

Technical Annex

Reporting Mechanism under the Environmental Noise Directive

Open call for tender: EEA/EAS/2004/005

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1. BACKGROUND INFORMATION

The Environmental Noise Directive 2002/49/EC (the ‘END’) aims at defining a common approach intended to avoid, prevent or reduce on a prioritised basis the harmful effects, including annoyance, due to exposure to environmental noise. In addition, it aims at providing a basis for developing Community measures to reduce noise emitted by the major sources. In the latter respect, the Directive requires Member States to provide the Commission with specific information and data (hereinafter referred to as “reporting requirements”). It is of utmost importance that the data reported is as harmonised and reliable as possible, so as to allow the best possible use of this data by various stakeholders. At the same time the reporting burden for the Member states needs to be kept as low as possible.

2. OBJECTIVES

In order to ensure that the data provided under the END is as accurate and harmonised as possible, the Commission services in cooperation with the European Environment Agency plan to establish a reporting mechanism for use by Member States. It would follow the principles of Reportnet¹, and consist of a guidance document describing the variables and information to be reported and an electronic facility for the Member States to transfer or make the information available.

The present document describes the work to be undertaken in order to establish such an electronic questionnaire (called ‘the questionnaire’ from now on) and guidance on its use. This work should be carried out in close cooperation with the European Commission working group “Assessment of exposure to noise” (WG-AEN), whose

¹ Reportnet is a system of integrated IT tools and business processes creating a shared information infrastructure optimised to support European environmental reporting. More information and all tools are available at: <http://www.eionet.eu.int/reportnet.html>

tasks cover *inter alia* the provision of guidance on strategic noise mapping and the issue of data reporting under the END.

3. DESCRIPTION OF THE TASKS

3.1. Scope of work

The scope for the present contract covers the preparation of a questionnaire covering all the reporting requirements from Member States to the Commission as laid down in Directive 2002/49/EC, and the provision of guidance on the use of such a questionnaire. An indicative list of these reporting requirements is provided below, but the reference document to be considered is the Directive:

Requirement	Ref. in Dir. 2002/49/EC	Latest date
MS* shall inform the Commission of any relevant criteria used in drawing up action plans	Art. 8.3	No deadline
MS inform the Commission of major infrastructures (roads > 6M vehicles/year, rail > 60.000 train passages/year, airports >50.000 movements/year) and agglomerations (>250.000 inhabitants) covered by strategic noise mapping	Art. 7.1	30 June 2005
MS make information on competent authorities and bodies responsible for implementing the directive (in particular for making, where relevant approving, and collecting noise maps and action plans) available to the Commission and to the public	Art. 4.2	18 July 2005
MS communicate information to Commission on any relevant noise limit value together with explanations about the implementation of the limit values	Art. 5.4	18 July 2005
MS send information on strategic noise maps to the Commission	Art. 10.2 & Annex VI	31 Dec 2007
MS inform the Commission of major infrastructures (roads > 3M vehicles/year, rail > 30.000 train passages/year, airports >50.000 movements/year) and agglomerations (>100.000 inhabitants) covered by strategic noise mapping	Art. 7.2	31 Dec 2008
MS send information on action plans to the Commission	Art. 10.2 & Annex VI	18 Jan 2009
MS inform ("every 5 years") the Commission of major infrastructures (roads > 6M vehicles/year, rail > 60.000 train passages/year, airports >50.000 movements/year) and agglomerations (>250.000 inhabitants) covered by strategic noise mapping	Art. 7.1	30 June 2010
MS send information on strategic noise maps to the Commission	Art. 10.2 & Annex VI	31 Dec 2012
MS send information on action plans to the Commission	Art. 10.2 & Annex VI	18 Jan 2014

* MS: Member States

3.2.Procedure

Execution of this contract must take place outside the premises of the EEA. For the successful completion of the tasks regular contacts need to be maintained with the



Commission's working group "Assessment of exposure to noise" for steering and feedback. As the WG meets infrequently, the contacts will be maintained mainly through email, although the tenderer should forecast its participation to at least one meeting of the working group. To ensure compatibility with Reportnet principles, and to ensure that final results are correctly included in Reportnet tools the consultants will keep regular contact with the technical staff at the EEA. In addition, a kick off meeting and a final presentation meeting with the Commission/EEA services should be counted on.

3.3. Tasks

While some of the reporting requirements of the END appear to be quite straightforward, others may be more problematic, in particular with respect to END's Annex VI requirements considering the possible differences in accuracy and comparability between Member States. This will mainly concern the data derived from strategic noise maps, and particular attention should therefore be paid to the possibilities to provide the relevant meta-information on strategic noise mapping techniques. Therefore, the work required will be split into 2 stages:

Stage 1 – elaboration of a reporting questionnaire: following the reporting requirements laid down in the END, a reporting questionnaire shall be prepared². A first draft should be provided in English, while the final version should be provided in English, German and French. The questionnaire should be in first instance prepared in paper format (based on Excel or Word files) to allow WG-AEN and other stakeholders to comment. After approval the requirements should be transferred in the format deemed most appropriate for this type of reporting based on the practices in the member states, which could still be Excell but equally well an automatically generated XML based web questionnaire derived from Reportnet tools or another format compatible with online reporting. During this process the Reporting Obligations Database, and possibly the Data Dictionary maintained by the EEA as part of the Reportnet tools will need to be checked and if necessary updated.

Stage 2 – elaboration of a report providing guidelines and recommendations to those authorities responsible for filling in the questionnaire: this report should be provided in the English language, and should address the various data reporting requirements as identified during the elaboration of the questionnaire. In general, the guidance document³ provided for the air quality reporting questionnaire is an example of the type of document required.

Particular attention shall be paid to the data referred to in Annex VI of the END. In order to ensure that maximum comparability amongst Member States is achieved, the

² See for an example which uses excel sheets as the data transfer mechanism for reporting under two air quality directives: the questionnaire at: http://europa.eu.int/comm/environment/air/questionnaire/questionnaire2001_839_2001_en.xls and the guidance document at: http://europa.eu.int/comm/environment/air/pdf/guideline_on_questionnaire.pdf

³ See footnote 2

report should address issues linked to the accuracy of the input required to produce strategic noise maps. Indeed, the final accuracy of strategic noise mapping (based on calculation) and the production of associated data on noise exposure that member states need to undertake to satisfy the requirements of the END will depend on several factors. These factors include the availability, quality and currency of input data. Therefore the report will identify all the different types of input data (source related, meteorological, geographical and demographical) that Member States will need to acquire or estimate in order to undertake strategic noise mapping and provide the date required in Annex VI of the END. The version 1 of the Good Practice Guide for Noise Mapping⁴ established by WG AEN shall be used as part of the work on data availability and accuracy. As part of this process, sensitivity tests shall be carried out to determine what effect inadequacies and inaccuracies in the different types of data will produce in strategic noise maps and related exposure data to be reported. The results of the sensitivity tests shall be included in the guidance report, so as to help Member States identify how best to use their resources to acquire new data. These sensitivity tests should provide specific numerical sensitivities for the various parameters used in typical computation methods for road, rail and air traffic noise and industrial noise, including the interim computation methods⁵. Close consultation with WG AEN on the choice of the parameters and typical methods to be scrutinised should be foreseen by the successful tenderer as part of its work programme.

4. EXPERIENCE REQUIRED BY THE CONTRACTOR

The successful candidate will be expected to have experience in the field of noise assessment and management, in particular regarding the elaboration of noise maps and related data issues.

5. DURATION OF THE CONTRACT.

The contractor is expected to start work on the date of signature of the contract, and the duration of the work is set to a period of 8 months.

6. VALIDITY OF THE OFFER

The offer should be valid for a period of 3 months from the date of submission.

⁴ Good Practice Guide available at:
http://www.europa.eu.int/comm/environment/noise/home.htm#noise_mapping

⁵ See Commission recommendation of 6 August 2003 concerning the guidelines on the revised interim computation methods for industrial noise, aircraft noise, road traffic noise and railway noise, and related emission data (OJ L 212, 22.8.2003), avail. at
<http://www.europa.eu.int/comm/environment/noise/home.htm>



7. REPORTS AND DOCUMENTS/DELIVERABLES.

The contractor is required to submit a draft reporting questionnaire in English 3 months after the signature of the contract. A draft final report (for content see below) must be submitted 6 months after the beginning of the contract and the final report (for content see below) should be submitted 8 months after the date of signature of the contract.

The draft and final reports shall contain the two following parts:

- a questionnaire in the English, German and French languages, in both paper format and editable electronic format (e.g. Excel spreadsheet) covering all the reporting requirements of the END;
- a report providing guidelines and recommendations to those responsible for filling in the questionnaire, in the English language.

8. METHOD OF PAYMENT

Payment will be made in three instalments:

30% within 30 days upon receipt by the Agency of a request for pre-financing following the signature of the contract,

40% within 30 days upon approval by the Agency of the *Draft Report*,

The balance within 30 days upon approval by the Agency of the *Final Report*.

9. CONTRACT

The winning tenderer will be awarded a service contract.

10. SUBMISSION OF TENDERS

In drawing up the bid, the tenderer should bear in mind the provisions of the standard service contract attached to this invitation to tender (Annex I).

The tender must include:

- all the information and documents required by the authorising department for the appraisal of tender, on the basis of the Contract awarding criteria (Section 14);
- the filled-out identification sheet (Annex III);
- the price in accordance with the Budget and prices requirements (Section 11);
- an indication of the proportion of the contract which the tenderer may intend to subcontract.



Submission

The tender must be submitted following the Procedure for submitting an offer (Annex VII). The tender must be submitted 52 days from the dispatch of notice of the invitation to tender in the Official Journal.

11. BUDGET AND PRICES

a. Prices

Prices must be fixed amounts in EUR. Offers must be given for the total services, as well as daily rates, broken down as necessary. The estimate of costs should be based on Annexes I/IV of these specifications and include any travel required to meet representatives of the Agency, and to participate at meetings specified above (cf. section 3.2). Estimated travel and subsistence costs must be indicated separately.

b. Travel and subsistence costs

Travel and subsistence costs likely to be incurred in the course of execution of the contract are not covered by daily rates. The maximum amount of travel and subsistence expenses payable for the services provided are to be included in the total project budget but must be indicated separately and will not be taken into account when awarding the contract.

Travel and subsistence expenses shall be reimbursed in accordance with the rules and conditions relating to the payment of missions expenses in force at the Agency (Annex IV). Travel costs in addition to those specified will not be reimbursed.

c. Budget

The maximum budget available is EUR 100 000 (including fees, travel and all other costs).

The European Environment Agency is exempt from all taxes and dues, including value added tax, pursuant to the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities with regard to its financial contribution under the contract.

12. EXCLUSION CRITERIA:

Potential contractors will be excluded from participation in the contract procedure:



- a) if they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - b) if they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
 - c) if they have been guilty of grave professional misconduct proven by any means, which the contracting authority can justify;
 - d) if they have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established, the country of the contracting authority or the country where the contract is to be performed;
 - e) if they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
 - f) if, following another contract or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.
- **Potential contractors must certify that they are not in one of the situations listed above by providing:**

- i) for points a), b) and e), a recent extract from the judicial record or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied;
- ii) for point d), a recent certificate issued by the competent authority of the State concerned. Where no such certificate is issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in their country of origin or provenance;

Depending on the national legislation of the country in which the tenderer or candidate is established, the documents referred to in paragraphs i) and ii) shall relate to legal persons and natural persons including, where considered necessary by the contracting authority, company directors or any person with powers of representation, decision-making or control in relation to the candidate or tenderer.



iii) Potential contractors must sign and attach the declaration concerning the exclusion criteria and any conflict of interest (See Annex VI).

2. Contracts will not be awarded to potential contractors or tenderers in the following cases:

a) **If there is a conflict of interest:**

Potential contractors or tenderers must state that they:

- are not involved in any conflict of interest in connection with the contract;
- have not made and commit themselves not to make any offer of any type whatsoever from which an advantage could be derived in connection with this contract;
- have not agreed to, have not sought, or accepted any advantage,

financial or other, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract, to or from any party whatsoever.

b) **Are guilty of misrepresentation** in supplying the information required by the contracting authority as a condition of participation in the contract procedure or fail to supply this.

13. SELECTION CRITERIA

Tenderers' technical and professional capacity:

- Experience as evidence by the qualifications, both educational and professional, of the service provider or contractor and those of the firm's managerial staff and, in particular those of the person or persons responsible for carrying out the service/work. Curriculum vitae must be provided.
- A reference list of relevant previous projects over the past 3 years must be provided, indicating the sums involved, dates, recipients, public or private, evidence of performance will be in the form of certificates issued or countersigned by the competent authority.

Tenderer's financial standing:

Evidence of financial and economic standing by furnishing one or more of the following references:



- statements from bankers
- balance sheets or extracts from balance sheets of the last three years
- a statement of overall turnover and turnover relating to the relevant supplies, works or services.

Authorisation to perform the contract:

- The tenderer must prove that he is authorised to perform the contract under national law, as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation or entry in the VAT register.

Access to the market:

- The tenderer must indicate in which State they have their headquarters or domicile and to present the supporting evidence normally acceptable under their own law.
- The tenderer must indicate its languages capacity to show its ability to deliver the reporting questionnaire in English, German and French.

14. AWARD CRITERIA.

The contract will be awarded to the tenderer whose offer is the most economically advantageous, provided that the minimum number of points is achieved, taking into account the following criteria:

1. Understanding: this criterion is used to assess whether candidates have taken into consideration all of the aspects of the tasks required, such as they appear above, as well as of the contents of the proposed end product.
2. Methodology: the degree to which the methodology shows the capacity to resolve the questions underlying in the tender in a realistic and well-structured way, as well as whether the methods proposed are suited to the needs set out in the technical annex.
3. Project management: this criterion relates to the quality of project planning and organisation of the team with a view to managing a project of this nature.

Points system:

The points system used to evaluate the award criteria is the following:



Points: A maximum of 20 points shall be attributed to criterion 1, 30 points to criterion 2 and 30 points to criterion 3. Selected companies will have to score a minimum of 10 points for criteria 1 and 20 points for criteria 2 & 3 with a minimum total of 50 points.

Price: The bid offering the best value for money will be chosen, providing the minimum number of points is achieved. This is calculated by dividing the price by the number of points awarded.

ANNEXES:

Annex I: Model service contract

Annex II: General Terms and Conditions

Annex III: Identification sheet

Annex IV: Reimbursement of travel expenses

Annex V: VAT and Excise Duty exemption

Annex VI: Self declaration of exclusion

Annex VII: Procedure for submitting the offer