

## OPEN INVITATION TO TENDER

### **'Supply of print and electronic books, electronic and print periodicals, document delivery services, electronic resources, press clipping services'** **AO/CID/COROM/Information Services/013/13**

REFERENCE: 2013/S 131-225513 09/07/2013

Dear Sir/Madam,

We thank you for the interest you have shown in this tender.

The purpose of this tender and additional information necessary to present a tender can be found in the attached Tender Specifications. You should note however the following important points concerning the submission of a tender and its implications.

1. Tenders (and documents included in them) should be submitted preferably in English, but in any case in one (or in any) of the official languages of the European Union.
2. Tenders may be submitted exclusively in one of the following ways:

**(a) by post** to be dispatched **not later than the date and time specified in the timetable in point 8 below**, in which case the evidence shall be constituted by the date of dispatch on the postmark or the date of the deposit slip, to the following post address of Cedefop :

**European Centre for the Development of Vocational Training (Cedefop),  
Procurement Service, Attention of Mr G. Paraskevaïdis  
PO Box 22 427  
GR – 55102 Thessaloniki, Greece**

Important:

*If using a postal service, tenderers must use a registered, reliable one. If no postmark has been stamped or if the postmark is not legible, Cedefop will accept deposit slip issued by the postal service, provided that this clearly indicates the date as filled in by the post office and not by the tenderer.*

Tenderers shall inform Cedefop by e-mail ([c4t-services@cedefop.europa.eu](mailto:c4t-services@cedefop.europa.eu)) or fax (+30 2310 490028):

- ✓ that they have submitted an offer in time, and
- ✓ that they request Cedefop to confirm receipt of the e-mail or fax.

Tenderers should not attach their offer to any of the above informative e-mail or fax.

or

**(b1) by courier service** to be dispatched not later than **the date and time specified in the timetable in point 8 below**, in which case the evidence shall be constituted by the date of dispatch to the address below or the date of the deposit slip,

or

**(b2) delivered by hand** not later than **the date and time specified in the timetable in point 8 below**, in which case a receipt must be obtained as proof of submission, signed and dated by the official in the above mentioned Service who took delivery,

to the following address (for points **(b1)** and **(b2)** above):

**European Centre for the Development of Vocational Training (Cedefop),  
Procurement Service, Attention of Mr G. Paraskevaïdis  
123, Europe Str,  
GR-57001 Thessaloniki-Pylea, Greece  
Tel: +30 2310 490111 / 490064**

Please note that Cedefop is open from 09h00 to 17h00, Monday to Friday. It is closed on Saturday, Sunday and Cedefop holidays.

3. Tenders must be submitted strictly adhering to the following.

Tenders must be submitted in a sealed envelope itself enclosed within a second sealed envelope. If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

The **outer envelope**, addressed simply to Cedefop (address depending on the means of submission, see point 2 above), should only bear additionally **the name and address** of the sender.

The **inner envelope**, addressed to the Procurement Service as indicated under point 2 above, must bear a self-adhesive label with the indication “**Open Invitation to tender – Not to be opened by the internal mail service**” and all the necessary information, as shown below:

<b>OPEN INVITATION TO TENDER</b>
<b>CEDEFOP No: AO/CID/COROM/Information Services/013/13</b>
<b>'Supply of print and electronic books, electronic and print periodicals, document delivery services, electronic resources, press clipping services'</b>
Name of tenderer: .....
<b>Lot(s) No.....[The number(s) of the lot(s) tendered for]</b>
<b>NOT TO BE OPENED BY THE INTERNAL MAIL SERVICE</b>

The inner envelope must also contain three sealed envelopes, namely, Envelope A – “Supporting Documents”, Envelope B – “Technical Proposal” and Envelope C – “Financial

Proposal". The content of each of these three envelopes is described in point 6 of the attached Tender Specifications.

4. Tenderers must ensure that their tenders are signed by an authorised representative and that tenders are legible. It is mandatory to include in the offer a **Cover Letter, signed by the person/s that is/are authorised to sign the contract in case of contract award, stating that the tenderer accepts in full and without restriction the requirements of these Tender Specifications, and the Special and General conditions governing this contract as the sole basis of this tendering procedure** (see also point 1 of the Tender Specifications).
5. **Submission of a tender implies acceptance of all the terms and conditions set out in this Invitation to Tender, in the specifications and in the draft contract and**, where appropriate, waiver of the tenderer's own general or specific terms and conditions. It is binding on the tenderer to whom the contract is awarded for the duration of the contract.
6. The opening of tenders will take place at Cedefop on the date and time specified in the timetable in point 8 below. Each tenderer may be represented at the opening of tenders by one person. The name of the person attending the opening must be notified in writing by fax (Fax No +30 2310 490 028) or by e-mail ([C4T-services@cedefop.europa.eu](mailto:C4T-services@cedefop.europa.eu)) at least two working days prior to the opening session.
7. Contacts between the contracting authority (Cedefop) and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

7.1 Contacts before the final date for submission of tenders:

- At the request of the tenderer, the Cedefop Procurement Service may provide additional information solely for the purpose of clarifying the tender documents. Any request for additional information must be made in writing by e-mail ([C4T-services@cedefop.europa.eu](mailto:C4T-services@cedefop.europa.eu)) or by fax (fax No +30 2310 490 028).

**Requests for additional information/clarification (if any) from potential tenderers should preferably be written in English and should be received by the date and time as specified in the timetable in point 8 below. No such requests will be processed after that date.**

- Cedefop may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tenders.

The Answers/Clarifications of Cedefop to the requests for additional information/clarification of the tenderers, including that referred to above, will be published on Cedefop's website under the same link where this Open Tender Procedure is announced (<http://www.cedefop.europa.eu/EN/working-with-us/public-procurements/calls-for-tenders.aspx>). **Tenderers must ensure that they visit regularly the site for updates up to the closing date for receipt of tenders.**

7.2 Contacts after the final date for submission of tenders and before opening:

- Tenderers should not contact the Contracting Authority (i.e. Cedefop) on their own initiative.

- Tenderers are not allowed to amend their offers, e.g. by completing the documents they sent, replacing them with amended ones or sending new documents initially not included in the tender, as this may lead to rejection of the tender at a later stage. Any such need for additional information/document identified by the Evaluation Committee during the evaluation process will be notified to the tenderer concerned at Cedefop's initiative, providing for a reasonable deadline for response (see also the provisions under the heading below).

### 7.3 Contacts after the opening of tenders:

- Tenderers should not contact Cedefop on their own initiative at that stage.
- If clarification on the compliance with the Eligibility and/or Selection Criteria is required or if obvious clerical errors in the tender need to be corrected Cedefop may contact tenderer/s in writing to obtain further clarification or documents on specific points of the tender or to correct obvious clerical errors.
- If the necessary information and/or supporting documents for the assessment of an award criterion are missing, these may not be requested as clarification if this might alter the proposal. Any requests for clarification in that regard should not lead to amendment of the terms of the tender. Tenderers must not modify their tender or add any new elements to it. The reply must therefore make clear reference to the relevant information already present in the file. This will serve solely the purpose to provide the Evaluation Committee with a clarification regarding the technical proposal provided the terms of the tender are not modified as a result.
- In regards to possible clarifications on obvious clerical errors in the Financial Offer, tenderers must not add any new prices, but only explain the quotation on the basis of elements and prices already present in the offer. In case a tenderer alters his financial offer during a clarification (beyond the correction of any obvious clerical/calculation errors), this offer will be automatically rejected.
- Tenderers should be prepared to reply to such requests for clarification within a short reasonable deadline as it will be stated in the request for clarification.

### 8. Timetable:

	DATE	TIME
Deadline for request for any clarifications from the Contracting Authority (Cedefop)	< <b>minimum 5 full working days before deadline for submission of tenders without counting the day of submission of offers and the last day we can get a request</b> >	17.00h
Last date on which clarifications are issued by Cedefop	< as soon as possible >	N/A
Deadline for submission of tenders (hand delivered)	19/08/2013	17.00h
Deadline for submission of tenders by post / courier	19/08/2013	N/A
Validity of the tenders	<Date for submission of offers + 6 months >	N/A
Tender opening session	30/08/2013	11.00h

9. Tenderers must maintain the validity of their tender for at least 6 months following the deadline of submission of tenders.

In exceptional cases, before the period of validity expires, Cedefop may ask the tenderers to extend the period for a specific number of days, which may not exceed 40.

The selected tenderer must maintain his tender for a further period of 60 days from the date of notification that his tender has been recommended for the award of the contract. The further period of 60 days is added to the initial period of 6 months irrespective of the date of notification.

10. All costs incurred in preparing and submitting tenders should be borne by the tenderers.
  11. Up to the point of signature, the contracting authority may either abandon the procurement or cancel the award procedure, without the candidates or tenderers being entitled to claim any compensation. If such decision is taken, the tenderers will be notified accordingly.
  12. This invitation to tender is in no way binding on Cedefop. Cedefop's contractual obligation commences only upon:
    - the signature of the Contract with the successful tenderer, or
    - the signature of an Order under the Framework Contract, whereby signature of the Framework Contract alone does not commit Cedefop to order.
  13. Evaluating your tender and your possible subsequent replies to questions in accordance with the specifications of the invitation to tender, will involve the recording and processing of personal data (such as your name, address and CV). Unless indicated otherwise, such personal data will be processed by Cedefop's Finance and Procurement Service solely for that purpose and pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of data by the Union institutions and bodies and on the free movement of such data. Details concerning the processing of your personal data are available on the privacy statement at: [http://ec.europa.eu/dataprotectionofficer/privacystatement\\_publicprocurement\\_en.pdf](http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf).
- You have the right of recourse at any time to the European Data Protection Supervisor for matters relating to the processing of your personal data
14. Your personal data (name, given name if natural person, address, legal form, registration number and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the Early Warning System (EWS) only or both in the EWS and Central Exclusion Database (CED) by the Accounting Officer of the Commission, should you be in one of the situations mentioned in:
    - the Commission Decision 2008/969 of 16.12.2008 on the Early Warning System (for more information see the Privacy Statement on [http://ec.europa.eu/budget/info\\_contract/legal\\_entities\\_en.htm](http://ec.europa.eu/budget/info_contract/legal_entities_en.htm)), or
    - the Commission Regulation 2008/1302 of 17.12.2008 on the Central Exclusion Database (for more information see the Privacy Statement on [http://ec.europa.eu/budget/library/sound\\_fin\\_mgt/privacy\\_statement\\_ced\\_en.pdf](http://ec.europa.eu/budget/library/sound_fin_mgt/privacy_statement_ced_en.pdf)).
  15. All tenderers will be informed in writing of the results of this tender procedure.

Yours sincerely,

<signed>

G. Paraskevaïdis

Head of Finance and Procurement

Attached: Tender Specifications



# **OPEN INVITATION TO TENDER**

***AO/CID/COROM/Information Services/013/13***

***'Supply of print and electronic books, electronic and print periodicals, document delivery services, electronic resources, press clipping services'***

**Tender Specifications**

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## Introduction to Cedefop: Europe's agency for training policy

Source: <http://www.cedefop.europa.eu/EN/about-cedefop.aspx>

To provide people with the skills they need, vocational education and training systems (VET) need to adapt quickly to changing demands. European VET policy's central aim is to promote excellence through VET. To make it both an attractive learning option for the brightest and best young people and adults and an effective way of helping those with low levels of qualification to develop their skills.

Cedefop, (the European Centre for the Development of Vocational Training) founded in 1975 and based in Greece since 1995, is a European Union (EU) agency. It provides the European Commission, Member States <sup>(1)</sup> and social partners with insights into trends concerning VET and offers advice on how European VET policy should meet the challenges Europe and its citizens face.

The evidence Cedefop provides comes from its:

- Monitoring of VET policy developments and reforms in Member States;
- Comparative research and analyses, including anticipation of future skill supply and demand;
- Forums for debates among policy-makers, social partners, researchers and practitioners on the best ways to tackle the challenges Europe faces.

### Cedefop's information

Cedefop shares its expertise through its publications, networks, conferences, seminars and web portal [www.cedefop.europa.eu](http://www.cedefop.europa.eu). The web portal provides news on Cedefop's major themes "Identifying skills needs", "Understanding qualifications", "Analysing policy" and "Developing lifelong learning". All Cedefop publications are available for download. Cedefop hosts and organises conferences and events throughout the year. Cedefop also coordinates the study visits programme for the European Commission. Study visits are short-term visits of three to five days for a small group of 10 to 15 specialists to examine a particular aspect of lifelong learning.

In addition to its web portal [www.cedefop.europa.eu](http://www.cedefop.europa.eu), Cedefop's work can be followed on Facebook at [www.facebook.com/cedefop](http://www.facebook.com/cedefop) and Twitter at [www.twitter.com/cedefop](http://www.twitter.com/cedefop).

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<sup>(1)</sup> Cedefop also works with Iceland and Norway.

## 1. OVERVIEW OF THIS TENDER PROCEDURE

In submitting his tender in response to this tender procedure, the tenderer accepts in full and without restriction the requirements of these Tender Specifications, and the Special and General conditions governing this contract as the sole basis of this tendering procedure, whatever his own conditions of sale and terms of business may be, which he hereby waives. No account can be taken of any reservation or disclaimer expressed in the tender as regards the tender dossier's Tender Conditions and Specifications and the Contract's Special and General Conditions. If necessary, clarification may be requested by the potential tenderer concerned while the tender submission phase is open – see point 7 of the Invitation to tender. Any reservation or disclaimer may result in the rejection of the tender without further evaluation on the grounds that it does not comply with the conditions of the Tender Dossier.

Tenderers are expected to examine carefully and comply with all instructions, forms, contract provisions and specifications contained in this tender dossier. Failure to submit a Technical and Financial Proposals containing all the required information and documentation may lead to the rejection of the tender.

### 1.1. Description and type of the contracts

- a) *Title of the contracts*: Information services (see title of each lot)
- b) Short description of content of these contracts: Cedefop intends to sign five (5) Framework Contracts for the supply of information products. The contracts will be used to cover the information needs of Cedefop in terms of print and electronic format books and periodicals, but also document delivery services and press clippings services.
- c) Type of contracts: Framework Contracts
- d) Framework Contracts whereby the products/*services* will be provided following the signature of Order forms throughout their validity. The number and content of Order Forms will depend on the needs of Cedefop.

### 1.2. Place of delivery

The physical products purchased from the Contractor will be delivered to Cedefop's premises by courier at the address:

Cedefop  
123 Europe str., 57001 Pylea  
Thessaloniki  
Greece

or by regular mail to our PO Box:

Cedefop  
PO Box 22427  
55102 Thessaloniki, Greece

### 1.3. Division into lots

This tender procedure is divided into the following five (5) Lots:

- Lot 1: Supply of print and electronic books;
- Lot 2: Subscription to electronic and print periodicals;
- Lot 3: Document delivery services;
- Lot 4: Subscription to electronic resources;
- Lot 5: Press clipping services

Tenderers may submit tenders for one or more lots (for one lot only, or any combination of lots, or for all the lots). Please note that in the case where you tender for more than one lot, a separate tender must be made for each lot; therefore, the common outer envelope must contain as many inner envelopes as the number of lots tendered for – see point 3 of the Invitation to tender. Each individual lot will be examined separately of any other lot and considered only in its entirety.

Tenderers may therefore not submit a tender that covers only part of a lot, or is declared as dependent, or being conditional, on the award of any other lot(s) included within the procurement procedure. Each lot will form a separate contract and the activities and/or quantities indicated for different lots will be indivisible. If the tenderer is awarded more than one lot, a single contract may be concluded covering all those lots.

### 1.4. Variants

Tenderers **may not** offer variant solutions to what is requested in the tender specifications. Cedefop will disregard any variants described in a tender, and reserves the right to reject such tenders without further evaluation on the grounds that they do not comply with the tender specifications.

### 1.5. Value or quantity of purchase

The estimated budget for the required services /supplies described in this call for tenders is of the order of **444,000 EUR (without VAT)** over a four (4) year period, as follows for each lot: Lot 1 – 15.000 €, Lot 2 – 46.000 €, Lot 3 – 3.000 €, Lot 4 – 40.000 €, Lot 5 – 7.000 €. Tenderers should be aware that the information on volume is purely indicative, shall not be binding on Cedefop and should not be considered as a warranty as to the final value of the contract. The sum of the amounts of the successive Order Forms that will be issued after the Framework Contract is signed may not reach the afore-mentioned estimated value for the Framework Contract. Cedefop will be contractually bound only by the amounts effectively entered in the successive signed Order Forms. The total value of the framework contract will ultimately depend on the orders which Cedefop may place through Orders Forms.

## 1.6. Duration of the contract

The contract shall enter into force on the date of signature of the last contracting party, shall have an initial duration of one (1) year and will be automatically renewed up to three (3) times, each for an additional period of one (1) year, covering a total acquisition period of four (4) years (1+1+1+1).

## 1.7. Main terms of payment

Payments will be made within 30 days of submission of invoices and at the conditions set out in the draft contract.

The contractor must supply Cedefop with original invoices.

All invoices must always specify:

- Framework contract reference;
- Order year and order reference;
- The title or service being invoiced;
- Subscription period for each title (for subscriptions to periodicals or electronic resources);
- The publishers' list price cost of the order expressed in Euros (for the lots where it is the case);
- Total price having applied the pricing formula agreed in the framework contract;
- Supplier's BIC/SWIFT and IBAN codes, Bank name and address;
- That the VAT exemption has been respected.

Invoices must be sent to:

Cedefop  
PO Box 22427  
55102 Thessaloniki, Greece

For LOTS 2, 4 and 5, the subscriptions to periodicals and electronic resources, the invoicing and payment should be carried out only after a subscription has been activated (i.e. after Cedefop has confirmed having received the first issue or access to the service).

For LOTS 1 and 3, books and document delivery, the invoicing and payment should be done on a regular basis but in such a way that the number of invoices and credit notes to be treated by Cedefop is reduced to a minimum (e.g. monthly). Invoicing and payment should be carried out only after the products have been delivered.

When Cedefop is entitled to a refund, a credit note for the corresponding amount will be issued.

No additional charges should appear on the invoice: the discount/service charge should include all charges.

## 2. TECHNICAL SPECIFICATIONS

The Technical Specifications for each of the lots (Lot 1 to Lot 5) are to be found in Annexes M1 to M5.

For the Framework Contracts the subsets of these services and/or supplies will make the object of specific forms (Order Forms) that will be submitted to the contractor throughout the period of validity of the Framework Contracts.

### 3. SPECIFIC INFORMATION CONCERNING PARTICIPATION TO THIS TENDER PROCEDURE

#### 3.1. Exclusion criteria

Participation to this tender is only open to tenderers who are in a position to subscribe in full to the Declaration on Exclusion criteria and Absence of conflict of interest, given in Annex C. Therefore all tenderers, all group (consortium) members (if any) and any subcontractor/s (identified as per the two bullet-points in the fourth paragraph of point 4.2 below) **MUST** provide the self-declaration found in Annex C duly signed and dated. The exclusion criteria will be assessed in relation to each company individually.

Cedefop reserves the right to check the situations described in points c) and f) of the declaration.

#### 3.2. Selection criteria

The selection criteria concern the tenderer's capacity to execute similar contracts.

The tenderers must submit documentary evidence (or statements, where required) of their economic, financial, technical and professional capacity to perform this contract.

Each and all requirements for economic and financial capacity should be fulfilled by the tenderer - alone (in the case of single tenderers) or as a whole (in case the tenderer is a grouping/consortium). Participation in tendering is open to all legal persons bidding either individually or in a grouping (consortium) of tenderers.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which he has with them. He must in that case prove to the contracting authority that he will have at his disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place their resources at his disposal. This obligation may be fulfilled by presenting signed statements from those entities. Please note that natural persons (individuals, freelancers) are also considered 'entities' for this purpose.

##### 3.2.1. Economic and Financial capacity

The tenderer must be in a stable financial position and have the economic and financial capacity to perform the contract.

Requirements:

- The average annual turnover of the tenderer for the last two financial years concerning the type of supplies and/or services covered in this call for tenders should be at least as follows for each lot:
  - Lot 1 – 15.000 €
  - Lot 2 – 46.000 €
  - Lot 3 – 3.000 €
  - Lot 4 – 40.000 €
  - Lot 5 – 7.000 €

### 3.2.2. Proof of economic and financial capacity (for all lots)

Must be furnished by the following document:

- Signed Statement (Please fill-in and sign your Statement in Questionnaire 2 of Annex G) of the tenderer's turnover for the last two financial years concerning the type of services and/or supplies similar in nature to those making the subject of this call for tenders.

In case of a consortium (grouping) or subcontracting each member of the consortium and all sub-contractors (in line with points 4.1 or 4.2 below) must provide the required statement for the economic and financial capacity, **but the assessment of whether the minimum requirement is met will bear on the consortium as a whole or the tenderer together with his subcontractors.**

In the event of recommendation for contract award the winning tenderer (single tenderer or in the case of a consortium (grouping) each member of the consortium) will be requested to prove the above by submitting Audited Financial Statements (Audited Profit and Loss Account/ Statement or equivalent) if these are foreseen by the respective national legislation. Should total subcontracting exceed 40% of the work by value, Cedefop reserves the right to request audited financial statements also from the subcontractors. For tenderers or sub-contractors (identified as per any of the two bullet-points in paragraph 4 of Art. 4.2 below) who are natural persons / freelancers, a tax declaration and tax clearance statement for the last two financial years will be requested.

If, for some exceptional reason the winning tenderer (or any consortium member or sub-contractor) is unable to provide one or other of the above documents (for each Lot), he or she will be required to justify the non-provision and may prove his economic and financial capacity by any other document which Cedefop considers appropriate. Cedefop reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

### 3.2.3. Technical and professional capacity

The Tenderers are required to have sufficient technical and professional capacity to perform the contract. They must demonstrate qualifications, knowledge, skills and the ability to perform the tasks outlined in the technical specifications.

Requirements:

- Enrolment in the relevant professional register allowing the contractor to provide these kind of services;
- Adequate structure and resources of the tenderer to perform the services described in the technical specifications comprising at least two (2) persons, among whom the project leader must have at least three (3) years of proven experience in the field covered by the invitation to tender. The other staff involved in the contract execution will have at least one (1) year of experience. They should prove English language communication abilities;
- At least three (3) years of experience in services similar to those required by the contract concerned;

- A network of partners and / or commercial contacts ensuring regular supply of the type of services and the geographical coverage relevant for the lot the tenderer is applying for. The tenderers should ensure that they are able to supply the products and services based on the sample lists relevant for each lot (Annexes L1 - L4). For Lot 5 the tenderers should ensure that they can cover the monitoring in all the required countries.

#### 3.2.4. Proofs / Evidences of Technical and professional capacity

The following documents or information must be presented by the tenderer to prove his technical and professional capacity to perform the proposed contract:

- Document for enrolment in the relevant professional register, as prescribed by the laws of the Member State, where the tenderer is established;
- CV of the project leader and one more staff, indicating the years of experience in the relevant field and the English language level;
- List of the main contracts performed in the past three (3) years similar to the scope, size and nature as those required in this call for tenders, describing the contracting authorities, the subjects, the amounts, the dates, the percentage and the specific tasks performed by the tenderer. The tenderer is required to give the names and contacts of at least two clients that can be contacted as references; **(please fill-in Annex G)**;
- The completed lists indicating the capability to provide Cedefop with all the items on the sample list(s). Tenderers should fill in the column "Availability" with Yes or No (see Annex L1 for Lot 1, Annex L2 for Lot 2, Annex L3 for Lot 3, and Annex L4 for Lot 4). For Lot 5 the tenderers should provide a list of partners or other type of proof should be offered.

In case of consortium or subcontracting, the consortium or the tenderer with all subcontractors together have to provide evidence of technical and professional capacity as a whole (please see also 4.1 and/or 4.2 below).

### 3.3. Legal Position

Tenderers may choose between submitting a joint offer (see 4.1) as a Consortium / Grouping or introducing a bid as a single tenderer, in both cases with the possibility of having one or several subcontractors (see 4.2). Whichever type of bid is chosen, the tender must stipulate the legal status and role of each legal entity in the tender proposed. To identify himself the tenderer must complete a Legal Entity Form found in Annex D which must be accompanied by all documents and information indicated in the form. Tenderers are also requested to complete the respective forms (tables) in Annex G.

The Legal Entity Form should be completed and signed by the representative(s) of the tenderer (who sign(s) the cover letter as per point 4 of the Invitation to tender) authorised to sign contracts with third parties.

The Legal Entity Form should not be submitted by sub-contractors (if any).

#### 4. ADDITIONAL INFORMATION CONCERNING PARTICIPATION TO THIS TENDER PROCEDURE

Participation in Cedefop tendering procedures is open on equal terms to all natural and legal persons or groupings of such persons (consortia) falling within the scope of the Treaties. It includes all economic operators registered in the EU and all EU citizens. Pursuant to Article 119 of the general Financial Regulation the participation is also open to all natural and legal persons from non-EU countries that have a ratified agreement with the European Union in the field of public procurement on the conditions laid down in that agreement. Cedefop can therefore accept offers from and sign contracts with tenderers from 34 countries, namely: the 28 EU member States, 3 EEA Countries (Lichtenstein, Norway, Iceland) and 3 SAA Countries (FYROM, Albania and Montenegro).

The procurement (tender) procedures of Cedefop are **not** open to tenderers from GPA countries.

A natural or legal person can take part (as an individual tenderer or as a member of a consortium submitting a tender) in only one tender. In the opposite case all tenders in which that person has participated may be excluded from the evaluation.

##### 4.1. Joint Offers/ Groupings (Consortia)

- Groupings (consortia), irrespective of their legal form, may submit a tender on condition that it complies with the rules of competition. A consortium may be a legally-established permanent grouping, or informally constituted group of tenderers submitting an offer (joint offer) for a specific tender procedure.
- Cedefop does not require consortia (if any) to have a given legal form in order to submit a tender, but reserves the right to require a consortium to adopt a given legal form before the contract is signed (if this change is necessary for proper performance of the contract). This can take the form of an entity with or without legal personality but offering sufficient protection of the contractual interests of Cedefop.
- If awarded the contract, the tenderers of the group (consortium) will have an equal standing towards Cedefop in executing it.
- A grouping (if any) of firms must nominate one party to be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration, and for coordination.
- Tenders submitted by consortia of firms must specify the role, qualifications and experience of each member or of the group (please fill-in the respective Questionnaires in Annex G).
- Each member of the group (consortium) must provide the required evidence for the exclusion and selection criteria. Concerning the selection criteria, the evidence provided by each member of the group (consortium) will be checked to ensure that the consortium as a whole fulfils the criteria.
- The offer has to be signed by all members of the group (consortium). However, if the members of the group so desire they may grant an authorisation to one of the members of the grouping (consortium). In this case they should attach to the offer a power of attorney

(see model in Annex I) authorising this company or person to submit a tender on behalf of the grouping (consortium). For groupings not having formed a common legal entity, Annex I, model 1 should be used and separate legal entity forms (see point 3.3 and Annex D) should be completed and signed by all members. For groupings with a legal entity in place, Annex I, model 2 and one legal entity form (see point 3.3 and Annex D) should be completed and signed only by the single representative of the consortium.

The contract will have to be signed by all members of the group (consortium). If the members of the group (consortium) so desire, they may grant authorisation to one of the members of the grouping by signing a power of attorney. The same model as above duly signed and returned together with the offer (Annex I) is valid also for signature of the contract.

Partners in a joint offer assume joint and several liability towards Cedefop for the performance of the contract as a whole.

#### **4.2. Subcontracting/Subcontractors**

Subcontracting is defined as the situation where a contract has been or is to be established between Cedefop and a contractor and where the contractor, in order to carry out that contract, enters into legal commitments with other entities for performing part of the service. If awarded, the contract will be signed by the selected Tenderer (the Contractor), who will be vis-à-vis Cedefop the only contracting party responsible for the performance of this contract. Cedefop has no direct legal commitment with the subcontractor(s).

The contractor retains full liability towards Cedefop for performance of the contract as a whole. Cedefop will treat all contractual matters (e.g. payments) with the contractor, whether or not some tasks are performed by a subcontractor. Under no circumstances can the contractor avoid liability towards Cedefop on the grounds that the subcontractor is at fault. Any subcontracting/subcontractor must be approved by Cedefop, either by accepting the bidder's tender, or, if proposed by the Contractor after contract signature, in writing by an exchange of letters. In the latter case subcontracting/subcontractor will be accepted only if it is judged necessary and does not lead to distortion of competition.

Tenderers are free to choose their subcontractors from both eligible and non-eligible countries. Thus, in principle all economic operators can act as subcontractors of eligible tenderers. However the sub-contracting of persons/ economic operators from non-eligible countries is limited to max 30% of the work by value.

The tenderer must clearly indicate the identity of each Subcontractor and the percentage of work by value that he will perform for this contract (please fill in Annex G).

##### **Only in cases when:**

- a Subcontractor undertakes between 10% and 40% of the work by value,
- the total subcontracting is above 40% of the work by value, independently of the individual Subcontractor's contribution to the work by value,

the tenderer should submit with the offer:

1. the Declaration on exclusion criteria and absence of conflict of interest (Annex C) filled-in and signed by the respective Subcontractor;
2. the required documents related to the economic/financial and technical/professional capacity of the Subcontractor as described in points 3.2.1 and 3.2.2;
3. the Form in Annex J (Model of Letter of Intent for Subcontractor/s) duly filled-in and signed by each respective Subcontractor, stating his unambiguous undertaking to collaborate with the tenderer if the latter wins the contract. Also should be stated the roles, activities and responsibilities of the subcontractor(s) and the extent of the resources that the respective subcontractor will put at the tenderer's /contractor's disposal for the performance of the contract.

N.B. The subcontractor(s) (if any) have to provide the documents to prove their capacity only for the parts of the contract that are relevant to them. The evidence provided will be checked to ensure that the tenderer with the subcontractor(s) altogether fulfil the criteria.

## 5. AWARD OF THE CONTRACT

Only the tenders meeting the requirements of the exclusion and selection criteria will be evaluated in terms of quality and price.

**The contract shall be awarded to the tenderer submitting the tender that offers the best-value-for-money as represented by the highest Total Score (TS) out of 100.**

The Total Score (TS), comprising quality + price score, will be calculated for each tender by applying the formula below:

$$\text{Total Score (TS)} = X \cdot (\text{TQV}/100) + Y \cdot (\text{Cheapest TFO} / \text{TFO})$$

Whereby:

**TQV = Total Quality Value** of the tender (as per points 5.1 and 5.2);

**TFO = Total Financial Offer** of the tender (as per points 5.3 and 5.4);

**X** is the weighting for quality score (TQV) and for this tender procedure it is fixed to (70);

**Y** is the weighting for price (TFO) and for this tender procedure it is fixed to (30).

**Cheapest TFO** is the Cheapest Tender Price of a technically compliant tender (i.e. among those having achieved a minimum of 50% of the possible score for each award (evaluation) criterion and in total a minimum of 60 out of 100 points (TQV) in the technical evaluation – see below).

### 5.1. Technical evaluation

The ~~evaluation~~<sup>5.1</sup> will be carried out lot-by-lot, based on the defined Award criteria.

The assessment of the technical quality will be based on the ability of the tenderer to meet the purpose of the contract as described in the tender specifications.

The following Award Criteria for the technical evaluation will be applied to this tender procedure, for each lot separately:

<b>Award criteria for Lot 1</b>	<b>Maximum number of points</b>
<b>1. Communication and customer relation</b>	<b>10</b>
Q1. Communication and customer relation	5
Q2. Training for the online systems	5
<b>2. Orders</b>	<b>40</b>
Q3. Acceptance and ability to provide the basic order requirements	5
Q4. Provision of online ordering system	15
<i>E-books orders</i>	
Q5. Provision of online ordering system for e-books	10
Q6. Licensing and other contact with the publishers	10
<b>3. Delivery</b>	<b>35</b>
Q7. Basic delivery services	10
Q8. Express delivery service	5
<i>E-books delivery</i>	
Q9. E-books delivery	5
Q10. Express e-books delivery	5
Q11. E-books delivery format	10
<b>4. Contract execution monitoring and incident management</b>	<b>15</b>
Q12. Monitoring and incident management requirements	10
Q13. Monitoring and incident management requirements for e-books	5
<b>Overall total score (Total Quality Value -TQV)</b>	<b>100</b>

<b>Award criteria for Lot 2</b>	<b>Maximum number of points</b>
<b>1. Communication and customer relation</b>	<b>6</b>
Q1. Communication and customer relation	3
Q2. Training for the online systems	3
<b>2. Orders</b>	<b>30</b>
Q3. Last order date	3
Q4. Acceptance and ability to provide the basic order requirements	3
Q5. Online ordering and management system	6
Q6. Online ordering and management system demo	3
Q7. Part year subscriptions	6
Q8. Back-issues order	3
Q9. Full access guarantee to all paid online back-issues	6

<b>3. Delivery</b>	<b>46</b>
Q10. Consolidated delivery offer and delivery policy	6
Q11. Periodicity of delivery	6
Q12. Ability to provide an online access system	10
Q13. Activation of the online subscriptions	6
Q14. Demo for the access system	3
<i>News-stand publications</i>	
Q15. News-stand publications delivery	6
Q16. News-stand publications delivery format	3
Q17. Delivery of online free version	3
Q18. Information about publication changes	3
<b>4. Claims and refund</b>	<b>6</b>
Q19. Claims and refund policy	6
<b>5. Invoicing and payment</b>	<b>3</b>
Q20. Invoicing policy	3
<b>6. Transfer of subscriptions from the previous Contractor and to the next Contractor</b>	<b>9</b>
Q21. Transfer of subscription from another Contractor	6
Q22. Transfer of subscription to another Contractor	3
<b>Overall total score (Total Quality Value -TQV)</b>	<b>100</b>

<b>Award criteria for Lot 3</b>	<b>Maximum number of points</b>
<b>1. Communication and customer relation</b>	<b>6</b>
Q1. Communication and customer relation	3
Q2. Training for the online systems	3
<b>2. Orders</b>	<b>60</b>
Q3. Online ordering and management system	12
Q4. Online ordering and management system demo	8
Q5. Integration of the ordering system with other systems	12
Q6. Delivery of not-in-the-collection documents	12
Q7. End-user orders	8
Q8. Other features regarding the order system	8
<b>3. Delivery</b>	<b>31</b>
Q9. Basic delivery requirements	12
Q10. Express delivery	8
Q11. Loan service	8
Q12. Other features of the delivery system	3
<b>4. Copyright policy</b>	<b>3</b>
Q13. Copyright for internal dissemination	3

<b>Overall total score (Total Quality Value -TQV)</b>	<b>100</b>
<b>Award criteria for Lot 4</b>	<b>Maximum number of points</b>
<b>1. Communication and customer relation</b>	<b>15</b>
Q1. Communication and customer relation	5
Q2. Incident management support	5
Q3. Training for the use of databases	5
<b>2. Orders</b>	<b>35</b>
Q4. Last order date	5
Q5. Acceptance and ability to provide the basic order requirements	10
Q6. Online ordering and management system	10
Q7. Online ordering and management system demo	5
Q8. Free trials offer	5
<b>3. Access delivery</b>	<b>40</b>
Q9. Activation of the online subscriptions	10
Q10. Access method (IP/user account)	5
Q11. Access outside Cedefop's premises	10
Q12. Unique access web interface	15
<b>4. Transfer of subscriptions from the previous Contractor and to the next Contractor</b>	<b>10</b>
Q13. Transfer of subscription from another Contractor	5
Q14. Transfer of subscription to another Contractor	5
<b>Overall total score (Total Quality Value -TQV)</b>	<b>100</b>

<b>Award criteria for Lot 5</b>	<b>Maximum number of points</b>
<b>1. Communication and customer relation</b>	<b>8</b>
Q1. Communication and customer relation	4
Q2. Training for the online systems	4
<b>2. Coverage</b>	<b>24</b>
Q3. Keyword monitoring	6
Q4. Geographic coverage	4
Q5. Type of sources coverage	4
Q6. Non relevant results filter	6
Q7. Geographic coverage outside minimum required	4
<b>3. Delivery of results</b>	<b>48</b>
Q8. Format of delivery	8
Q9. Speed of delivery	8
Q10. Alert system and online storage of clippings	8
Q11. Archive delivery	6

Q12. Correct display of non-Latin characters	6
Q13. Metadata collection	8
Q14. Translation of full-text articles	4
<b>4. Monitoring of the contract execution and reporting</b>	<b>12</b>
Q15. Reporting of the contract execution	4
Q16. Reporting of the results	8
<b>5. Copyright and dissemination</b>	<b>8</b>
Q17. Copyright for archival reasons	4
Q18. Copyright for dissemination	4
<b>Overall total score (Total Quality Value -TQV)</b>	<b>100</b>

In order to guarantee a minimum threshold of quality, offers that

- do not reach a minimum of 50% of the possible score for each award (evaluation) criterion, and/or
- obtain an overall total score (Total Quality value) of less than the total **60** (of a maximum of 100) points against the award (technical) criteria,

will not be considered acceptable and will be eliminated from further evaluation. Only the technically compliant (acceptable) tenders as per the above will be subject to Financial (Price) Evaluation (5.3).

## 5.2. Technical proposal

The tenderer's technical proposal should consist of a clear and comprehensive response to all requirements as per the Technical Specifications in point 2 above providing a practical, detailed description of the goods or services proposed for performance of the contract.

Tenderers are requested to organise the technical offer in headings or to structure it in such a way as to ensure that the content of the technical offer meets the requirements set out in the Technical Specifications as closely as possible and to facilitate the subsequent evaluation of tenders against the technical award criteria. It is up to the tenderer to present in his Technical Proposal a detailed organisation and methodology such that they fulfil (comply in full with) all requirements outlined in the Technical Specifications.

The Technical Proposal should prove that the Tenderer is capable of meeting the tender specifications, by providing all the information related to the scope of this service. All the information and means of proof provided in the tender commit the Contractor throughout the duration of the contract.

The tenderer shall identify a Project Manager within his organisation who will represent the single contact point for all administrative and operational communication in regards to the contract implementation. As appropriate, the Team leader (see 3.2.2.) can also act as Project Manager or two different persons can be identified. Cedefop will also designate the Contact Person in charge of handling the contact with the selected tenderer.

In addition to the above the tenderer must clearly specify which parts of the work will be subcontracted (if any) and specify the identity of those subcontractors only undertaking more than 10% of the work by value (or of *all* subcontractors if total subcontracting is above 40% of the work by value) as requested in point 4.2.

### 5.3. Financial evaluation

Financial offers should be evaluated for each lot.

Only tenders scoring in total 60 points or more (of a maximum of 100 points) against the technical award criteria and 50% or more of the possible maximum score for each award criterion will have their financial proposal evaluated. The evaluation will be made on the basis of the **Total Price** offered (**Total Financial Offer TFO**) per lot in the Price schedule table (see point 5.4).

The tenders are awarded points for the Total Price offered by using the following formula:

*$$\text{Financial score} = (\text{cheapest Financial Proposal} / \text{Financial Proposal of the tender considered}) * Y.$$*  
Where Y = price weighting (see the complete formula under point 5 above)

#### Information concerning price

- The pricing formula quoted must be fixed and not revisable for the entire duration of the contract.
- Prices must be quoted in EURO and include all expenses.
- Under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities, Cedefop is exempt from all charges, taxes and dues, including value added tax (VAT). Such charges shall therefore not be included in the calculation of the price quoted.

#### 5.3.1. Evaluation of abnormally low prices

If any tender's price appears to be abnormally low in relation to the *services / supplies* offered, and in order to check if the tender can be considered valid, the evaluation committee will, before it may reject this tender, send a request for clarifications to ask for explanations on the components of the tender which it considers relevant to the presumed abnormally low price and shall verify those constituent elements taking account of the explanations received. If in that relation the tenderer cannot explain his price on the basis of the economy of the services or supplies offered, or the method used, or the technical solution chosen, or the exceptionally favourable conditions available to the tenderer, the tender will be rejected.

A price will be considered abnormally low if the financial offer of any tenderer is lower with more than the acceptable margin of deviation from the average price of the other technically acceptable offers (please note that definition of which offers are technically acceptable/ compliant is given in points **5**, **5.1** and **5.3** above). The actual deviation will be calculated as % as follows:

*The difference between the average price of the other technically acceptable offers and the value of the presumably abnormally low financial offer will be divided by the average price of the other technically acceptable offers.*

The acceptable margin of deviation is set to 30%.

The approach of the Evaluation Committee to identify and eliminate abnormally low tenders will be the following:

- a) apply the acceptable margin of deviation from the average price of the other technically acceptable offers and set aside the offers that go beyond it;
- b) check if specific notes or specific items included in the offer justify to some extent the deviation; if not, or if inadequate, send relevant request for explanation(s) to the tenderer concerned;
- c) decide on the acceptability of the offer on the basis of the notes in the tender and/or the clarification reply received.

### 5.3.2. Financially unacceptable tenders

In the context of financial evaluation, the Evaluation Committee could find that tenders are unacceptable because the price is:

- abnormally low (see point 5.3.1);
- 15% or more above the estimated budget announced in these Tender Specifications (see point 1.5).

Such tenders will have to be rejected by the Evaluation Committee, independently of their quality value as determined in the preceding (technical) evaluation stage.

### 5.4. Financial Proposal

The Financial Proposal should indicate the total price in order to carry out all the activities indicated in the Technical specifications. The tenderers must fill-in the following Price schedule table and present a detailed breakdown of the price offered.

The Financial proposal should clearly match the Technical Specifications and the estimate of value (see point 1.5). All services that shall be procured should be included.

Please note that Cedefop estimates for quantities are indicative and do not constitute any kind of legal obligation for the Centre.

The VAT amount must be indicated separately below the Financial Offer Table for each Lot tendered for (this applies to tenderers established in Greece only).

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The Financial Offers will be checked for any arithmetical errors in computation and summation. Errors will be corrected by the evaluation committee as follows:

- where there is a discrepancy between a unit price and the total amount derived from the multiplication of the unit price and the quantity, the unit price as quoted will be the price taken into account. Tenderers will be requested to confirm in writing the corrected calculation so that it may eventually be included in the contract.

## 6. INFORMATION ON PRESENTATION AND CONTENT OF TENDER

It is important that tenderers provide all documents necessary to enable the evaluation committee to assess their tender. Tenderers should fully respect the instructions indicated under points 2, 3 and 4 of this open invitation to tender.

In addition, below you will find details of the required documentation.

### 6.1. Envelope A - Supporting documents

One original and one copy of:

- cover letter, signed by the person/s (name and position) that is/are authorised to sign the contract in case of contract award
- the exclusion criteria declaration requested in point 3.1 and standard template found in Annex C;
- the selection criteria documents as requested in points 3.2, 4.1, 4.2;
- Questionnaires 1 – 4 as found in Annex G;
- Power of Attorney (Model 1 or 2), as required in point 4.1 (if applicable) and found in Annex I;
- Model of Letter of Intent for Subcontractor/s as required in point 4.2 (if applicable) and found in Annex J;
- the Legal Entity Form as requested in point 3.3 and found in Annex D;
- the Financial Identification Form as found in Annex E;
- the checklist found in Annex F.

In the case of tenders submitted by groupings (consortia) or involving contribution by subcontractors, envelope A should also contain all relevant documentation as requested in points 4.1 and 4.2 respectively (with reference to points 3.1, 3.2 and 3.3).

### 6.2. Envelope B – Technical proposal

One original signed version and three copies of:

- the Technical Proposal providing all information requested in point 5.2, including information relevant to subcontracting, if any, as requested in point 4.2.

### 6.3. Envelope C – Financial proposal

One original signed version and three copies of:

- the Financial Proposal (Annex H of the relevant Lot) containing all information requested in point 5.4.

# **ANNEX A**

## **Contract Notice**

(Given as a separate file in \*.pdf format)

# **ANNEX B**

## **Draft Contract**

**(Given as a separate file in \*.pdf format)**

# **ANNEX C**

## **Declaration of honour with respect to the Exclusion Criteria and absence of conflict of interest**

**(Given as a separate file in \*.doc format)**

# ANNEX D

## Legal Entity Form

Legal Entity Form to be downloaded, depending on the nationality and legal status of the tenderer, from the following website:

[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)

Legal Entity Form to be completed and signed by a representative of the tenderer (group leader in case of consortium, with indication of entity, name and function) authorised to sign contracts with third parties. It should not be signed by sub-contractors (if any).

# ANNEX E

## Financial Identification Form

To be downloaded, depending on the nationality of the tenderer, from the following website:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/financial\\_id/financial\\_id\\_fr.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_fr.cfm)

and completed and signed by an authorised representative of the tenderer (group leader in case of consortium, with indication of entity, name and function), but not by subcontractors.

**PLEASE NOTE:**

Please indicate the BIC (Bank Identification Code) in the REMARKS box of the downloaded form.

# ANNEX F

## Check list of mandatory documents

(Given as a separate file in \*.doc format)

# **ANNEX G**

## **Questionnaires 1-4**

**(Given as a separate file in \*.doc format)**

# ANNEX H

Financial Proposal

**To be filled-in separately for each LOT**

**(Given as a separate Word file)**

# **ANNEX I**

## **Models of power of attorney**

**(Given as a separate file in \*.doc format)**

# **ANNEX J**

## **Model of Letter of Intent for Subcontractor/s**

**(Given as a separate file in \*.doc format)**

# ANNEX K

## GLOSSARY OF TERMS

<b>Budget breakdown</b>	The schedule which breaks down the contract value according to the different items or services, stating out fee rate, unit prices and lump sums for each item provided (Services, Supplies, Works).
<b>Consortium</b>	A grouping of eligible natural and legal persons or public entities which submits a tender or an application, under a tender procedure or in response to a Call for Tenders. It may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. All members of a consortium (i.e., the leader and all other partners) are jointly and severally liable to the Contracting Authority (Cedefop).
<b>Contract</b>	<p>Direct Contract: contract containing all the details necessary to implement it (as opposed to FWC)</p> <p>Framework Contract (FWC): contract establishing only the general outline of the services or goods to be delivered and requiring an additional step to make the actual purchase</p> <p>Specific Contract or order form: contract specifying details of a particular task based on the previously signed framework contract</p> <p>Purchase Order: request for services, supplies or works used generally for procurement of a value below €25 000 as an equivalent to a contract</p>
<b>Contracting Authority</b>	Cedefop
<b>Evaluation committee</b>	A committee made up of an odd number of members (at least three) with the necessary technical and administrative expertise to give an informed opinion on tenders.
<b>Fee-based contract</b>	A contract under which the services are provided on the basis of fixed fee rates for each day worked by experts (SERVICES).
<b>Financial offer</b>	The part of a tender which contains all the financial elements of the tender, including its summary budget and any detailed price breakdown or cash-flow forecast required by the tender dossier.
<b>Framework contract (FWC)</b>	<p>A framework contract is a contract concluded between Cedefop (the Contracting Authority) and an economic operator for the purpose of laying down the essential terms governing a series of specific contracts and/ or Order Forms to be awarded during a given period, in particular as regards the duration, subject, prices, conditions of performance and the quantities envisaged.</p> <p>Cedefop may also conclude multiple framework contracts, which are separate contracts with identical terms awarded to a number of suppliers or service providers.</p>

<b>General conditions</b>	The general contractual provisions setting out the administrative, financial, legal and technical clauses governing the execution of all contracts of a particular type.
<b>Lump Sum Contract</b>	A contract under which the services are performed for an all-inclusive fixed price (SERVICES).
<b>Open procedure</b>	Calls for tenders are open where all interested economic operators may submit a tender.
<b>Project</b>	The project in relation to which the services/works/supplies are to be provided under the contract.
<b>Project manager</b>	The person responsible for monitoring the implementation of a project/contract on behalf of Cedefop.
<b>Service contract</b>	A contract between a service provider and Cedefop for the provision of services such as technical assistance or studies (SERVICES).
<b>Services</b>	Activities to be performed by the Contractor under the contract such as technical assistance, studies, training and designs (SERVICES).
<b>Special Conditions</b>	The special conditions laid down by Cedefop (the Contracting Authority) as an integral part of the tender specifications (tender dossier), including amendments to the General Conditions, clauses specific to the contract and the terms of reference (for a service contract) or technical specifications (for a supply or works contract).
<b>Successful Tenderer</b>	The tenderer selected at the end of a tender procedure for the award of contract.
<b>Supplier</b>	Any natural or legal person or public entity or consortium of such persons and/or bodies offering to supply products (SUPPLIES).
<b>Supplies</b>	All items which the Contractor is required to supply to Cedefop (the Contracting Authority), including, where necessary, services such as installation, testing, commissioning, provision of expertise, supervision, warranty, maintenance, repair, training and other such obligations connected with the items to be provided under the contract (SUPPLIES).
<b>Supply contract</b>	Supply contracts cover the purchase of products. A contract for the supply of products and, incidentally, for siting and installation shall be considered a supply contract.
<b>Tender</b>	A written or formal offer to supply goods, perform services or execute works for an agreed price and under agreed conditions.
<b>Tender dossier</b>	The set of tender specifications which contains all the documents needed to prepare and submit a tender.
<b>Tender specifications</b>	Document or set of documents giving full details of the conditions, organisation and subject of the procurement procedure (includes technical specifications).

<b>Tender Price</b>	The sum stated by the tenderer in his tender for carrying out the contract.
<b>Tender procedure</b>	The overall process of putting a contract out for tender, starting with the publication of a contract notice and ending with the award of the contract (contract award notice).
<b>Tenderer</b>	A natural or legal person or consortium thereof submitting a tender with a view to concluding a contract.
<b>Technical Specifications</b>	The document drawn up by Cedefop (the Contracting Authority) setting out its requirements and/or objectives in respect of the provision of supplies (or works), specifying, where relevant, the methods and resources to be used and/or results to be achieved (SUPPLIES, WORKS).
<b>Terms of Reference (ToR)</b>	The document drawn up by Cedefop (the Contracting Authority) setting out its requirements and/or objectives in respect of the provision of services, specifying, where relevant, the methods and resources to be used and/or results to be achieved (SERVICES).
<b>Warranty obligations</b>	The warranty of the Contractor towards Cedefop that the supplies are new, unused, without defects, of the most recent models and incorporate all recent improvements in design and materials.

Where Services, Supplies or Works are not specified the definition applies to all types of contracts.

# **ANNEX M**

**Technical Specifications  
For each lot separately**

**(Given as separate file in \*.doc format)**