



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR ENERGY  
**Directorate B – Internal Energy Market**  
**Unit B 1 – Networks & Regional Initiatives**

## **CALL FOR TENDERS**

N° ENER/B1/2016-389

**STUDY ON RECOMMENDABLE UPDATES AND IMPROVEMENTS OF  
THE ENERGY SYSTEM-WIDE COST-BENEFIT-ANALYSIS FOR GAS  
(ART. 11 OF REGULATION (EU) 347/2013)**

# **TENDER SPECIFICATIONS**

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## **1. INFORMATION ON TENDERING**

### **1.1. Participation**

Participation in this procurement procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties, as well as to international organisations. It is also open to all natural and legal persons established in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the multilateral Agreement on Government Procurement<sup>1</sup> concluded within the World Trade Organisation applies, the participation to this procedure is also open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions it lays down.

### **1.2. Contractual conditions**

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

### **1.3. Compliance with applicable law**

The tender must comply with applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU<sup>2</sup>.

### **1.4. Joint tenders**

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

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

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

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

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

## **1.5. Subcontracting**

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

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

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

## **1.6. Structure and content of the tender**

The tenders must be presented as follows:

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

Part B: Non-exclusion (see section 4.1)

Part C: Selection (see section 4.2)

Part D: Technical offer

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

Part E: Financial offer

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

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

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

Part F: Power of attorney (for consortia only)

## **1.7. Identification of the tenderer**

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

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

stating their willingness to provide the services presented in the tender and in line with the present tender specifications.

All tenderers (including all members of the group in case of joint tender) must provide a signed Legal Entity Form with its supporting evidence. The form is available on:

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

The tenderer (including each member of the group in case of joint tender) must provide the following information in its tender if it has not been provided with the Legal Entity Form:

- For legal persons, a legible copy of the notice of appointment of the persons authorised to represent the tenderer in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation applicable to the legal person requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.
- For natural persons, if required under applicable law, proof of registration in a professional or trade register or any other official document showing the registration number.

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

The tenderer (or the leader in case of joint tender) must provide a Financial Identification Form with its supporting documents. Only one form per tender should be submitted. No form is needed for subcontractors and other members of the group in case of joint tender. The form is available on: [http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/index\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm)

The tenderer (and each member of the group in case of joint tender) must declare whether it is a Small or Medium Size Enterprise in accordance with [Commission Recommendation 2003/361/EC](#). This information is used for statistical purposes only.

## **2. TECHNICAL SPECIFICATIONS**

### **Background**

Since 2013 the European Commission (EC) has been coordinating the development of trans-European energy infrastructure under Regulation (EU) No 347/2013 on guidelines for trans-European energy infrastructure (Regulation)<sup>3</sup>. This infrastructure—encompassing nine geographic priority corridors, four in electricity and gas respectively, one in oil; and thematic areas in CO<sub>2</sub>-networks, E-highways and smart grids—is developed through specific projects called projects of common interest (PCIs).

The projects that qualify as PCIs are biannually selected into a Union list of PCIs (Union list) — the selection being a first step in a process followed by permitting and regulation in the Member States and possibility to obtain EU funding. The Union list is in turn based on regional lists, which are decided by regional groups involving relevant members from the Member States,

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<sup>3</sup> Regulation EU (No) 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009; OJ L, 25.4.2013, p.39 (Regulation).

National Regulatory Authorities (NRAs), transmission system operators (TSOs), the European Networks for the Transmission System Operators for electricity and gas (ENTSO-E and ENTSOG), the Agency for the Cooperation of Energy Regulators (ACER), and the EC. The second Union list was adopted on 18 November 2015<sup>4</sup>, and it replaced the first Union list of 2013.

A cost-benefit analysis (CBA) carried out according to the ENTSOE's methodologies for electricity projects and ENTSOG's methodologies for gas projects, forms a basis of the PCI selection. Pursuant to the Regulation (Article 11(6); Annex III.2), the methodologies can form the basis in two ways: through a CBA that was conducted earlier in connection with including a project candidate in a ten-year network development plan (TYNDP) or, in a few cases, through a CBA which was conducted specifically for the purposes of PCI selection. In either case, a CBA based on ENTSG's methodologies must be included in a project candidate's application package.<sup>5</sup>

The ENTSGs have prepared their current methodologies following a specific process laid down in Article 11(1)–11(5) of the Regulation. The process has involved an extensive consultation with stakeholders and receipt of the EC's and ACER's opinion prior to the adoption.

The regional groups gained first experiences from applying ENTSGs' methodologies to the PCI selection in connection with the process leading to the adoption of the second Union list on 18 November 2015. For the first time, project candidates originated from the TYNDPs or alternatively had separately crafted CBAs attached to their applications.

The first application round brought up issues to be improved. Essentially, the CBAs resulted in excessively detailed and complex outcomes, which made them ill-suited for PCI selection for two overriding reasons: the complex results did not correlate well with the PCI selection criteria laid down in the Regulation (Article 4; Annexes III, IV), nor did they support ranking of the projects, which is critical for the regional groups PCI selection.

Finally, the Regulation (Article 11(6)) mandates that the ENTSGs methodologies shall be updated and improved regularly. ACER on its own initiative or upon a duly reasoned request by national regulatory authorities or stakeholders, and after formally consulting the organisations representing all relevant stakeholders and the EC, may request such updates and improvements with due justification and timescales.

In view of the above, the EC is looking to procure an economic expert to prepare a study to identify how the ENTSOG's methodology can be modified and improved to make them better suited for PCI selection taking into account the PCI selection criteria laid down in the Regulation (Article 4; Annexes III, IV) and ranking of the projects. The study should propose how to remove the present complexity of the results and aim at fixing other shortcomings, which were already identified by ACER and the European Commission.

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<sup>4</sup> [https://ec.europa.eu/energy/sites/ener/files/documents/5\\_2%20PCI%20annex.pdf](https://ec.europa.eu/energy/sites/ener/files/documents/5_2%20PCI%20annex.pdf)

<sup>5</sup> ANNEX III REGIONAL LISTS OF PROJECTS OF COMMON INTEREST—2. PROCESS FOR ESTABLISHING REGIONAL LISTS [...] (4) After adoption of the first Union list, for all subsequent Union lists adopted, proposed gas infrastructure projects falling under the categories set out in Annex II.2 shall be part of the latest available 10-year network development plan for gas, developed by the ENTSO for Gas pursuant Article 8 of Regulation (EC) No 715/2009. (5) The project proposals submitted for inclusion in the first Union list which were not previously evaluated pursuant to Article 8 of Regulation (EC) No 714/2009 shall be assessed at Union-wide system level by:[...]. —[...] the ENTSO for Gas or by a third party in a consistent manner based on an objective methodology for projects falling under Annex II.2.

## **Objectives**

The contractor shall conduct a study with an aim of identifying recommendable updates or improvements to the present ENTSOG methodologies, also in view to suit the needs of decision-making bodies' PCI selection. The deliverables shall comprise a proposal for the elements of a methodology most suitable for PCI selection; a proposal for update and/or improvement of the present ENTSOG methodology; and an estimation of efforts for the process to adopt a new improved ENTSOG methodology.

The main objectives of the study are:

- To assess and recommend updates and improvements to the ENTSOG Energy System-Wide Cost Benefit Analysis Adapted Methodology of 13 February 2015  
[http://www.entsog.eu/public/uploads/files/publications/CBA/2015/INV0175-150213\\_Adapted\\_ESW-CBA\\_Methodology.pdf](http://www.entsog.eu/public/uploads/files/publications/CBA/2015/INV0175-150213_Adapted_ESW-CBA_Methodology.pdf) ,
- while taking into account the Study to support the definition of a CBA methodology for gas, a report prepared for the European Commission by Frontier Economics in June 2014  
<https://ec.europa.eu/energy/sites/ener/files/documents/Study%20to%20support%20the%20definition%20of%20a%20CBA%20methodology%20for%20gas.pdf> ,
- and the Opinion of the Agency for the Cooperation of Energy Regulators No 04/2014 of 13 February 2014 on the ENTSOG Cost-Benefit Analysis Methodology  
[http://www.acer.europa.eu/official\\_documents/acts\\_of\\_the\\_agency/opinions/opinions/acer%20opinion%2004-2014.pdf](http://www.acer.europa.eu/official_documents/acts_of_the_agency/opinions/opinions/acer%20opinion%2004-2014.pdf) .
- The task of the first three bullet points is to be undertaken on the basis of the tenderers own experience with cost-benefit analysis in the gas sector.
- The updates and/or improvements should detail on how to make best use of the work by ACER in regards to Article 11(7) in gas  
[http://www.acer.europa.eu/Official\\_documents/Acts\\_of\\_the\\_Agency/Publication/UIC%20Report%20-%20Gas%20infrastructure.pdf](http://www.acer.europa.eu/Official_documents/Acts_of_the_Agency/Publication/UIC%20Report%20-%20Gas%20infrastructure.pdf). It should also recommend possible improvements to and further utilisation of the aforementioned Report on unit investment cost indicators and corresponding reference values for electricity and gas infrastructure
- To conduct a survey among relevant stakeholder in order to identify further recommendable updates and improvements to the ENTSOG Energy System-Wide Cost Benefit Analysis Adapted Methodology of 13 February 2015.
- To have all findings prepared in a way that they can be used as a solid starting point for the Agency (ACER) when requesting updates or improvements to the methodology in accordance with Article 11 (6) of the TEN-E regulation.
- To estimate the efforts necessary on ACER and ENTSOG side in regards to timing, resources taking into account the legal requirements of consultation, due justification and timescale set out in Article 11(6) of the Regulation.

## **Tasks**

(i) Given the objectives of the study the contractor is asked to:

- **Task 1:** Assess the existing methodology and literature and determine the *elements of the CBA methodology, which have most potential for improvement while ensuring that the new methodology is more supportive to PCI selection*. The contractor shall in particular incorporate and elaborate on but not limit themselves to the following methodology items:
  - a methodology to assess the general criteria for PCI selection (Article 4.1; Annex II)
  - a methodology to assess cross-border cost allocation of the projects (Article 4.1; Annex IV.1)
  - a methodology to assess the specific criteria for gas projects (Article 4.2 (b); and
  - a methodology to rank the PCI candidates
- **Task 2:** To conduct a survey among relevant stakeholder in order to identify further recommendable updates and improvements to the ENTSOG Energy System-Wide Cost Benefit Analysis. The contractor shall in his survey in particular include but not limit themselves to the following targets:
  - a methodology to assess the general criteria for PCI selection (Article 4.1; Annex II)
  - a methodology to assess cross-border cost allocation of the projects (Article 4.1; Annex IV.1)
  - a methodology to assess the specific criteria for gas projects (Article 4.2 (b); and
  - a methodology to rank the PCI candidates
- **Task 3:** Prepare all findings in a way that it can be used as a solid starting point for the Agency (ACER) when requesting updates or improvements to the methodology in accordance with Article 11 (6) of the TEN-E regulation.
- **Task 4:** To estimate the efforts necessary on ACER and ENTSOG side and determine a functional process to adopt new improved ENTSOG methodologies—taking into account the consultation and timescale requirements of Article 11(6).

(ii) During the contract term, the contractor is asked to deliver to the EC the following documents (**deliverables**):

- **Proposal 1** for elements of improvement or update by own assessment in accordance with the requirements set out in Task 1;
- **Proposal 2** for elements of improvements or update in the view of the stakeholders in accordance with the requirements set out in Task 2;
- **Proposal 3** for an estimate of efforts and reasonable timeline to adopt new ENTSOG methodologies in accordance with the requirements set out in Task 3 and 4;
- **Final study report** providing the compilation of the proposals 1–3 and an executive summary, and

- **Power point presentation** in two versions: the full version covering all content from the final report and an executive version of a maximum of 8 slides highlighting key findings and recommendations.

### **Timetable**

The term of the contract is 10 months. The tasks and related deliverables shall be delivered by 30 June 2017. Execution of the tasks begins after the date on which the contract enters into force.

A kick-off meeting will take place in Brussels, at the latest 14 days following the entry into force of the contract, in order to settle all the details of the work to be undertaken.

A steering committee will be set up and meet together with the contractor at least 4 times in Brussels according to the table below in order to assess progress on the study.

The following timetable is contemplated:

<b>Milestone</b>	<b>Months</b>	<b>Achievement</b>
Entry into force	0	
Kick-Off Meeting	0,5	Timetable confirmed
Interim Report of internal assessment	4	Internal assessment completed
Interim Report on external consultation	6	Stakeholder consultation completed
Final Draft Report & Power Point Presentation	8	Pre-Steering-Committee Approval
Final Report	10	Work completed!

### **Miscellaneous**

#### **Relationship between the contractor and ENTSG**

In the course of carrying out the tasks and preparing the deliverables, the contractor may contact the authorised representatives of ENTSG. The contractor may request information and hold meetings with the ENTSG as it deems appropriate in view of the scope of the study. The EC will facilitate the contacts between the contractor and ENTSG.

#### **Ownership and right to use the deliverables**

The EC may publish the deliverables or parts thereof. For this purpose, the contractor must ensure that there are no restrictions based on confidentiality and/or intellectual property rights expected from a third party.

## **Financial offer**

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

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

The maximum budget for this contract is EUR 195,000. Tenders exceeding this amount are to be excluded by the Evaluation Committee.

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

The contractor must deliver reports and other deliverables as indicated below.

### **3.1. Content**

#### **3.1.1. Project-specific financial screening reports and the final report**

All deliverables have to be prepared in English and written in a clear and concise manner.

- **Proposals 1–3** shall conform to the scope and structure as set out under Tasks **1–4**. The contractor may deploy its own templates and layout for the proposals.
- The **final study report, the power point presentation and other possible deliverables** shall conform to the corporate visual identity of the EC by applying the graphic rules set out in the EC's Visual Identity Manual, including its logo<sup>6</sup>.

The **final report** shall include:

- an executive summary of maximum 1 page in English;
- the following standard disclaimer: “*The information and views set out in this study are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.*”; and
- specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

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<sup>6</sup> The Visual Identity Manual of the European Commission is available upon request. Requests should be made to the following e-mail address: [comm-visual-identity@ec.europa.eu](mailto:comm-visual-identity@ec.europa.eu).

### **3.1.2. Publishable executive summary**

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

- the following standard disclaimer:

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

- specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

### **3.2. Requirements for publication on Internet**

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

For full details on the Commission policy on accessibility for information providers, see: [http://ec.europa.eu/ipg/standards/accessibility/index\\_en.htm](http://ec.europa.eu/ipg/standards/accessibility/index_en.htm).

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

### **3.3. Structure**

Please see 3.1 above

### **3.4. Graphic requirements**

The contractor must deliver reports and all publishable deliverables in full compliance with the corporate visual identity of the European Commission, by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo. The graphic rules, the Manual and further information are available at:

[http://ec.europa.eu/dgs/communication/services/visual\\_identity/index\\_en.htm](http://ec.europa.eu/dgs/communication/services/visual_identity/index_en.htm)

A simple Word template will be provided to the contractor after contract signature. The contractor must fill in the cover page in accordance with the instructions provided in the template. The use of templates for studies is exclusive to European Commission's contractors. No template will be provided to tenderers while preparing their tenders.

## **4. EVALUATION AND AWARD**

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

- Verification of non-exclusion of tenderers on the basis of the exclusion criteria
- Selection of tenderers on the basis of selection criteria
- Verification of compliance with the minimum requirements set out in these tender specifications
- Evaluation of tenders on the basis of the award criteria

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

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

#### **4.1. Verification of non-exclusion**

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

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

In case of subcontracting, subcontractors whose share of the contract is above 20% and those whose capacity is necessary to fulfil the selection criteria must provide a declaration on honour signed by an authorised representative.

The successful tenderer must provide the documents mentioned as supporting evidence in the declaration on honour before signature of the contract and within a deadline given by the contracting authority. This requirement applies to each member of the group in case of joint tender, to subcontractors whose share of the contract is above 20% and to subcontractors whose capacity is necessary to fulfil the selection criteria.

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

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

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

## **4.2. Selection criteria**

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

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

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

### **4.2.1. Declaration and evidence**

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

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

The Contracting Authority will evaluate selection criteria on the basis of the declarations on honour. Nevertheless, it reserves the right to require evidence of the legal and regulatory, financial and economic and technical and professional capacity of the tenderers at any time during the procurement procedure and contract performance. In such case the tenderer must provide the requested evidence without delay. The Contracting Authority may reject the tender if the requested evidence is not provided in due time.

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

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

### **4.2.2. Regulatory capacity**

Not applicable

### **4.2.3. Economic and financial capacity criteria**

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

- **Criterion F1:** Turnover of the last two financial years above 200.000 € for each of the previous financial years. This criterion applies to the tenderer as a whole, i.e. the combined capacity of all members of a group in case of a joint tender.

**Evidence:**

- Copy of the profit and loss accounts and balance sheet for the last two years for which accounts have been closed from each concerned legal entity;
- Failing that, appropriate statements from banks;
- Evidence of professional risk indemnity insurance

If, for some exceptional reason which the Contracting Authority considers justified, a tenderer is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other document which the Contracting Authority considers appropriate. In any case, the Contracting Authority must at least be notified of the exceptional reason and its justification. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

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

##### **a. Criteria relating to tenderers**

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

- **Criterion A1:** The tenderer must prove experience in survey techniques, data collection, statistical analyses and development of cost-benefit-analysis in regards to socio-economic value in the energy sector, drafting reports and recommendations. The tenderer must provide a list of relevant services provided in the past three years, with sums, dates and recipients, public or private. The most important services shall be accompanied by certificates of satisfactory execution, specifying that they have been carried out in a professional manner and have been fully completed; the tenderer must prove experience in the field of technical advisory with at least 2 projects delivered in the field of cost-benefit-analysis with socio-economic background.

**Evidence A1:**

The tenderer must provide references for at least 2 projects delivered in the field of cost-benefit-analysis with socio-economic background in the last three years with a minimum value for each project of € 50.000.

- **Criterion A2:** The tenderer must prove capacity to work in one (English) EU official language;

**Evidence A2:** the tenderer must provide references for one project delivered in the last three years showing the necessary language coverage.

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

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

**b. Criteria relating to the team delivering the service:**

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

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

**B1 – Project Manager:** At least 5 years' experience in project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in project of a similar size and, with experience in management of team of at least 5 people.

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

**B2 – Language quality check:** at least two members of the team should have at least C1 level in the Common European Framework for Reference for Languages<sup>7</sup> in

**Evidence:** a language certificate or past relevant experience.

**B3 – Expert in development of socio-economic cost-benefits analysis:** Relevant higher education degree or equivalent professional experience and at least 10 years' professional experience in the field of socio-economic cost-benefit analysis..

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

**B4 – Expert in the gas sector with a focus on infrastructure development:** Relevant higher education degree or equivalent professional experience and at least 10 years' professional experience in the field of gas infrastructure development

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

**B5 – Expert in statistical analysis:** Relevant higher education degree or equivalent professional experience and at least 5 years' professional experience in the field of statistical analysis.

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

**B6 – Expert in organising surveys and interviewing stakeholders:** Relevant higher education degree or equivalent professional experience and at least 5 years' professional experience in the field of surveys and interviewing stakeholders

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

**B7 - Team for data collection:** collectively the team should have proven experience of 20 years in data collection techniques.

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

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<sup>7</sup> See [http://www.coe.int/t/dg4/linguistic/Cadre1\\_en.asp](http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp)

### 4.3. Award criteria

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

- **Quality of the proposed methodology** (70 points – minimum score 60%)

Sub-criterion 1.1 (30 points – minimum score 60%): Methodology for Task 1, pre-identification of problems in existing methodologies, and alternative scientific approaches for the method of Article 11 of the TEN-E regulation

Sub-criterion 1.2 (20 points – minimum score 60%): Methodology for Task 2, especially in regards to proposed stakeholders, proposed focus and survey techniques in regards to encouragement of participation

Sub-criterion 1.3 (10 points – minimum score 60%): Methodology for Task 3, especially in regards to comprehensive approach

Sub-criterion 1.4 (10 points – minimum score 60%): Methodology for Task 4, especially in regards to presentation techniques and proposed visualisations

- **Organisation of the work and resources** (20 points – minimum score 60%)

This criterion will assess how the roles and responsibilities of the proposed team and of the economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task. It also assesses the global allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the work. The tender should provide details on the allocation of time and resources and the rationale behind the choice of this allocation. Details should be provided as part of the technical offer. It is not a budget requested as part of the financial offer.

- **Quality control measures** (10 points – minimum score 60%)

This criterion will assess the quality control system applied to the service foreseen in this tender specification concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.

Tenders must score minimum 60% for each criterion and sub-criterion, and minimum 70 % in total. Tenders that do not reach the minimum quality levels will be rejected and will not be ranked.

### 4.4. Ranking of tenders

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

score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}}$	*	100	*	price weighting (30 %)	+	total quality score (out of 100) for all award criteria of tender X	*	quality criteria weighting (70 %)
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The tender ranked first after applying the formula will be awarded the contract.

## **5. ANNEXES**

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

## ANNEX 1

### IDENTIFICATION OF THE TENDERER

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

#### Call for tenders ENER/B1/2016-389

Identity	
Name of the tenderer	
Legal status of the tenderer	
Date of registration	
Country of registration	
Registration number	
VAT number	
Description of statutory social security cover (at the level of the Member State of origin) and non-statutory cover (supplementary professional indemnity insurance) <sup>8</sup>	
Address	
Address of registered office of tenderer	
Where appropriate, administrative address of tenderer for the purposes of this invitation to tender	
Contact Person	
Surname: First name: Title (e.g. Dr, Mr, Ms) : Position (e.g. manager): Telephone number: Fax number:	

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<sup>8</sup> For natural persons.

E-mail address:	
<b>Legal Representatives</b>	
<b>Names and function of legal representatives</b> and of other representatives of the tenderer who are authorised to sign contracts with third parties	
<b>Declaration by an authorised representative of the organisation<sup>9</sup></b>  I, the undersigned, certify that the information given in this tender is correct and that the tender is valid.	
Surname: First name:	Signature:

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<sup>9</sup> This person must be included in the list of legal representatives; otherwise the signature on the tender will be invalidated.

## ANNEX 2

### Declaration of honour on exclusion criteria and selection criteria

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

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

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

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

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

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

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

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

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

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

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

## **REMEDIAL MEASURES**

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

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

#### **EVIDENCE UPON REQUEST**

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

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

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

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

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

Full name

Date

Signature

## ANNEX 3

### POWER OF ATTORNEY

**mandating one of the partners in a joint tender as lead partner and lead contractor<sup>10</sup>**

The undersigned:

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

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

HEREBY AGREES TO THE FOLLOWING:

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

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

Signed in ..... on [dd/mm/yyyy]

Place and date:

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

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<sup>10</sup> To be filled in and signed by each partner in a joint tender except the lead partner.

ANNEX 4  
**DRAFT CONTRACT**

*Please see separate document*