

Framework service contract for the provision of

Support in statistical and probabilistic issues related to spatial integration and data processing supporting environmental assessments

Reference: Open call for tenders EEA/NSV/11/001

Closing date: 27/06/2011

1. Introduction to EEA

The European Environment Agency (EEA) is a European Union public body governed by Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009¹. The EEA role is to support the European Union in the development and implementation of environmental policy by providing relevant, reliable, targeted and timely information on the state of the environment and future prospects. The EEA also provides the necessary independent scientific knowledge and technical support to enable the Union and the member countries to take appropriate measures to protect and improve the environment as laid down in the Treaty and by successive Community action programmes on the environment and sustainable development. Currently, the EEA has 32 member countries.

There are approximately 200 staff members working at the EEA. These staff members come from a wide range of national, professional and cultural backgrounds. Their functions at the EEA vary from environment-related research and data-analysis to administrative or managerial tasks.

Further information about the work of EEA can be obtained on its website: http://www.eea.europa.eu.

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¹ OJEU L 126 of 21.5.2009, p. 13.

2. Presentation of the tender

Tenders shall be submitted in accordance with the double envelopes system:

The outer envelope or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:

- The call for tenders reference No EEA/NSV/11/001
- The contract title "Support in statistical and probabilistic issues related to spatial integration and data processing supporting environmental assessments"
- The name of the tenderer
- The indication "Tender Not to be opened by the internal mail services"
- The address for submission of tender (as specified in the letter of invitation to tender)
- The date of submission shall be legible on the outer envelope or parcel

The outer envelope or parcel must contain three inner envelopes, i.e. Envelope No 1, 2 and 3, corresponding to the following three sections: administrative section, technical offer and financial offer.

(a) Envelope No 1 - Administrative section shall include the following:

- o The Tender submission form drawn up in accordance with the template in annex 1
- The declaration on exclusion criteria as required under section 11.1.2 drawn up in accordance with the template in annex 2
- The legal entity form as required under section 11.2.1 drawn up in accordance with the template in annex 3
- The financial identification form drawn up in accordance with the template in annex 4
- The evidence and documentation demonstrating the fulfilment of the selection criteria as required under sections 11.2.2 (economic and financial capacity) and 11.2.3 (technical and professional capacity)

(b) Envelope No 2 – Technical offer shall include the following:

The technical offer providing all information requested under sections 6, 7 and 11.3.1 including information relevant to subcontracting as requested under section 4.3.

(c) Envelope No 3 - Financial offer shall include the following:

The financial offer providing all information requested under sections 10 and 11.3.2, drawn up in accordance with the template in annex 5.

Tenders shall be drafted in one of the official languages of the European Union, **preferably in English** (supporting evidence does not need be translated) and submitted **in triplicate** (one signed original unbound and two copies).

It is important that tenders be presented in the correct format and include all documents necessary to enable the evaluation committee to asses them. Failure to respect these requirements will constitute a formal error and may result in the rejection of the tender.

Tenderers shall observe precisely the indications in points 2, 3, 4 and 6 of the letter of invitation to tender to ensure their tender is admissible. Late delivery will lead to non-admissibility of the tender and its rejection from the award procedure for this contract. Offers sent by e-mail or by fax will also be non-admissible and discarded. Envelopes found opened at the opening session will also lead to non-admissibility of the tender. Consequently, tenderers must ensure that their tenders are packed in such a way as to prevent any accidental opening during its mailing.

3. Confidentiality and protection of personal data

For the processing of this tendering procedure, the EEA observes the rules set in Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by Community institutions and bodies and on the free movement of such data (OJEU L 8 of 12.1.2001, p. 1).

For further detailed information please refer to the privacy statement attached as annex 7 to these tender specifications.

4. Participation in the tendering procedure

Submission of a tender implies acceptance of the terms and conditions set out in the invitation to tender, in these tender specifications and in the draft framework contract attached to the latter (see annex 6) 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.

4.1. Eligibility

This call for tender is open on equal terms to all natural and legal persons from one of the 32 EEA member countries and to all natural and legal persons established in a third country which has a special agreement with the European Union in the field of procurement on the conditions laid down in that agreement.

As proof of eligibility tenderers must indicate in which country they have their headquarters, registered office or residence, and provide the necessary supporting documents in accordance with their national law. If the tenderer is a natural person, he/she must provide a copy of identity card/passport or driving license and proof that he/she is covered by a social security scheme as a self-employed person.

4.2. Application

All eligible and natural persons (as per above) or groupings of such persons (consortia) may apply.

A consortium may be a permanent, legally established grouping or a grouping, which has been constituted informally for a specific tender procedure. If awarded the contract, the members of the consortium (i.e. the leader and all other partners) will have an equal standing towards the EEA in executing the framework service contract and they will be jointly and severally liable to the EEA.

The participation of ineligible natural or legal persons will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

The EEA will not request consortia to have a given legal form in order to be allowed 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 to the EEA contractual interests (depending on the member countries concerned this may be, for instance, incorporation or partnership or a temporary association). Consortia must identify one of their members as coordinator who will interface with the EEA.

Each member of a consortium or group of service providers must fulfil the conditions for participation mentioned in sections 4.1 above and 4.2 and provide the required documents listed in these tender specifications under sections 11.1 and 11.2 below. Therefore, each member of a consortium or group of service providers shall specify his role, qualifications and experience.

4.3. Sub-contracting

A contractor may subcontract part of the services.

Tenderers must state what part of the work, if any, they intend to subcontract, and to what extent (for instance % of the total contract value), specifying the names, addresses and legal status of the subcontractors.

Legal persons must provide a document containing a list of the professional qualifications of the subcontractors. If awarded the contract, contractors may not choose subcontractors other than those mentioned in the bids unless they obtain the prior written authorisation of the EEA. The overall responsibility of the work remains with the contractor.

Contractors must ensure that Article II.17 of the draft framework contract (see annex 6 to these tender specifications) can be applied to subcontractors. Once the contract has been signed, Article II.13 of the above-mentioned draft framework contract shall govern subcontracting.

5. Contractual terms

In drawing up their bid tenderers should bear in mind the provisions of the standard framework contract attached to these tender specifications (annex 6).

6. Subject of contract

6.1 Context of the contract

The EEA mandate is "to support sustainable development and to help achieve significant and measurable improvement in Europe's environment through the provision of timely, targeted, relevant and reliable information to policy-makers, public institutions and the public".

The terms "significant", "measurable" and "reliable" indeed require carrying out all necessary data processing with the appropriate statistical soundness. For the purposes of these tender specifications, the term "statistical" should be understood in its widest acceptation and addresses all statistical and probabilistic concepts and techniques that help understand the relationships between figures having random and uncertain components and assessing their likelihood or uncertainty.

The challenge posed by these three terms is accentuated further by the term 'improvement' that explicitly underscores that trends and forecasts should be established and their likelihood assessed.

In line with the EEA Strategy 2009-13, three out of four key objectives in the EEA Annual Management Plan 2011 may require statistical support:

Objective 1: "Resource efficiency, the green economy and physical ecosystem accounting",

Objective 2: "Climate change mitigation and adaptation". This objective includes e.g. the addressing and basic understanding of vulnerability of populations and natural systems in a possibly changing climate,

Objective 4: "Supporting environmental reporting within the European Neighbourhood Policy and the Arctic".

By nature, available observations of environmental data are at different time and space scale and different quality, and in most cases they have been collected without any statistical guidelines. Considering the requirements for soundness, on the one hand, and domains of environmental assessment, on the other, developments in EEA tasks necessitate a) increasingly frequent use of statistical methods and appropriate use of the related tools with the precautions required by the very broad range of data quality, especially in integration of spatial data, and b) re-sampling of existing heterogeneous data sets, especially in the data processing related to accounting of ecosystems at large and quantifying the relationships between pressures (possibly estimated from driving forces) and observations.

Another developing domain is the increasing use of outcomes from statistical surveys to populate spatial data (providing attributes values to features) and the redesigning of data-flows based on statistical sampling and stratification.

The expertise currently available to the EEA, either through its in-house staff or the European Topic Centres (ETCs), primarily covers statistics through the use of statistical packages. However, this expertise is not sufficient to address the specific, complex and non-standard questions raised by spatial integration and data processing in complex situations.

6.2 Purpose of the contract

Spatial integration and environmental assessment consist of combining different sources of information using specific procedures and models designed to produce expected answers to complex questions. In many cases, the available data sets come from various sources, address several themes and comprise multiple scales. Some may be rather static (no change of date or not dated), others are rather dynamic, covering a range or a series of years/periods.

The purpose of this framework contract is to support the EEA in analysing the complex issues it has to address and together find the soundest statistical solution within the constraints of data quality, availability and time.

Samples of the most common types of questions that the EEA has to respond to are:

- Can the observed trend in the spatial area of observed variable X be assessed as being different to the trend of variable Y? What is the certainty of the assessment? Does the trend have a measurable probability of being inconsistent considering characteristics X, Y, etc.?
- In which time slot will variable X in this spatial area meet target T? What is the certainty of the assessment?
- What is the likelihood (i.e. 'probability' or other index) that characteristic X in this area will be met, considering the existence (probability/distribution/observed frequency) of characteristics Y, Z, etc. in this exact area and in its neighbouring areas? To which extent can the probability of meeting characteristic X be analysed (reported) as a proportion in the area? How can the information from different neighbouring/unconnected areas be combined?
- To which extent could observations made under a certain programme be used/considered as a sample of a population of objects? Conversely, how can better strata be defined when the types that can be used are, by nature, fuzzy and intertwined?
- How can some missing data in a time series best be reconstructed, under certain constraints (minimise bias, maximise likelihood, etc.), assuming that criteria for defining such responses may be rather fuzzy, especially when the objective is to assess the existence of trends?

Another important class of possible questions is related to the appropriate processing of values each being below a certain capture threshold but the total of which is huge, for example where a spatial area is analysed by cells, none of which are designed to capture a value below the resolution inside the cell, but where the total across all cells is very significant. This type of issue is likely to raise serious biases in accounting and has no satisfactory response.

This is typically an issue related to Land and Ecosystem Accounts (LEAC) (when considering linear features) and related to the analysis of fragmentation/connectivity in complex landscapes and using the available data sets.

Whereas the sample questions are deliberately neutral and general, work performed under the contract is expected to provide practical solutions that can be applied in a timely manner with the available data and with limited consumption of resources.

7. General obligations of the tenderer

7.1 General services and deliverables

Expected services under this framework contract will aim at reinforcing the EEA by providing specialised expertise in the following areas:

- In close cooperation with EEA project managers, identify and define relevant questions;
- Suggest and rationalise sound statistical (sensu lato) solutions to the defined questions;

- Suggest ways of implementing solutions, including proxy solutions if the scientifically-backed solution cannot be implemented in a simple, practical or economical way;
- If required, process the data, developing the ad hoc methods, and compute results;
- · Review and comment proposed solutions and reports.

7.2 Qualifications

The tenderer should provide evidence of the following qualifications:

- Strong expertise in practical use and application of statistics (as defined under 6.1) with
 proven experience in probabilistic approaches, backed by appropriate scientific evidence. In
 this context, 'statistics' is defined as the science that applies to samples or populations, for
 which distribution or uncertainty laws are known (or considered achievable), whereas
 'probabilities' address the way of obtaining information (and deriving conclusions) from a
 sample or population of any size, and where the distribution and uncertainty laws are unknown
 (or cannot be achieved);
- Appropriate experience in solving problems within the fields of the EEA mandate as documented by a list of similar services provided in the past maximum 5 years.
- Ability to present the suggested solutions in a popular and easily-understandable way to make
 it accessible to users who do not necessarily have a strong mathematical background as
 documented by a list of publications.

8. Place of delivery of the services

The services shall mainly be performed at the contractor's premises with occasional meetings (estimated three meetings for one person per year) at the EEA in Copenhagen. Other meetings will be done by video-conference.

9. Type and volume of contract

The successful tenderer will be awarded a framework contract for a period of 48 months, starting from the date of signature. The services will be implemented through Specific contracts depending on the EEA's demand. Based on the EEA's current level of activities the value of the contract is estimated at EUR 300,000.00 over a period of 48 months covering all services.

10. Price

Tenderers are required to quote prices for the services to be provided as follows:

- o Prices must be quoted per category as described under 11.3.2 (below).
- Prices quoted must be <u>all-inclusive</u> (inter alia of administrative and travel costs to Copenhagen) and expressed in euro, including for tenderers established in countries that are not part of the euro zone. For tenderers in countries that do not belong to the euro zones, the price quoted may not be revised in line with exchange rate movements. It is for the tenderer to select an exchange rate and assume the risks or the benefits deriving from any variation.
- No additional expenses incurred in the performance of the services will be reimbursed separately by EEA.
- The price quoted must be fixed and not subject to revision during the first year of duration of the contract.

From the beginning of the second year of duration of the contract, prices may be revised upwards or downwards each year, where such revision is requested by one of the contracting parties by registered letter no later than three months before the anniversary of the date on which it was signed.

The EEA shall purchase on the basis of the price in force on the date on which specific contracts are signed. Such prices shall not be subject to revision.

The revision shall be determined by the trend in the harmonised consumer price index published by the European Commission on Eurostat web page (Theme 2 – Economy and Finance; Price. HICP – Harmonised Indices of Consumer Prices; HMIDX – Monthly data (index); GEO – Eurozone; COICOP – cp00).

Revision shall be calculated in accordance with the following formula:

Pr = Po x (0.2 + (0.8 x Ir/Io))

Where:

Pr = revised price;

Po = price in the original tender;

Io = index for the month in which the validity of the tender expires;

Ir = index for the month corresponding to the date of receipt of the letter requesting a revision of prices.

Under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities and the Headquarters Agreement between the Agency and the Government of Denmark of 17 August 1995, the Agency is exempt from all charges, taxes and dues, including value added tax; such charges may not therefore be included in the calculation of the price quoted; the VAT amount must be indicated separately.

The costs incurred in preparing and submitting tenders are borne by the tenderers and cannot be reimbursed.

11. Criteria

11.1. Exclusion criteria

- 11.1.1. Tenderers shall be excluded from participation in the procurement procedure if:
- (a) 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) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
- (c) they have been guilty of grave professional misconduct proven by any means which the EEA can justify:
- (d) 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 or with those of the country of the EEA or those of the country where the contract is to be performed;
- (e) 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) following another procurement procedure 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.

The cases referred to in paragraph 11.1.1 (e) above shall be the following:

(a) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests established by the Council Act of 26 July 1995 (OJ/C 316 of 27.11.1995, p. 48);

- (b) cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, established by Council Act of 26 May 1997 (OJ/C 195 of 25.6.1997, p. 1);
- (c) cases of involvement in a criminal organisation, as defined in Article 2(1) of joint Action 98/733/JHA of the Council (OJ/L 315 of 29.12.1998, p. 1);
- (d) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC (OJ/L 166 of 28.6.1991, p. 77).

Exclusion from awarding:

In addition, contracts may not be awarded to tenderers who, during the procurement procedure:

(a) are subject to a conflict of interest;

Tenderers must declare:

- that they do not have any conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest;
- that they will inform the EEA, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest;
- that they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- that they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract.

The EEA reserves the right to verify the above information.

- (b) are guilty of misrepresentation in supplying the information required by the EEA as a condition of participation in the contract procedure or fail to supply this information;
- (c) find themselves in one of the situations of exclusion, referred to in paragraph 11.1.1 above, for this procurement procedure.

11.1.2. Evidence to be provided by the tenderers

When submitting their bids, each tenderer (including subcontractor(s) or any member of a consortium or grouping) must provide a declaration on their honour, duly signed and dated, stating that they are not in any of the situations mentioned under paragraph 11.1.1 above. For that purpose, they shall complete and sign the form attached as annex 2 to these tender specifications.

The tenderer to whom the contract is to be awarded shall provide within 15 calendar days following receipt of the letter informing him of the proposed award of the contract and preceding the signature of the contract, the evidence specified in the last but one paragraph of the form attached as annex 2 to these tender specifications confirming the declaration aforementioned.

11.2. Selection criteria

11.2.1. Legal capacity

Any tenderer is required to 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. To that effect, each service provider (including subcontractor(s) or any member of a consortium or a

group of service providers) is required to submit a legal entity form (see annex 3) duly filled out and signed, accompanied by a copy of inscription in trade register and/or a copy of inscription in VAT register, where applicable. However the subcontractor(s) shall not be required to fill in or provide those documents when the services represent less than 20 % of the contract.

11.2.2. Economic and financial capacity

Evidence of economic and financial capacity shall be furnished by (one or more of) the following documents:

- o appropriate statements from banks or evidence of professional risk indemnity insurance;
- the presentation of balance sheets or extracts from balance sheets for at least the last two years for which account have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established;
- a statement of overall turnover and turnover concerning the services covered by the contract during the last two financial years.

If, for some exceptional reason, which the EEA considers justified, a tenderer is unable to provide the references requested above, he may prove his economic and financial capacity by any other means which the EEA considers appropriate.

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 it has with them. It must in that case prove to the EEA 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.

11.2.3. Technical and professional capacity

Tenderers should show their degree of technical and professional capacity to carry out the requested tasks by providing information on the criteria described below. If several service providers or subcontractors are involved in the tender, the selection criteria for the technical and professional capacity will be assessed in relation to the combined capacities of the service providers and subcontractors, as a whole, to the extent that service providers or subcontractors put their resources at the disposal of the tenderer for performance of the contract.

o Human resources:

Tenderers shall provide the following documents:

CVs detailing the educational and professional qualifications of the staff designated to provide the services indicating the required professional experience as follows:

- Persons responsible for providing the services: Minimum 1 CV for a senior expert, with at least 5 years' experience and minimum 3 CVs for junior experts, possibly with different backgrounds, with at least 2 years' experience;
- A list of publications of relevance to the fields of expertise described under 7.2 (above).

o Past contracts:

Tenderers shall provide a list of similar services provided in the past maximum five years, indicating the value, dates and recipients of the services (public or private).

Quality control and customer service:

Tenderers shall provide a description of the measures employed to ensure the quality of services.

Subcontracting:

Tenderers shall provide an indication of the proportion of the contract which the service provider may intend to subcontract. If subcontracting is **not** envisaged, the tenderer shall clearly state so in the tender submission form (see annex 1).

If subcontracting is envisaged as part of this contract, tenderer shall provide a statement of the service provider's policy on the use of subcontractors, and of the means of ensuring quality and confidentiality when subcontractors are used.

NB: Tenderers must acknowledge that the EEA reserves the right to request at a later stage tenderers to provide documentation in relation to exclusion and selection criteria for any proposed subcontractor (see section 4.3 above).

o Environmental policy:

Tenderers shall provide a description of their environmental policy specifying the status of implementation. In the event of a joint offer submitted by a consortium or a grouping of service providers, **each member** of the consortium or grouping shall provide the requested description.

11.3. Award criteria

The assessment method that will be used to determine the choice of the tender will be based on the criteria given below, on the basis of the economically most advantageous tender (quality/price ratio):

- Quality of the tender (Technical merit TM)
- Financial value of the tender (Price P)

11.3.1. Technical merit (TM) (max. 80, min. 55 points)

Tenders will be evaluated following the award criteria and weights outlined below, producing a total potential score of 80 points.

No	Award criteria	Maximum points (80)	Minimum points (55)
1	Understanding of the objectives of the contract and the work to be carried out		
	Tenders will be evaluated in terms of their appreciation and understanding of the aims and context of the work to be undertaken as documented in a description (max. 3 A4 pages), and their overall quality, completeness and presentation	30	20
2	Quality and relevance of the description of the approaches proposed in response to the sample cases in annex 8 (maximum 5 A4 pages)	50 (10 points per sample case)	33

Only tenders which obtain the indicated minimum number of points, both for each award criterion and in total, will be considered for the next stage, which involves determining the financial value of the tender (price index) and for the final assessment.

11.3.2. Price (P) (max. 20 points)

Tenderers are requested to submit a financial offer indicating the **all-inclusive** (i.e. including all relevant costs and expenditures such as management and administrative costs, etc.) average daily rate in **euro** for the following categories of expertise:

Profile	Daily rate (EUR)
Senior expert (SE)	
Junior expert (JE)	
Administrator/Secretarial support (A)	

The total calculated average of which will be taken into account for the price calculation as follows:

TOTAL (average): $P_{AVG} = (1SE + 3JE + 1A) / 5$

For that purpose, tenderers shall complete the price quotation attached as annex 5 to these tender specifications. Tenderers shall bear in mind that all fields are compulsory and non-compliance will lead to exclusion of the tender from the award process.

Tenders meeting all mandatory requirements including the minima for technical merit will score points in function of the following formula $P = (P_{min}/P_0) \times 20$, where

P = the sum of the calculation,

P_{min} = the lowest price offered among the received tenders;

 P_0 = the price of the tender being considered

11.3.3. Final Assessment

A framework contract will be awarded to the tenderer whose tender achieves the highest total score for technical merit and price (TM + P). Should tenders obtain the same final score and tie for first place, the winning tender will be decided on the basis of the highest score achieved for price.

12. Performance

Competence in both selection and award criteria must be maintained throughout the framework contract. Should the contractor fail to do this during the validity of the framework contract, another vender from the tenders may be chosen.

13. Environmental Considerations

The EEA runs a certified environmental management system (EMAS) and aims to minimise the environmental impact of all its activities, including those carried out under contract. The future contractor will, therefore, be requested to consider the EEA environmental management guidelines in the implementation of the contract, in particular, those relating to business travel/electronic means of communication, paper and energy consumption. Further information on the **EMAS** system can be found on the EEA homepage: http://www.eea.europa.eu/documents/emas.

Moreover, it is strongly recommended that tenders are submitted in an environmentally friendly way, e.g., by choosing a simple and clear structure (list of contents and consecutive page numbering), double-sided printing, limiting attachments to what is required in the technical specifications (no additional material) and avoiding plastic folders or binders.

14. Annexes

Annex 1: Tender submission form

Annex 2: Declaration on exclusion criteria

Annex 3: Legal entity form

Annex 4: Financial identification form

Annex 5: Price quotation

Annex 6: Draft framework contract and draft specific contract

Annex 7: Privacy statement

Annex 8: Sample cases