



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Industrial Transformation and Advanced Value Chains
Director

Brussels, 28. 11. 2018
grow.ddg1.c.dir(2018)5940820




Subject: Reopening of competition under framework contract 575/PP/2016/FC - 714/PP/GRO/IMA/18/1133/10704 - Impact Assessment on Common Charges of Portable Devices

Dear Sir,

We regret to inform you that your specific tender has not been successful in the above reopening of competition, for the following reason:

Following its evaluation, your tender was not the most economically advantageous tender.


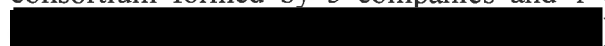
These are all the details that we can provide on the grounds for our decision:

The person in charge of the evaluation has given the tender submitted by **tenderer**  the following points:

3 out of 5 for award criterion No 1:

Sufficient. The tender is clearly written, structured in a logic way and addressing all the objectives and tasks required in the ToR. A table recapitulating where to find information related to main evaluation criteria is provided, in theory facilitating retrieval of information. However, award criteria are wrongly matched with indicated chapters, as chapter 4 is wrongly indicated for criteria 2 and 3. The offer indicates working approaches relevant to the required tasks, and a number of pictograms and tables facilitate comprehension and guide readers' attention in a coherent way. However, emphasis is on economic aspects, with too little on the technical ones where the real opportunities of the new USB specifications are extremely likely to be.

10 out of 15 for award criterion No 2:

More than sufficient. The rationale and the specific assignments and responsibility in the consortium formed by 5 companies and 1 consultant , ) are shortly explained. A recapitulative table illustrates specific project management dimensions in relation to specific aims and assigned management methodologies. The project team is composed by a core team that takes a hands-on role on other sub-teams, the experts and the research teams. A quality advisor, provided by Ecorys, will supervise all activities., However, unnecessary detail is given on how any

corrective measures would be implemented. Concerning quality and risk management, it is just stated that the project will 'rely on ISO principles'. The proposed monitoring system, based on a 'RAG (red, amber, green) rating grid', appears overall weak. Finally, it is emphasised that the project will be managed in Brussels, therefore, in principle facilitating exchanges with COM services, that is not real advantage anymore (given nowadays alternative communication possibilities).

13 out of 20 for award criterion No 3:

More than sufficient. All 6 members of the consortium have responsibilities in the study, with a total of 12 people engaged. The Core management Team is managed by just 2 people from [REDACTED], assisted by 1 member from [REDACTED] acting as Quality Advisor. The expert advice is provided by 3 people with different roles, specifically to cover consumers' impact, technological development and chargers' technical aspects, however just one person appears to possess the most relevant education and skills in the crucial technical aspects (Electrical Engineering). Finally, the research team is composed by 6 people, with responsibilities for data collection, surveys and support. The allocation of staff appears adequate and well balanced. Team members are introduced with appropriate details. Despite the well specified roles and responsibilities, however, unnecessary detail is given on how these different teams will liaise together. More details would be needed to clarify how the high number of involved people and companies will work together by guaranteeing correct assignment of tasks and overall coherence.

14 out of 25 for award criterion No 4:

Sufficient. Data collection activity is presented as phase 1 out of 3 main ones (the others being the evaluation of the MoU and the impact assessment).

Desk research will rely on statistics, researches, reports and articles appearing on press releases such as [REDACTED] and others. The purchase of 2 external studies and datasets is also proposed. The preparation of two 'databases' is also announced in order to store information on market and associated trends, with details on data needs and potential documentary sources. Although the possibility to store and access collect data is clearly useful, it appears unclear why two databases should be setup, rather than one database with different repositories. The consultation strategy is therefore illustrated, and announced to be composed by semi-structured interviews, targeted consultation, open public consultation and interviews within the case studies with directly and indirectly impacted stakeholders.

For interviews, 17 categories of stakeholders are listed and 60 interviews are proposed for the first phase, with details on the timing when they will be done. Mockup questions for the different groups of stakeholders are also listed. A second round of interviews, to clarify/interpret already collected results, is proposed.

Targeted consultations will be addressed to 4 main groups, consumers, MSAs, manufacturers and distributors, other organisations and associations. Survey design, aiming to reach a total of 3600 respondents, is sufficiently well detailed. Translation is proposed for all MS languages. However, no reference to standardisation activity is mentioned, though it could represent a very relevant and necessary aspect to cover.

The tender finally refers to the open public consultation as a way to gather wide range of views, and indicates targeted actors in a general way and main topics to be covered. Unfortunately this is developed in a quite general way, as just following what already present in the Terms of Reference.

20 out of 35 for award criterion No 5:

Sufficient. Overall, the tender considers all aspect in an appropriate manner, but not providing original methods, therefore resulting quite academic exercise. However, work tasks are well structured. As task 1, an evaluation grid is setup to approach the problem definition, indicating and decoupling economic, environmental, safety and consumer impacts in an appropriate way. Task 2 specifies data aggregation methodologies. Task 3 defines data analysis, for both qualitative and quantitative aspects. Those activities are well defined, though not providing original proposals than just already consolidated study methods, as possible impacts are not already indicated for this specific exercise. Impact analysis of policy options is well structured. 3 case studies are also proposed. Though they are coherent with the study, they result in a limited added-value at this stage, as not taking into account outcomes coming from the preliminary data collection phases.

If you so request in writing, you may be informed of the name of the contractor to whom the specific contract has been awarded.

The contract can be signed only after a period of 10 calendar days starting from the day following the date on which this letter was sent. During this period you may submit any observations concerning the procurement procedure to the contracting authority. If it is not possible to conclude the contract as envisaged, we reserve the right to review our decision and to award the contract to another tenderer or to cancel the procedure.

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

Any request you may make and any reply from us, or any complaint for maladministration, will have neither the purpose nor the effect of suspending the time-limit for lodging an action for annulment of the present decision, which must be done within two months of notification of this letter. The court responsible for hearing annulment procedures is the General Court of the European Union:

General Court
Rue du Fort Niedergrünwald
L-2925 Luxembourg
tel.: (+352) 4303 1 fax: (+352) 4303 2100
URL: <http://curia.europa.eu>

Thank you for your interest in the work of the European Commission. We trust that it will be renewed in future procurement procedures.

Yours sincerely,



Gwendole Cozigou

