\(^{11}\) within one year

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>n-1</td>
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<td>EUROS</td>
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<tr>
<td>n-3</td>
<td></td>
<td>EUROS</td>
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</tbody>
</table>

**Short-term debt**
Total debt\(^{12}\) due within one year

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
<th>Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>n-1</td>
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<td>EUROS</td>
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<td>EUROS</td>
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<td>n-3</td>
<td></td>
<td>EUROS</td>
</tr>
</tbody>
</table>

Certified true and accurate.

Done at ……………on ………………………

Signatures(s):

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\(^{11}\) Debts receivable within not more than one year, orders in progress, cash investments, available securities and adjustment accounts.

\(^{12}\) All debt of any kind due within not more than one year, and adjustment accounts.
Annex VIII: Label to be affixed to the outer and inner envelopes when a tender is sent

To be used and completed to help ensure that the tender is sent to the relevant department at the European Parliament

European Parliament
Official Mail Unit
Directorate-General [complete]
[give address of recipient department]

See point 5 of the conditions for submitting a tender for the precise address to be given

INVITATION TO TENDER No [specify]

NOT TO BE OPENED BY THE MAIL UNIT
OR ANY UNAUTHORISED PERSON

In the case of several packages or envelopes: make copies of the label and repeat the operation