DIRECTORATE-GENERAL FOR PARLIAMENTARY RESEARCH SERVICES (EPRS)

DIRECTORATE B - IMPACT ASSESSMENT AND EUROPEAN ADDED VALUE

SPECIFICATIONS

INVITATION TO TENDER

Multiple framework service contract

Contract for the provision of external expertise in the field of Technology Options Assessment and Scientific Foresight (STOA)

EPRS/STOA/SER/22/013
1. INTRODUCTION

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

a) the contract notice;
b) a letter of invitation to tender;
c) conditions for submitting a tender;
d) specifications and the annexes thereto;
e) and a model contract and the annexes thereto

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

Annex I: Technical specifications
Annex II: The European Parliament's environmental policy
Annex III: Declaration on the tenderer's honour concerning the exclusion and the selection criteria
Annex IV: Financial identification form
Annex V: Information sheet concerning groups of economic operators
Annex VI: Declaration concerning subcontractors
Annex VII: Financial data sheet
Annex VIII: Price list form
Annex IX: Declaration on the tenderer's honour concerning the restrictive measures established by Council Decision 2014/512/CFSP and Council Regulation 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine
Annex X: Template specific order form
PART I – GENERAL INFORMATION

2. SUBJECT OF THE CONTRACT

In accordance with the provisions of Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the European Union, the European Parliament has decided to issue this invitation to tender for a multiple framework service contract for the provision of external expertise in the field of technology options assessment, scientific foresight and related services.

In administrative terms, 'multiple framework service contract' means separate service contracts concluded on the same terms between the European Parliament and several service providers with the aim to allow the performance of individual services/requests by one of the contractors according to expertise and availability. The multiple framework service contract would cover several types of written studies and briefings and connected services such as the organisation of workshops and provision of communication material, oral presentations with virtual and physical presence at the European Parliament, and other services falling within the different areas of responsibility described under Section 3 below.

In connection with this invitation to tender, Contract Notice reference: 2022/S 121-342823 has been published in the Official Journal of the European Union 2022/S 121 from 27/06/2022.

3. DESCRIPTION, PURPOSE AND ESTIMATED VALUE OF THE CONTRACT

The Panel for the Future of Science and Technology (STOA) of the European Parliament was established in 1987 as a scientific advisory body. Its mission is to provide Members of the European Parliament (MEPs) with high-quality, independent expert assessments of scientific and technological developments and related policy options for informed political decision-making. The issues analysed are relevant to the EP in its role as legislator.1

STOA has more recently embedded additional capacities into its structure, notably for foresight, activities at the science-media interface, and artificial intelligence (AI). Its foresight service provides MEPs with a more long-term view on techno-scientific developments and their implications across many policy areas, involving a wide range of relevant stakeholders and possible impacts. Its European Science-Media Hub (ESMH) brings together scientists, journalists and policymakers to provide better science communication to all. Its Centre for Artificial Intelligence (C4AI) produces studies, organises public events and acts as a platform for dialogue and information exchange on AI-relevant topics within the Parliament and beyond.

This 'multiple framework service contract' (henceforth ‘framework contract’) and the particular projects to be delivered through it are intended to provide a key source of external expertise to enable the Parliament to fulfil the mission and objectives of STOA. The use of external contractors aims at providing authority, flexibility and autonomy in this process, making technical and scientific expertise rapidly available when needed, and providing the Parliament with a long-term perspective in its political work. Further details of the activities and deliverables can be found in the technical specifications (Annex I).

The duration of the contract shall be 1 year and it should be renewed tacitly every year up to 4 years (48 months) in total. Performance of the contract shall not begin until the framework contract is signed. Any renewal of the contract shall take place in accordance with the terms laid down in the contract.

The approximate value of the contract is EUR 375,000 per year (with a total maximum of EUR 1,500,000 over four years).

Within three years following the signature of the framework contract resulting from the current call for tenders, the Contracting authority may use the negotiated procedure under art. 172(3) and point 11.1.e of Annex 1 to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union to procure new services from the contractor up to a maximum of 50% of the initial framework contract ceiling. These services will consist in the repetition of similar services entrusted to the contractor and will be awarded under the following conditions: same award conditions as for the initial contract.

4. 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.

In order to ascertain the eligibility of tenderers, they must indicate in their tenders the country in which they have their registered office or in which they are domiciled. 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.a  COMPLIANCE WITH RESTRICTIVE MEASURES ADOPTED UNDER ARTICLE 29 OF THE TEU OR ARTICLE 215 OF THE TFEU

Tenderers must ensure that they, their subcontractors, suppliers or the entities whose capacities are relied on for the execution of the public procurement contract are not subject to restrictive measures adopted under Article 21 TEU or Article 215 TFEU.

According to Article 5k of the Regulation 833/2014 concerning restrictive measures in view of Russia’s actions destabilising the situation in Ukraine, as amended by Regulation 2022/579, the award of a public or concession contract is prohibited (unless authorised by the competent authorities on the basis of the exceptions provided in the same Article) to the following persons:

(a) a Russian national, or a natural or legal person, entity or body established in Russia;

(b) a legal person, entity or body whose proprietary rights are directly or indirectly owned for more than 50% by an entity referred to in point (a) of this paragraph; or

(c) a natural or legal person, entity or body acting on behalf or at the direction of an entity referred to in point (a) or (b) of this paragraph,

including, where they account for more than 10% of the contract value, subcontractors, suppliers or entities whose capacities are being relied on.

Article 5aa of the Regulation 833/2014 prohibits (with the exceptions provided in the same Article) direct or indirect engagement in any transaction with:

(a) a legal person, entity or body established in Russia, which is publically controlled or with over 50% public ownership or in which Russia, its Government or Central Bank has the right to participate in profits or with which Russia, its Government or Central Bank has other substantial economic relationship, as listed in Annex XIX of the Regulation 833/2014;
(b) a legal person, entity or body established outside the Union whose proprietary rights are
directly or indirectly owned for more than 50 % by an entity listed in Annex XIX of the Regulation
833/2014; or

(c) a legal person, entity or body acting on behalf or at the direction of an entity referred to in
point (a) or (b) of this paragraph.

Article 51 of the Regulation 833/2014 prohibits (with the exceptions provided in the same Article)
the provision of any benefit under a Union contract within the meaning of Regulation 2018/1046
to any legal person, entity or body established in Russia with over 50 % public ownership or
public control.

Tenders of the persons or entities falling within these categories shall be rejected unless they are
able to prove falling outside the scope of the restrictive measures.

To prove that tenderers do not fall within the scope of the above restrictions, Annex IX must
be completed and included with it.

The contracting authority may request supplementary explanations and (or) documentary
evidence on the compliance with the restrictive measures from the tenderer at any moment of
the procedure.

5. GROUPS OF ECONOMIC OPERATORS

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

Groups of economic operators may submit a tender. The European Parliament reserves the
right to require the group 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 group 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:

a) an entity with legal personality recognised by a Member State;

b) 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);

c) the signature by all the partners of a type of 'power of attorney' or equivalent document
confirming a form of cooperation.

The group’s actual status shall be established by any document or agreement signed by the
members of the group, 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 group are modified during the procedure, if those terms make no provision for
the joint and several liability of the group’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 group, 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 groups of economic operators must specify the role, qualifications and experience of each of the members of the group. 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 group 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 group 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.

6. COUNTRY OF THE TENDERER

The tenderers must indicate in which country are they established and to present the supporting evidence normally acceptable under the law of that country.

7. SUBCONTRACTING

Subcontracting is permitted.

If the tenderer uses subcontractors, Annex VI and a letter of intent 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). Likewise, the European Parliament may demand the requisite proof to establish whether the subcontractors comply with the requisite exclusion criteria. Tenderers are hereby informed that proposed subcontractors may not be in one of the situations described in Articles 136 to 141 of the Financial Regulation, which entail exclusion from participation in a contract issued by the European Union.

The European Parliament shall verify whether the envisaged subcontractors, when subcontracting represents a significant part of the contract, fulfil the relevant selection criteria.

The European Parliament is entitled to reject any subcontractor who does not comply with the exclusion and/or selection criteria (see points 14. and 15. 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. In order to do so he may demand the requisite proof to establish whether the subcontractor(s) complies/comply 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.
In case the tenderer proposes to subcontract parts of the research team (e.g. additional experts to cover specific skills such as the key expert, communication expert and policy expert), the tenderer shall provide assurances from the potential subcontractors regarding their availability and readiness to fulfil the assigned tasks.

8. VARIANTS

Variants are not permitted.

9. PRICES

Prices shall be firm and not open to revision.

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 prices quoted in the price list form (Annex VIII) must be all-inclusive and expressed in euros, including for countries which are not part of the euro zone. For tenderers in those countries, the amount of the tender may not be revised in line with exchange rate movements. It is for the tenderer to select an exchange rate and accept the risks or the benefits deriving from any variation.

10. FINANCIAL GUARANTEES

Not applicable

11. 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 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.

12. 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:

a) equality between men and women;

b) employment and integration of disabled persons;
c) 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.

13. 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 with competition being reopened.

The establishment of this system will entail a maximum of eight framework contracts being signed with the first eight economic operators, ranked in descending order upon completion of the evaluation of the tenders submitted.

When the European Parliament places an order, and before signing an order form, it will invite the contractors in writing to submit a new tender for the specific order. The procedures and the time limits for submitting the new tender will be set out in the invitation sent by the European Parliament.

Following the receipt and evaluation of the new tenders, the European Parliament will decide on the award of the order, which will be carried out once the order form has been signed.

The award criteria and the weighting thereof, laid down by the European Parliament for the purpose of evaluating the new tenders requested, are as follows:

a) Administrative conformity
This evaluation will establish whether the offer has been received within the set time limit and complies with the prices quoted in the overall financial offer (i.e. the completed Price list form).
Offers not considered in administrative conformity will be rejected.

b) Best value for money
Value for money is evaluated in terms of offer points, and is determined as a function of the number of quality points and price points.

**Quality points (100 points)**

Quality points will be awarded on the basis of evaluations of the suggested approach to delivering the project (40 points), and the suitability of the organisation of the work and resources (60 points).

- Suggested approach to the study 40 points
- Suitability of the organisation of the work and resources 60 Points

Further details about the expectations will be set out in the specifications for the order form.

**Price points (100 points)**

The price of specific tenders must be all-inclusive and expressed in euros, including for countries which are not part of the euro zone. For tenderers in those countries, the amount of the tender may not be revised in line with exchange rate movements. It is for the tenderer to select an exchange rate and accept the risks or the benefits deriving from any variation.

The price of specific tenders shall detail the number of person-days per staff category multiplied by the person-day price of that staff category as per Annex VIII Price list form.

For the purpose of the calculation of price points, any estimated budget to cover travel arrangements associated with a project (depending on the specifications for the specific order form) will not be considered. They will be excluded from all calculations described below.
The lowest priced offer (total price excluding budget for travel arrangements) that passes the administrative conformity check will be awarded 100 price points.

Other offers will be awarded proportionately fewer price points according to how much higher their price offer is in comparison to the lowest priced offer. This will be accomplished through the application of the following formula:

\[
\text{Offer points} = \left( \frac{\text{Price of the lowest offer}}{\text{Price of the offer considered}} \right) \times 100
\]

The total amount of offer points will be calculated according to the following formula:

\[
\text{Offer points} = (\text{Quality points} \times 67\%) + (\text{Price points} \times 33\%)
\]

The offer with the highest number of offer points that passes the administrative conformity check will be considered the best value for money, and will be selected.

Notification of the results will be sent to the successful framework service contractor by e-mail to indicate that they have been chosen for the specific order. However, this notification alone does not commit the European Parliament in any way.

The commissioning of the task always entails the submission by the European Parliament's administration of a signed order form containing the specifications for the specific works to be executed. There can be no provision of services without such an order form, which shall specify the terms of the expertise required, the fixed price and the deadlines. The date of the signing of the order form to the Contractor will be defined as the start of the time allowed for the execution of the task (if not specified explicitly otherwise).

If only one offer is received, thus rendering a reopening with competition impossible, the contract may be awarded to the sole contractor if the offer is considered acceptable.

The economic operators invited to submit a tender are not required to respond to the European Parliament's request. However, if the contractor does not submit any tenders after three requests, the European Parliament may apply the penalties provided for in the framework contract, including a request to terminate it.

Contractors whose tender is not chosen will be informed of the reasons in writing.
PART II – EXCLUSION, SELECTION AND AWARD CRITERIA

14. EXCLUSION CRITERIA

The full texts of Articles 136 to 141 FR on exclusion criteria and their application are available in the Official Journal of the European Union, N° L-193 published on 30 July 2018, pages 1-222. Tenderers must declare that they are not in any of the exclusion situations described in these articles.

Article 136 of the Financial Regulation (extracts): only paragraphs 1, 4, 6 and 7 are reproduced hereafter.

1. The authorising officer responsible shall exclude a person or entity referred to in Article 135 (2) from participating in award procedures governed by this Regulation or from being selected for implementing Union funds where that person or entity is in one or more of the following exclusion situations:

a) the person or entity is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended, or it is in any analogous situation arising from a similar procedure provided for under Union or national law;

b) it has been established by a final judgment or a final administrative decision that the person or entity is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;

c) it has been established by a final judgment or a final administrative decision that the person or entity is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person or entity belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:

i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the implementation of the legal commitment;

ii) entering into agreement with other person or entities with the aim of distorting competition;

iii) violating intellectual property rights;

iv) attempting to influence the decision-making of the authorising officer responsible during the award procedure;

v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;

d) it has been established by a final judgment that the person or entity is guilty of any of the following:

ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or active corruption within the meaning of Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in other applicable laws;

iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;

iv) money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;

v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;

vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;

e) the person or entity has shown significant deficiencies in complying with main obligations in the implementation of a legal commitment financed by the budget, which has

(i) led to the early termination of a legal commitment;

(ii) led to the application of liquidated damages or other contractual penalties, or

(iii) been discovered by an authorising officer, OLAF or the Court of Auditors following checks, audits or investigations;

f) it has been established by a final judgment or final administrative decision that the person or entity has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;

g) it has been established by a final judgement or final administrative decision that the person or entity has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business;

h) it has been established by a final judgement or final administrative decision that an entity has been created with the intent referred to in point (g).

(.....)

4. The authorising officer responsible shall exclude a person or entity referred to in Article 135(2), where:

(a) a natural or legal person who is a member of the administrative, management or supervisory body of the person or entity referred to in Article 135(2), or who has powers of representation, decision or control with regard to that person or entity, is in one or more of the situations referred to in points (c) to (h) of paragraph 1 of this Article.

(b) a natural or legal person that assumes unlimited liability for the debts of the person or entity referred to in Article 135(2) is in one or more of the situations referred to in point (a) or (b) of paragraph 1 of this Article.

(.....)
6. The authorising officer responsible, having regard, where applicable, to the recommendation of the panel referred to in Article 143, shall not exclude an person or entity referred to in Article 135(2) from participating in an award procedure or from being selected for implementing Union funds where:

a) the person or entity has taken remedial measures as specified in paragraph 7 of this Article, to an extent that is sufficient to demonstrate its reliability. This point shall not apply in the case referred to in point (d) of paragraph 1 of this Article;

b) it is indispensable to ensure the continuity of service, for a limited duration and pending the adoption of remedial measures specified in paragraph 7 of this Article;

c) such an exclusion would be disproportionate on the basis of the criteria referred to in paragraph 3 of this Article.

In addition, point (a) of paragraph 1 of this Article shall not apply in the case of the purchase of supplies on particularly advantageous terms from either a supplier which is definitively winding up its business activities or the liquidators in an insolvency procedure, an arrangement with creditors, or a similar procedure under Union or national law.

In the cases of non-exclusion referred to in the first and second subparagraphs of this paragraph, the authorising officer responsible shall specify the reasons for not excluding the person or entity referred to in Article 135(2) and inform the panel referred to in Article 143 of those reasons.

7. The remedial measures referred to in point (a) of the first subparagraph of paragraph 6, shall include, in particular:

a) measures to identify the origin of the situations giving rise to exclusion and concrete technical, organisational and personnel measures within the relevant business or activity area of the person or entity referred to in Article 135(2), appropriate to correct the conduct and prevent its further occurrence;

b) proof that the person or entity referred to in Article 135(2) has undertaken measures to compensate or redress the damage or harm caused to the financial interests of the Union by the underlying facts giving rise to the exclusion situation;

c) proof that the person or entity referred to in Article 135(2) has paid or secured the payment of any fine imposed by the competent authority or of any taxes or social security contributions referred to in point (b) of paragraph 1 of this Article.

The candidate/tenderer is invited to complete the Annex III where the exclusion criteria are mentioned.

Article 141 of the Financial Regulation (extracts): only paragraph 1 of Article 141 has been reproduced.

Rejection from an award procedure

The authorising officer responsible shall reject from an award procedure a participant who:

(a) is in an exclusion situation established in accordance with Article 136;

(b) has misrepresented the information required as a condition for participating in the procedure or has failed to supply that information;

(c) was previously involved in the preparation of documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition, that cannot be remedied otherwise.
The authorising officer responsible shall communicate to the other participants in the award procedure the relevant information exchanged in the context of or resulting from the involvement of the participant in the preparation of the award procedure as referred to in point (c) of the first subparagraph. Prior to any such rejection the participant shall be given the opportunity to prove that its involvement in preparing the award procedure does not breach the principle of equality of treatment.

**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.

2. In the case of a consortium of economic operators, the declaration on honour shall be provided by all the members of the consortium.

3. Before the award decision, the contracting authority requests documentary evidence on compliance on the exclusion criteria set out in the present tender specifications from the tenderer to whom the contract is to be awarded.

4. All tenderers are invited to prepare in advance the documents related to the evidence, since they may be requested to provide such evidence within two weeks. Failure to provide valid documentary evidence within the deadline set by the Contracting Authority shall lead to the rejection of the tender for the award of the contract, unless the tenderer can justify the failure on the grounds of material impossibility.

5. A request for evidence in no way implies that the tenderer will be awarded the contract.

6. Whenever requested by the authorising officer responsible and where this is necessary to ensure the proper conduct of the procedure, the tenderer shall provide:

   (a) appropriate evidence that it is not in one of the exclusion situations referred to in Article 136(1);

   (b) information on natural or legal persons that are members of the administrative, management or supervisory body of the participant or that have powers of representation, decision or control with regard to that participant, including persons and entities within the ownership and control structure and beneficial owners, and appropriate evidence that none of those persons are in one of the exclusion situations referred to in points (c) to (f) of Article 136(1).

   (c) appropriate evidence that natural or legal persons that assume unlimited liability for the debts of that participant are not in an exclusion situation referred to in point (a) or (b) of Article 136(1).

7. 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 in case of international organisations acting as tenderer, if the contracting authority can access documentary evidence on a national database free of charge or if such evidence has already been submitted to it for the purposes of another procurement procedure and provided that the issuing date of the documents does not exceed one year and they are still valid. In such cases, the tenderer shall attest on his honour that the supporting documents have already been provided in a previous procurement procedure, which he shall identify, and that no changes in its situation have occurred.

15. **SELECTION CRITERIA**

1. All tenderers must submit the declaration on the tenderer’s honour, duly dated and signed, which is set out in Annex III.
2. Before the award decision, the contracting authority requests documentary evidence on compliance on the selection criteria set out in the present tender specifications from the tenderer to whom the contract is to be awarded.

3. All tenderers are invited to prepare in advance the documents related to the evidence, since they may be requested to provide such evidence within two weeks. Failure to provide valid documentary evidence within the deadline set by the Contracting Authority shall lead to the rejection of the tender for the award of the contract, unless the tenderer can justify the failure on the grounds of material impossibility.

4. A request for evidence in no ways implies that the tenderer will be awarded the contract. This applies also to all tenderers to whom the contract is to be awarded in a ranking (cascade system) or in the case of a multiple framework contract with the possibility of reopening competition.

15.1. Legal and regulatory capacity

Tenderers need to provide the information requested in points 4 and 6 above. They do not need to prove additional specific legal and regulatory capacity to perform the contract.

15.2. 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.

In respect of the contract which is the subject of this invitation to tender, the European Parliament furthermore requires tenderers to have a minimum financial and economic capacity, which will be assessed on the basis of the following information:

a) minimum total turnover of EUR 100 000 per year for the last three financial years. This criterion applies to the tenderer as a whole, i.e. the combined capacities of all involved entities.

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

b) appropriate statements from banks;

c) income declaration for at least the two most recent financial years; for tenderers who are natural persons, gross income will be deemed to represent turnover;

d) financial statements (balance sheets, profit and loss accounts and any other related financial information) or their extracts for a period equal or less than the last three financial years for which accounts have been closed;

e) a statement of overall turnover during a period which may be no more than the last three financial years available (Annex VII Financial data sheet).

If the tenderer is unable to provide the references requested, he may prove his economic and financial capacity by any other document 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 group 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.

### 15.3. 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) The team must include at least one member for each of the six profiles described on the Price list form (Annex VIII). All team members must hold a university degree (of bachelor level or above) in one or more of the following areas: science and technology studies (STS), innovation studies, technology assessment, economics, public administration, law, communications or any other area of relevance to the subject of the tender. In addition, all team members (with the exception of “Junior Researchers”) must have relevant professional and/or academic research experience of a minimum of five years, obtained after their university degree mentioned above. Tenderers may demonstrate this with reference to the curriculum vitae of team members.

b) Experience in carrying out at least five research projects within the broad remit of STOA, (e.g. technology assessment or foresight projects including the provision of policy options) with a budget of at least Euro 15 000. At least three of them must have been completed in the last three years to the date of submission of tenders. In the case of framework contracts, only specific projects corresponding to assignments delivered under such framework contracts shall be considered.

c) The capacity to draft analytical reports in English at a proficient level, suitable for publication.

Each of these criteria apply to the tenderer as a whole, i.e. the combined capacities of all involved entities.

Depending on the nature, quantity or scale and purpose of the supplies, services or works to be provided, the technical and professional capacity of economic operators will be substantiated by the following documents:

a) The curriculum vitae of all team members from each of the six profiles described on the Price list form (Annex VIII), setting out their experience and publications. In addition, tenderers may provide a consolidated review of the experience and publications of the team, describing how they meet the criteria established above.
b) References to at least five research projects undertaken within the broad remit of STOA, including the sums, dates and information on the client.

c) References to at least two publications (e.g. reports, journal articles, book chapters) drafted by the tenderer in proficient English and published by a client or other third party (e.g. an academic journal or other publisher). Publications should be at least 10 pages and published in the last three years. The publication of the report by the client or third party will be accepted as evidence of sufficient language capacity.

The tenderer or candidate may also rely on the capacity of other entities, irrespective of the legal nature of the links between himself 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 a commitment by those entities to that effect. 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 professional and/or technical capacity.

At all events, tenderers may always rely on the technical and professional 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.

If it establishes that a tenderer faces a conflict of interest which could affect the performance of the contract, the European Parliament may conclude that the tenderer is not of the calibre required to perform the contract.

16. AWARD CRITERIA

The contract will be awarded to the tender offering the best price-quality ratio.

To determine the tender offering the best price quality/ratio, tenders will be evaluated on the basis of the following broad sets of criteria:

- a) proposed method and approach to organising and delivering quality projects
- b) proposed assignment of team members and organisation of the staff assigned to performing the contract
- c) presentation of the tender
- d) price

16.1 Quality Criteria

The quality of each offer will be evaluated and quality points will be awarded, up to a maximum of 100. Tenders will be required to obtain a total of at least 65 quality points. An offer which does not attain a minimum of 65 points in total under the quality criteria will be rejected.

Quality points will be distributed according to the following eight award criteria (AC), organised into three sections. For each assessment criteria, the maximum number of points that can be awarded is indicated.

**Tenderers should clearly identify which parts of their tender (the specific chapters, sections or annexes) are submitted in support of the evaluation of each of AC 1-7. These should respect the page limits set out for AC 1-7 below. AC 8 will be evaluated with reference to the whole tender document and its overall coherence.**
Section 1: Proposed method and approach to organising and delivering quality projects:

AC 1 - 10 points - Understanding of the policy challenges and Parliament’s context

Tenderers must provide a concise description of what they consider to be the five most important policy challenges facing the European Parliament in its role of co-legislator in the field of science, technology and innovation.

This description should be set out in a maximum of three pages. The evaluation will refer to the understanding of the issues as well as the specific policy context of the Parliament.

AC 2 - 20 points: Proposed approach to organising and delivering projects

Tenderers must provide a concise outline description of their proposed approach to delivering each of the following three examples of projects:

a) The delivery of a 10 page Briefing that provides an accessible introduction to cutting-edge developments in quantum computing and an exploration of possible policy issues. This project does not foresee any primary data collection (i.e. no interviews, surveys or workshops), and has a deadline for execution of 4 weeks.

b) The delivery of a 35 page In-Depth Analysis of the social, environmental and health impacts of the increased use of surgical masks in response to the COVID-19 pandemic. This project may include expert interviews, and has a deadline for execution of 3 months.

c) The delivery of a substantial Study of 80 pages (plus annexes) that examines trends in space travel, identifies possible future scenarios for the next 20 years, and explores their potential impacts. It would then collaborate with EP staff to develop and examine a range of policy options that could respond to the opportunities and challenges identified. The project may make use of technology assessment and foresight methods, including primary data collection methods, as appropriate. Supplementary communication materials such as blog posts, infographics and social media content should be provided regularly throughout the project. The project has a deadline of execution of 12 months.

The tenderer should not enter into detail on the topic itself, but rather provide a description of the proposed approach to delivering the projects. They should include an outline of the approach to the organisation and execution of tasks and the delivery of the project, while meeting deadlines and quality standards and coordinating as appropriate with the relevant EP services. Tenderers may identify sub-tasks and phases for the project examples, and make justified assumptions about the scope, methods and other details.

The description of the proposed approach to delivering these three projects should be set out within a maximum of ten pages (this is a total for the three project examples).

AC 3 - 10 points: International and interdisciplinary coverage and sources

Tenderers must provide a description of how they propose to deliver projects that require a combination of insights from multiple disciplines, access to wide ranging sources of data, contact with different professional networks (policy, academia, industry, civil society), and an understanding of different geographic contexts (e.g. legal systems and languages across the EU).

This description should be set out within a maximum of four pages.

AC 4 - 10 points: Mechanisms for assuring quality standards

Tenderers must provide a detailed description of their proposed approach to ensuring the quality of projects, including research integrity (robustness of methodology, data, analysis etc.)
and editorial quality (concise, accessible, informative, proofread text that is well suited to its target audience).

This description should be set out within a **maximum of four pages**.

**AC 5 - 10 points: Approach to dealing with sensitive and controversial topics**

Tenderers must provide a detailed description of their proposed approach to dealing with topics that may be publicly controversial or politically sensitive. Tenderers are invited to identify two examples of topics within the broad remit of STOA that may be considered controversial or sensitive and to set out their proposed approach for effectively handling the topics in a manner appropriate for the EP.

The selection of examples and description of the proposed approach should be set out within a **maximum of four pages** (this is a total for the two examples).

**AC 6 - 15 points: Approach to reporting**

Tenderers must substantiate their approach to reporting projects and findings across STOA’s thematic and horizontal priorities, including a description of the degree of certainty and limitations of any findings.

This award criteria (AC) will be evaluated with specific reference to the proposed strategy for ensuring the availability of appropriate key experts, communication experts and policy experts.

The explanation should be provided within a **maximum of two pages**, and supplemented with **5 samples** produced by the tenderer, which can be provided in annex to the tender.

**Section 2: proposed assignment of team members and organisation of the staff assigned to performing the contract**

**AC 7 - 15 points: Adequacy of the proposed assignment of team members or balance of profiles and breakdown of tasks**

For each of the three project examples described in AC 2 above, tenderers must complete the table below setting out the number of person-days of each profile that they would propose to assign to the projects as per their own description in AC 2. This criterion will assess how the roles and responsibilities of the proposed team and of the different economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task. It also assesses how the various experts are mobilised, and the global allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the work. The tender should provide details on the allocation of time and human resources and the rationale behind the choice of this allocation. Details should be provided as part of the technical offer. It is not a budget requested as part of the financial offer.

<table>
<thead>
<tr>
<th>Profile (See Annex VIII)</th>
<th>Number of person days for project a) / b) / c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Coordinator</td>
<td></td>
</tr>
<tr>
<td>Key Expert</td>
<td></td>
</tr>
<tr>
<td>Policy Expert</td>
<td></td>
</tr>
<tr>
<td>Communication Expert</td>
<td></td>
</tr>
</tbody>
</table>
Senior Researcher

Junior Researcher

The number of person-days should be indicated in whole days (representing eight working hours) and half days (representing 4 working hours). No other fractions of days are permitted. The three tables may be supplemented by some short explanatory notes.

Furthermore, tenderers are required to describe their approach to ensuring adequate skills and expertise are in place, including how they would respond to situations where - for whatever reason - the relevant skills and expertise are not available. Note that this criteria is not fulfilled with reference to the specific skills and experience of current staff, but in the strategy to ensure ongoing skills and experience. In doing so, tenderers should consider the broad remit of the STOA Panel, the profiles set out in the Price list form (Annex VIII), and the possibility of subcontracting.

The three tables and any explanatory notes, and the approach to ensuring adequate skills and expertise should be set out within a maximum of four pages.

This AC will be evaluated with reference to the adequacy and appropriateness of the proposed assignment of person-days under each profile for the completion of work as described by the tenderer under AC 2, taking into consideration any explanatory notes, as well as the adequacy of the proposed approach to ensuring adequate skills and expertise are in place.

Section 3: The presentation of the tender

AC 8 - 10 points: Clarity, coherence and conciseness of the tender

Tenders will be evaluated with reference to the layout, structure, completeness and ease of inspection of the tender, including language quality. The page limits set out the maximum length of each section, not a target. Concise text is valued.

16.2 Price Criteria

The price award criterion will be based upon the application of two formulas.

First, the price offer is calculated according to the following formula:

- Project coordinators: daily rate × 10
- Key experts: daily rate × 30
- Policy experts: daily rate × 15
- Communication experts: daily rate × 15
- Senior researchers: daily rate × 15
- Junior researchers: daily rate × 15

\[
\text{total} = \text{PRICE OFFER}
\]

Then, the price offer is used to calculate the number of price points awarded.

The tender with the lowest price offer will be awarded 100 price points, and other tenders will be awarded proportionately fewer price points according to how their price offer compares to the lowest price offer of all tenders received. This will be calculated by applying the following formula:

\[
\text{Price points} = \left( \frac{\text{Lowest price offer}}{\text{Price offer of tender considered}} \right) \times 100
\]
Decimal places will be rounded up.

For the price award criteria, every section of the Price list form (Annex VIII) must be filled in and included in the tender. If all sections of the Price list form have not been filled in, the tender cannot be evaluated and will be excluded.

**16.3 Overall score**

The overall score will be calculated according to the following formula:

\[
\text{Overall score} = (\text{total Quality points} \times 67\%) + (\text{Price points} \times 33\%)
\]

**17. INFORMATION ABOUT TENDERERS**

The tenderer (or member of a joint tender) must declare in annex III (Declaration on the tenderer’s honour concerning the exclusion and selection criteria) if the entity is a Small and medium-sized enterprise (SME).

According to the Commission’s Recommendation 2003/361/EC,

Small and Medium-sized Enterprises, are defined as enterprises which:

- employ fewer than 250 persons and
- have an annual turnover not exceeding EUR 50 million or
- an annual balance sheet total not exceeding EUR 43 million.