



EUROPEAN COMMISSION

Executive Agency for Small and Medium-sized Enterprises (EASME)
Department A – COSME, H2020 SME and EMFF
Unit A1 – COSME

Call for tenders EASME/2020/OP/26

WORTH Partnership Project II

“Boosting competitiveness and innovation capacity of SMEs through creative partnerships and the use of new technologies - Worth Partnership II”

GRO/SME/20/C/05

Open procedure

TENDER SPECIFICATIONS

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1. SCOPE AND DESCRIPTION OF THE PROCUREMENT

1.1. Contracting authority: who is the buyer?

This call for tenders is launched and managed by the Executive Agency for Small and Medium-sized Enterprises¹, referred to as the *Contracting Authority* for the purposes of this call for tender, acting under the powers delegated by the European Commission.

1.2. Subject: what is this call for tenders about?

The subject of this call for tenders is: boosting competitiveness and innovation capacity of SMEs through creative partnerships and the use of new technologies - Worth Partnership II.

1.3. Lots: is this call for tenders divided into lots?

This call for tender is not divided into lots.

1.4. Description: what do we want to buy through this call for tenders?

The services that are the subject of this call for tenders, including any minimum requirements, are described in detail below.

Variants (alternatives to the model solution described in the Tender Specifications) are not allowed. The *Contracting Authority* will disregard any variants described in a tender.

1.4.1. Background and objectives

1.4.1.1. Background

This call for tenders is based on the COSME Regulation and, more particularly, it is based on Commission Implementing Decision C (2020) 7044 final² of 19 October 2020 amending Implementing Decision C(2020)111 on the financing of the programme for the Competitiveness of Enterprises and Small and Medium-sized Enterprises and the adoption of the work programme for 2020 and its annex.

The Commission Communication “A New Industrial Strategy for Europe”³ outlines the way through which European industry can embark on the transition towards climate neutrality and digital leadership.

Three drivers will transform the European industry, support the Small and Medium-sized Enterprises (SMEs) and keep Europe sustainable and competitive. They are:

¹ EASME was set up by Commission Implementing Decision (2013/771/EU) of 17 December 2013 establishing the "Executive Agency for Small and Medium-sized enterprises" and repealing Decisions 2004/20/EC and 2007/372/EC (OJ L 341 of 18.12.2013). EASME replaces and supersedes former Executive Agency for Competitiveness and Innovation (EACI).

² <https://ec.europa.eu/docsroom/documents/39607>

³ https://ec.europa.eu/info/sites/info/files/communication-eu-industrial-strategy-march-2020_en.pdf

- the Green transition, with the European Green Deal⁴ being Europe's new growth strategy;
- the Digital transition, which allows industry and SMEs to be more proactive and competitive; and
- the Competitiveness on the global stage, where Europe must leverage the impact of its single market to set global standards.

In addition, Europe's industry must capitalise on its unique strengths such as, the integration across value chains and borders, its diversity, traditions and people. This has to be done by reinforcing industrial ecosystems, which encompass all players operating in a value chain: from the smallest start-ups to the largest companies, from academia to research, from service providers to suppliers.

Fashion and lifestyle industries⁵ entail companies active in fashion and design-intensive consumer goods (such as, textiles and clothing, footwear, fur, leather and leather products, jewellery, accessories, handbags as well as furniture and home decoration, etc.).

The WORTH Partnership Project intends to target fashion and lifestyle sectors, which represent a total annual turnover of approx. EUR 630 billion, include more than 750 thousand companies and employ more than 4 million people across the EU⁶.

The vast majority of enterprises in the fashion and lifestyle sectors are SMEs, micro/individual-companies and craftsmen whose unique competencies, techniques and know-how are often not translated into competitive strengths.

These companies face different challenges such as, difficulty to keep the pace of digital change; limited access to finance and investment; reduced innovation capacity; difficulty to turn towards more green business models, products and services, incapability to establish an effective intellectual property rights ("IPR") strategy and to go international, etc.

In addition, they are often unable to integrate innovative design knowledge and to work with designers and creatives. Designers, on their side, often lack of business skills or of practical knowledge related to manufacturing processes, available technology or innovative materials.

The global competition, especially from the emerging economies, such as China, is getting even fiercer. These competitors not only have the advantage of lower production and labour costs but are also able to develop their own creative content and design expertise. To foster design skills and sustain the EU manufacturing base and knowledge, there is a need for strong cross-sectorial collaboration and innovation amongst creative industries and manufacturing SMEs.

⁴ https://ec.europa.eu/info/publications/communication-european-green-deal_en

⁵ Fashion and life-style industries include textile and clothing, footwear, leather and fur, jewellery and accessories, furniture, and home decoration

⁶ EUROSTAT 2017

With this in mind, the Commission put in place the WORTH Pilot Project⁷ in 2013 in the framework of the Competitiveness and Innovation Programme (CIP), and the WORTH Partnership Project in 2016⁸ in the framework of COSME⁹ - the EU Programme for the Competitiveness of Small and Medium-sized Enterprises.

The WORTH Pilot Project was implemented from 25 November 2013 until 25 November 2015. Its aim was to build upon and deploy design and specialised skills and capacities of creative professions (and other expertise where needed) and to facilitate the integration of design knowledge and competencies in SMEs in the fashion and lifestyle sectors. It involved a total of 79 SMEs and creative companies. The success¹⁰ of the Pilot Project resulted in a new edition of the WORTH Partnership Project.

The evaluation of the results of the Pilot Project demonstrated that the Project led to the increase of innovation capacity in SMEs by integrating creativity, design and new technologies and therefore contributed to fostering competitiveness of European companies.

Through the WORTH Partnership Project, which started in 2017 and is still in implementation until April 2021, the Commission is supporting 152 partnerships involving 350 partners, including SMEs, designers, creative companies, professionals, technology providers and crafters. The partnerships supported are from 34 EU and Non-EU countries participating in the COSME Programme. As in the Pilot Project, the partnerships operate in the fashion and lifestyle industries⁵ and tackle six global challenges, namely:

- circular economy and resources efficiency; high-value added solutions for attractive growth markets; advanced digitized manufacturing, value chains and business models; smart, high-performance materials; rethinking social innovation and inclusion; and reinvention of craftsmanship and heritage preservation.

A survey based on the above challenges showed that companies participating in the WORTH Partnership Project increased their environmental performance by including, among others, eco-designed and eco-labelled material, organically produced material or material with important recycled content. Other companies became more efficient and made significant progress towards the uptake of new solutions in production process.

During the implementation of WORTH Partnership Project there have been 3 calls for expression of interest to select partnerships projects. Only in the first call, 48% of selected partnerships achieved the prototyping stage, 20% developed a minimum viable product (MVP), while 32% developed a final product.

Most of the partnerships built within the WORTH Partnership Project have found investors, applied for further financing or renewed their partnership to continue the collaboration beyond the incubation programme.

The project has created a network of 400 privileged partners across Europe and set up a network of WORTH ambassadors in 24 COSME countries. Those ambassadors are

⁷ www.worth-project.eu

⁸ <https://www.worthproject.eu/worth-project/>

⁹ https://ec.europa.eu/growth/smes/cosme_en

¹⁰ [ec.europa.eu > renditions > pdf](https://ec.europa.eu/renditions/pdf)

professionals and institutions committed to promoting the WORTH Partnership Project across Europe. In particular, they collaborated to give visibility to the different initiatives and calls for expression of interest and to promote the values of creativity and entrepreneurship. The WORTH gallery resulting from the project is a platform hosting 2200 creative companies/professionals and SMEs in the lifestyle industries willing to cooperate, create, innovate and become more competitive.

1.4.1.2. Objectives (General and Specific)

The general objective of this tender is to strengthen the competitiveness of SMEs in the fashion industries and lifestyle sector, increase their innovation capacities and help them in the transition towards climate neutrality and digital leadership.

This call for tender addresses the specific objective laid down in Article 4.1(c) of Regulation (EU) No 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of the Enterprises and small and medium-sized enterprises (2014-2020) and repealing Decision No 1639/2006/EC (the "COSME Regulation" or "COSME"), which is: setting-up an action aiming at improving framework conditions for the competitiveness and sustainability of Union enterprises, particularly SMEs.

More specifically, the objectives that the Contracting Authority wants to achieve at the end of this contract are:

- promoting integration of creativity, design and new technologies (including Information and Communication Technologies (ICT) and advanced technologies) in SMEs, leading to innovative, high-added value (and generally more profitable) products, processes and services;
- promoting cross-Union cooperation between SMEs from more traditional industry sectors and designers and other creative professions;
- developing innovative products, prototypes or proofs of concept with high market potential; and
- promoting exchange of knowledge and skills between SMEs in fashion and lifestyle industries, creatives and technology companies.

1.4.2. Detailed characteristics of the purchase

1.4.2.1. Tasks

The contractor must perform the following four tasks:

- Task 1: Scouting, identification and matching of potential project partners (SMEs, designers and technology providers), and selection and validation of partnerships via transparent calls for expression of interest;
- Task 2: Providing tailor-made support/coaching to selected partnerships (e.g. on business development, technology transfer, market analysis, IPRs);

- Task 3: Ensuring information is communicated for the calls for expression of interest launched under the project and dissemination of project's results;
- Task 4: Drafting a Report on Innovation through Creativity in the WORTH Partnership Project II.

1.4.2.2. General guidance on methodology

Tenderers must provide an offer addressing in detail the following tasks:

Task 1 – SCOUTING, IDENTIFICATION AND MATCHING OF POTENTIAL PROJECT PARTNERS, SELECTION AND VALIDATION OF PARTNERSHIPS VIA TRANSPARENT CALLS

This task will include the organisation of the application process, the matching and formalising the partnerships. This will be done through an open, transparent and well-advertised process (e.g. call for expression of interest). This will entail in particular:

- a) Scouting and identifying** talented designers and/or other creative professionals, SMEs in fashion and lifestyle industries⁵ and technology providers (hereinafter ‘project partners’) willing to enter into a partnership to develop in a collaborative way, new innovative products, services or business models with a higher added value.

Tenderers must describe in their offers the ways to maximise the reach out of SMEs, designers, creative professionals and technology providers (e.g. through information sessions, network of ambassadors, boot camps).

Tenderers must also indicate how they intend to reach out SMEs in as many COSME countries as possible, as well as to ensure the coverage of the entire fashion/lifestyle industries value chain¹¹.

In order to identify potential partnerships’ members, the contractor may take advantage of all the available European initiatives/networks, such as, among others, the Enterprise Europe Network¹² or the Clusters Collaboration Platform¹³.

- b) Developing and applying transparent criteria** (qualitative and quantitative) for evaluating and selecting high quality partnership proposals for developing innovative products, services or business models.

Tenderers must propose draft criteria to be applied to identify the project partners and the type of project partners they will target (e.g. companies, designers, fab-labs, research centres, design schools, crafters, other creative professionals, innovators).

¹¹ The fashion/lifestyle value chain includes different stages: i) production (including design); ii) services; iii) marketing; iv) retail; and v) end of use/life (e.g. reparation/transformation/recycling).

¹² <https://een.ec.europa.eu/>

¹³ <https://www.clustercollaboration.eu/>

The criteria must include: i) eligibility of partners (e.g. being established in a COSME country; being active in the lifestyle sector); ii) proven expertise/experience of the partners in the industry sector; iii) expected contribution to the overall objectives of the EU industrial policy (Green transition, digital transition and competitiveness of EU companies); and iv) specific objectives (e.g. boosting SMEs innovation, supporting transition towards more sustainable production and consumption, boosting digital innovation).

In the offer, tenderers must provide examples of criteria for evaluating and selecting partnerships. After the signature of the contract, the suggested criteria will be: i) fine-tuned and approved by the *Contracting Authority* after the kick-off meeting; and ii) included in the call for expression of interest.

- c) **Matching project partners into partnerships** to work on pre-selected concepts or proposals. Partnerships must be trans-national (i.e. each partnership should involve project partners from at least two different countries¹⁴).

The tenderers must provide a list of type of partnership they wish to establish based on the composition or the objective to achieve (e.g. tech-led partnerships, design-led partnerships, partnerships for sustainability/innovation).

- d) **Selecting and validating** a minimum of 200 trans-national partnerships through at least two calls for expression of interest and up to 4 calls in total.

The application procedure shall be simple, transparent and fast, as it needs to attract creative professionals and designers.

The contractor will define a list of preselected partnerships according to the selection criteria and taking into account the geographical and sectoral balance within the overall number of selected partnerships.

A Steering Board, appointed by the contractor, will assess the preselected partnerships and validate the final selection of partnerships, to be presented to the Contracting Authority. The *Contracting Authority* (in consultation with the Commission DG GROW) will give the final approval on the list of selected partnerships.

The contractor will choose the members of the Steering Board (up to 20 people) according to their proven expertise and experience in the fashion, lifestyle and technology sectors, and based on other pre-defined criteria. The number of the members of the Steering Board to be involved in the selection process can vary from one call to another depending on the number of preselected partnerships to be assessed.

Tenderers must submit with their offers their suggested criteria for selecting the Steering Board members, in terms of profiles and concrete individuals.

¹⁴ EU and COSME participating countries,

https://ec.europa.eu/research/participants/data/ref/other_eu_prog/cosme/legal/3rd-country-participation_en.pdf

The contractor will organise up to 4 physical meetings¹⁵ in Brussels for the final validation of partnerships and as many web-based meetings as necessary for the members of the Steering Board, to assess the pre-selected partnerships (e.g. meetings with the contractor on evaluation process, meetings with the pre-selected partnerships to clarify features and challenges of their business concept). The organisation of the meetings, including the related costs (e.g. the rent of premises for the physical meetings), is to be borne entirely by the contractor. Any such related costs are to be included in the financial offer of the tenderer. No reimbursement of such costs will follow later.

The contractor will pay members of the Steering Board a remuneration for the services provided, as well as cover their travel and subsistence expenses. The amount of the remuneration, and the management of the travel costs, is to be borne entirely by the contractor. Any such related costs are to be included in the financial offer of the tenderer. No reimbursement of such costs will follow later.

EASME and the Commission will participate in the meetings of the Steering Board and provide necessary support/inputs to help the discussion.

- e) Formalising the partnerships by means of signed agreements covering issues such as commitment in the project, tasks sharing, project termination, ownership of the results, IPR and licensing related aspects, etc.

The tenderer shall explain in the offer how the formalisation of the partnerships will be ensured.

Task 2 - PROVIDING TAILOR-MADE SUPPORT/COACHING TO SELECTED PARTNERSHIPS

This task entails supporting partnerships in defining and creating new, innovative products, services and business models either at a prototype stage or with regard to limited series (or equivalent), in particular through:

- a) **Providing tailored coaching and advice** on defining and creating new products, services and business models.

The coaching should include (non-exhaustive list): i) sourcing of materials and technology; ii) design thinking; iii) sustainability of products and processes; iv) marketing; v) pitching in front of investors; and vi) investment and funding opportunities.

¹⁵ Should the organisation of physical meetings not be possible due to specific unforeseeable and unavoidable circumstances (e.g. COVID-like epidemiological measures, etc.), the contractor must be ready to propose suitable alternative scenarios. Those scenarios must, when using virtual platforms, be organised in a way to allow simultaneous connections for all participants.

The advisory services should include (non-exhaustive list): i) technology transfer/integration; ii) legal and strategic advice on IPRs; iii) business intelligence; iv) pricing; v) commercialisation and market analysis/positioning; and vi) information on where to find investors.

Both coaching and advisory services must be tailored to the needs and specificity of the different partnerships in order to providing with targeted support to increase the chance of success for the different business ideas.

The contractor will follow the activities of all partnerships by appropriate means, including through physical or web-based meetings, whenever necessary.

Tenderers shall provide in their offers a methodology on how the coaching and advisory services will be provided. In particular, the offer must contain a description of coaching topics and content (e.g. market strategy, pricing, pitching, design thinking, technology integration), methodology (e.g. webinars, in situ training courses¹⁶) and list and profiles of experts/organisations proposed to provide the coaching and advisory services. It must contain also the type and the objective of the advisory services (e.g. IPRs, business intelligence) and methodology.

Tenderers must provide the estimation of the number of person/days offered and an estimation of number of coaching and training hours offered per advisory service.

b) Providing a market-based financial support in a form of a lump sum to selected partnerships.

This financial support will contribute to the costs of activities carried out by partnerships (e.g. travel costs, technology update, purchase of materials for prototypes).

In order to take into account real needs of partnerships' members, the financial offer proposed by the tenderer must clearly differentiate in separate budget lines the total amount for the lump sums to be paid as financial support to the selected partnerships, and the prices for the rest of the activities and services to be carried out by the contractor under the WORTH Partnership Project II.

The financial support (lump sum) allocated to partnerships shall range between EUR 10 000 and EUR 20 000 and cover the whole duration of each partnership. The amount of the lump sum shall be tailored to the specificity of each partnership (e.g. depending on the type of technology used, complexity of prototyping, use of material).

The tenderer shall provide in the offer a list of criteria for the allocation of the lump sums and the methodology to establish the adequate amount per partnership. The final

¹⁶ Should the organisation of in-situ training courses not be possible due to specific unforeseeable and unavoidable circumstances (e.g. COVID-like epidemiological measures, etc.), the contractor must be ready to propose suitable alternative scenarios. Those scenarios must, when using virtual platforms, be organised in a way to allow simultaneous connections for all participants.

list and methodology will be approved by the Contracting Authority at the stage of the partnerships approval.

The contractor shall provide an overview of the payments planned and made per partnership. The total amount to be paid for the partnerships shall be approved in advance by the *Contracting Authority* at the stage of the partnership selection.

NB: The financial proposal shall clearly indicate the total amount foreseen for lump sum payments in Annex 6: Financial offer.

- c) **Organising networking activities** among project partners (e.g. through participation in physical and/or web-based workshops, conferences and other activities for knowledge development, business exchange).

Tenderers must describe in their offer the type of networking activities to be organised during the project implementation and how the partnerships will be involved.

- d) **Facilitating professional links between project partners and other players**, such as buyers, retailers, financial intermediaries, investors and media, tailored to the specific needs of each partnership to trigger further potential business cooperation and access to finance.

Tenderers must describe how they intend to target the relevant players and provide examples.

- e) **Identifying and organising participation of each partnership in at least two relevant exhibitions or trade shows** to showcase the results of the partnerships.

Tenderers must describe in their offers the type of trade shows targeted, the reasons behind the choice and how partnerships will be involved in the process (e.g. specific coaching to train partnerships to present/pitch their ideas), the side events (e.g. meetings with investors), etc.

Tenderers must also provide in the offer a tentative calendar of the trade show events (see also Task 3).

Task 3 - INFORMATION AND DISSEMINATION OF THE PROJECT'S CALLS AND RESULTS

This task involves: i) designing a communication and dissemination strategy and carrying out the formulated campaign activities; and iii) creating, updating and maintaining a website under the Europa domain, throughout the duration of the project, building on the website developed under the WORTH Partnership project (which is not under the Europa domain).

In particular, this task requires:

- a) **Designing a communication and dissemination strategy** to maximise visibility of the WORTH Partnership Project II activities and results.

Tenderers shall provide with their tenders a draft communication and dissemination strategy and in particular, they shall define/identify: i) target groups; ii) main messages; iii) social media strategy; iv) calendar of the information campaigns; v) calendar of the events; vi) dissemination material (e.g. toolkits, brochures, videos, interviews); and vii) communication Key Performance Indicators (KPIs).

The Strategy will be fine-tuned with the Contracting Authority along the contract implementation.

The contractor will map and get in contact with the relevant stakeholders in order to ensure the maximum reach-out taking into account existing European networks (e.g. Enterprise Europe Network, Clusters Collaboration Platform).

- b) Contacting relevant stakeholders** to raise awareness of the project and ensure a balanced geographical and sectorial participation.

Tenderers will provide a draft list of stakeholders to be contacted taking into account European networks (e.g. Enterprise Europe Network, Clusters Collaboration Platforms), in order to maximise the reach-out during every stage of implementation of the contract (e.g. launch of calls for expression of interests, research of companies/designers/tech providers, visibility during showcasing events, dissemination of results).

- c) Preparing information and dissemination material and documents** for advertising the WORTH Partnership Project II, the project's activities and the selected partnerships.

Tenderers must provide a draft list of the information material to be prepared. This shall include at least:

- 1 video (30 seconds) promoting in a broad way the WORTH Partnership Project II; paper material advertising the project and the related calls for expression of interest in key events or through relevant stakeholders; 1 video advertising the related calls for expression of interest (up to 1 minute and 30 seconds); A toolkit for the submission of the applications to the calls for expression of interest; 4 videos (approximately 1 minute and 30 seconds each) showing participation in trade shows; a virtual catalogue of the partnerships that were selected as part of WORTH Partnership Project II; a printable version of the above catalogue; 35 videos (approximately 2 minutes each) advertising the most successful partnerships.

The contractor will also provide photo-shooting services during the events and trade shows.

It is the contractor's responsibility to make sure that necessary permission/agreements for taking pictures and filming, have been obtained by the participants prior to the events.

Image rights disclosure forms have to be provided and collected from the participants by the contractor via the registration/application process.

- d) **Launch and update of a website under the Europa domain** aimed at providing the broadest possible information about the project's calls, projects' results and giving visibility to the selected partnerships.

Through the website the contractor will ensure the dissemination of all relevant material with regard to the WORTH partnership project (e.g. videos, articles, information sheets on specific activities, toolkits, good practices, case studies).

In particular, the contractor must make available, through the website, at least: i) a calendar of the events and the related information (e.g. information sessions, boot camps, trade shows, networking events); ii) the documents for the calls for expression of interest and information necessary for the application, contact details for support and FAQs; iii) the success cases and best practices (e.g. videos, interviews); and iv) the news about the project (e.g. articles, participation to events).

The communication material produced during the previous phase of the WORTH partnership project will be made available to the contractor for the purposes of with the aim of relevant showcasing, promotion of best practices and ensuring continuity of information.

The contractor will set-up the website in the EC web environment (based on Drupal 8 Multisite) re-using as much as possible existing features and modules with agreement and assistance of the Commission services. The website needs to be fully compliant with the rules set out in the Europa Web Guide¹⁷. The layout should respect the Commission visual identity¹⁸. It will also comply with the Web Content Accessibility Guidelines 2.0, level AA.

The Commission's Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs' web editors must validate the content for the website before it goes on-line and reserves the right to adjust the content to match the editorial style and requirements set out by the Commission's Directorate-General for Communication.

Tenderers shall provide in the offer a description of the platform's activities and functioning.

Task 4 - DRAFTING A REPORT ON INNOVATION THROUGH CREATIVITY IN WORTH PARTNERSHIP PROJECT II

The purpose of this task is to collect and analyse data during the project implementation with the aim to outline a guide on innovation through creativity. The contractor shall:

- Identify successful examples of partnerships;
- Analyse the partnerships and the increased innovation capacity of companies due to the intervention of creative professionals/designers;

¹⁷ The Europa Web Guide can be found under this link:
<https://wikis.ec.europa.eu/spaces/viewspace.action?key=WEBGUIDE>

¹⁸ https://ec.europa.eu/info/resources-partners/european-commission-visual-identity_en

- Define the bottlenecks in collaboration between companies to cooperate with creative professional/companies and/or designers;
- Provide policy makers with the relevant information on challenges and opportunities for companies to cooperate with creative professional/companies and/or designers.

This shall be done through, among others, desk research, analysis and comparison of results and specific surveys/interviews to partnerships and network of stakeholders engaged in the project.

Transition and Handover details at the end of the contract

The contractor must provide an adequate overview of the state of play at the end of the contract and must guarantee its cooperation for transition meetings and handing over the products and services developed under this contract, as well as their management, in a progressive, secured and orderly manner to the Contracting Authority or any party designated by the Contracting Authority.

To this end, the contractor will undertake the necessary actions to safeguard the continuity of the products and services developed. Together with its final report at the latest, the contractor will provide the full list of pre-existing rights, if any, within the results of the contract and provide evidence on their acquisition, to ensure the full use of the results and any pre-existing material (if applicable), by the *Contracting authority*.

Among others, the contractor will ensure that all content licenses related to dissemination material and documents and the website are transferable. At the end of the contract, the contractor will prepare handover documentation concerning the communication material, including video and photo shootings, contacts and toolkits, and the website and will provide all information necessary to ensure its functioning.

In their offer, tenderers shall include a Legacy Strategy explaining how they will enable a smooth transition to the *Contracting Authority* or to any party designated by the *Contracting Authority*. This strategy must ensure that IT tools and databases are compatible with the European Commission's information technology architecture and guidelines and refer to the transfer of Intellectual Property Rights (see articles I.10 and II.13 of the draft service contract).

1.4.2.2. Input by the Contracting Authority

The Contracting Authority will provide the contractor with all documents, studies and results, including the communication material/tools, from the Worth pilot project and the WORTH Partnership Project that might be useful for the effective implementation of the services contracted, including the evaluation report of WORTH Partnership Project.

Green Public Procurement and events

☞ In line with the Directive 2004/18/EC of the European Parliament and of the Council on the award of public services contracts, tenderers are expected to describe any action they envisage for environment and energy efficient solutions, incorporating these concerns into all

aspects of service delivery and infrastructure management.

The services provided by the Contractor must contribute to the Commission's commitment to minimise the environmental impact of its everyday work and continuously improve its environmental performance by integrating environmental criteria into its procurement procedures and organisation of events.

Services need to fulfil a number of standards as to the ethical, social and environmentally friendly origin, production, delivery and distribution of the materials. The principles and strategies linked to the sustainable use of natural resources, waste prevention and recycling will be taken into account. Examples of proofs/labels: compliance with EMAS, ISO 14 001, EU Ecolabel, and other ISO type I label, equivalent labels and standards, etc. Further information and guidelines can be found at: https://ec.europa.eu/environment/emas/index_en.htm

Sustainable meetings and events

✎ Tenderers must apply the European Commission “[Guidelines on organising sustainable meetings and events at the Commission](#)”.

The Contractor is encouraged to reduce the environmental impact of events or meetings by: choosing venues easily accessible by public transport, proposing accommodation options in certified environmentally friendly hotels, proposing travel itineraries using carbon-offsetting flights or trains (instead of flights), proposing green catering (prefer plant-based food, opt for seasonal and organic food and drinks, avoid food waste and single use plastic, and provide reusable cups/bottles/glasses/cutlery/plates), pay attention to the management of waste and place displays to communicate the sustainable arrangements that have been put in place.

The contractor is encouraged to consider measures for the performance of the tasks under the contract, which increase the social impact of the contract. For instance, this could involve recurring to operators working on the professional integration of disadvantaged persons, women, and long-term unemployed people or considering accessibility for all solutions, facilitating the participation of people with disabilities.

Web-sites to be hosted on EUROPA domain

✎ All Commission websites, tools and online applications must be hosted on the europa.eu domain and respect the rules, guidelines, templates and legal provisions outlined in the Europa Web Guide and the use of EC visual identity.

Please check the [Commission policy for web publication](#) for full details.

The website must abide by the legal obligations on data protection specified in section 1.4.4. of these tender specifications.

1.4.3. Intellectual Property Rights (IPR)

The IPR related to the services/studies are foreseen in Articles I.10 and II.13 of the draft service contract.

Parts of results pre-existing the contract

If the results are not fully created for the purpose of the contract this should be clearly pointed out in the tender. Information should be provided about the scope of pre-existing materials, their source and when and how the rights to these materials have been or will be acquired.

Plagiarism in the tender

In the tender all quotations or information originating from other sources and to which third parties may claim rights have to be clearly marked (such as: source publication including date and place, creator, number, full title etc.) in a way allowing easy identification.

1.4.4. Confidentiality and Data Protection

Confidentiality is required of all persons working or collaborating directly or indirectly in the performance of tasks following this call for tender, as they might come into contact with confidential information during the course of their work. Any breach of confidentiality will be treated as professional misconduct and could lead to the termination of the contract as set out in Article II.5 of the draft service contract.

Specific requirements relating to personal data and the protection thereof are set out in the draft service contract. The contractor is equally responsible for ensuring the application of this obligation in respect of any of his/her direct or indirect sub-contractors.

The contractor will ensure compliance with the applicable data protection rules at national and EU levels, including:

- Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data¹⁹; and
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)²⁰.

During the contract implementation, the contractor must comply with the *Contracting authority's* personal data protection procedures, including models of data protection notice (e.g. for the website, event, survey) provided by the *Contracting Authority*, and with the

¹⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1543484984668&uri=CELEX:32018R1725>

²⁰ <https://eur-lex.europa.eu/eli/reg/2016/679/oj>

general and specific contractual clauses I.9.2 and II.9.2 when processing personal data of stakeholders on behalf of the *Contracting Authority*.

The contractor will cooperate with the *Contracting Authority* in ensuring that personal data is handled lawfully and if required, not without explicit prior consent of the subjects involved (e.g. beneficiaries and their subcontractors).

1.4.5. Performance and quality requirements

In addition to the general and specific objectives defined in *Section 1.4.1*, the following list shows the expected results in concise and approximate terms, so as to give a general idea of what is requested from the contractor.

EXPECTED RESULTS (QUALITY OF DELIVERABLES)	PERFORMANCE INDICATORS
<input type="checkbox"/> Scouting, identification and matching of potential project partners, selection and validation of 200 partnerships via transparent calls (see Task 1)	<ul style="list-style-type: none"> • Number of organisations contacted, number of events attended • Number of partnerships scouted • Number of partnerships created • Number of companies/designers involved within the partnerships • Number of countries and sectors covered • Total number of marketable “products” developed within the partnerships
<input type="checkbox"/> Providing tailor-made support/coaching to selected partnerships (see Task 2)	<ul style="list-style-type: none"> • Number of products/prototypes created/minimum viable products (MVPs) • Number of training courses, seminars organised • Number of networking events organised • Number of hours of individual/group coaching • Number and relevance of other actors contacted (e.g. buyers, retailers, financial organisations, specialised press etc.) • Number and relevance of trade fairs/events where project results will be showcased

<p><input type="checkbox"/> information and dissemination of the project's results (see Task 3)</p>	<ul style="list-style-type: none"> • Number of visits and page views (on the website) • Number of registered companies/designers (on the website) • Number and quality of documents uploaded (on the website) • Timeliness of the updates • Number of events attended • Number of stakeholders contacted • Number and relevance of social media used • Number of press and media contacted • Number and quality of marketing material prepared • The brand awareness among relevant players in lifestyle industries
<p><input type="checkbox"/> Drafting a report on the innovation through creativity in the WORTH partnership project II (see Task 4)</p>	<ul style="list-style-type: none"> • Number of surveys to partnerships • Number of interviews to successful partnerships • Relevance of desk research and comparison to the sector coverage analysis • Number of experts who provided feedback to the draft guide • Quantitative and qualitative analysis of the market, sectors and partnership projects' achievements e.g. number and % of selected partnerships achieving the prototyping stage, number and % developed a minimum viable product (MVP) Number and % developed a final product.

1.4.6. Deliverables

The contractor must provide the required deliverables, reports and documents in accordance with the conditions of the draft service contract.

When requested in the contract the deliverables, reports and documents will accompany the invoices for payments.

Each report or document will be submitted in electronic format compatible with Microsoft Office (Word, Excel) and PDF or equivalent in English.

The contractor must ensure that all reports under the contract are drafted in professional/high-quality English using a clear, concise, understandable, user-friendly language.

Materials and deliverables for publication (online and/or printed) will be of the highest linguistic quality and will have been edited and proofread by a native speaker or equivalent. All reports should be consistent in style (headings, margins, citations, bibliography, etc.).

It will remain contractor's responsibility to ensure a properly application of quotation and the verification of improper re-use of existing material.

The following is a list of technical deliverables that the contractor must deliver as a minimum throughout the implementation of the contract:

- Report on the selected and validated partnerships within Task 1 (c+d+e) (see *Section 1.4.2.2.*)
- Report on the networking activities carried out within Task 2(c) (see *Section 1.4.2.2.*)
- Communication and dissemination strategy (see *Section 1.4.2.2.*, Task 3(a)): due date month 2
- Project website (see *Section 1.4.2.2.*, Task 3(c)): due date month 3
- Dissemination material and documents
- A virtual catalogue of the partnerships selected as part of WORTH Partnership Project II (see *Section 1.4.2.2.*, Tasks 1(d) and 3(c))
- A printable catalogue of the partnerships selected as part of WORTH Partnership Project II (see *Section 1.4.2.2.*, Tasks 1(d) and 3(c))
- Report on innovation through creativity in WORTH Partnership Project II (see *Section 1.4.2.2.*, Task 4)): due date month 48
- Handover documentation: due date month 48

1.4.6.1 Intermediate outputs and deliverables

Inception report

In month 1, following the kick-off meeting, the contractor will submit an inception report detailing the approach, working assumptions and timetable for the implementation of the contract.

The inception report will also include the minutes of the kick-off meeting as well as the relevant presentation material that was used during the meeting.

Progress reports

On months 7, 19, 31 and 43 after the contract signature, the contractor must submit progress reports to the contracting authority. The progress reports shall include at least the following:

- a one-page Executive Summary highlighting the main achievements and challenges in the reporting period;
- the detailed minutes of the respective stocktaking meeting that is foreseen to take place in months 6, 18, 30 and 42 in which the progress of the work will be elaborated as well as the planning of the work ahead; and
- information (in the form of an excel spreadsheet) on the performance indicators (see *Section 1.4.6*).

Interim reports

In months 5, 13, 25 and 37 after the contract signature, the contractor shall submit to the contracting authority interim reports. The interim report shall include at least the following:

- a one-page Executive Summary highlighting the main achievements and challenges in the reporting period;
- a detailed description of the activities and work performed, tasks completed and deliverables achieved during the reporting period;
- the detailed minutes of the respective stocktaking meeting that is foreseen to take place in months 12, 24 and 36 in which the progress of the work will be elaborated as well as the planning of the work ahead for the following six months. The minutes shall include the relevant presentation material too;
- a detailed elaboration of any possible difficulties experienced and any corrective measures proposed or taken, detailing any possible modifications of the tasks, activities and timetable;
- any other relevant documents (will be agreed with the *Contracting Authority* beforehand).

The interim reports will be accompanied by the invoices for interim payments:

- the first interim payment will be maximum 10% of the total value of the contract
- the second interim payment will be maximum 20% of the total value of the contract
- the third and the fourth interim payments will be maximum 25% of the total value of the contract, each.

1.4.6.2. Final outputs and deliverables

Final report

In month 48 after the contract signature, the contractor must submit a final report to the contracting authority. The report must include at least the following:

- a one-page Executive Summary highlighting the main achievements and challenges during the implementation of the contract;
- a detailed description of the main project outcomes, achievements and conclusions, including feedback and comments received from the companies and designers participating in the project;
- report on the performance indicators, including a detailed analysis of the achieved values;
- the detailed minutes of the final stocktaking meeting that is foreseen to take place in month 48, including the relevant presentation material;
- a list of all deliverables (products, prototypes, limited series, etc.);
- a list of companies and designers that participated in the project;
- recommendations on practical issues related to the implementation of the four performed tasks and lessons learned;
- media coverage of the project, information on promotional events and trade fairs, showcasing project results.

The final report will be accompanied by the invoice for the final payment.

1.4.7. Meetings

The contractor shall organise the following meetings with the Contracting authority:

- A kick-off meeting
- Stocktaking meetings, every six months (8 in total).

The meetings will be held in Brussels (premises to be arranged by the contractor) In case the organisation of a physical meeting is not possible, the contractor shall ensure the organisation of virtual meetings (e.g. tele-conferences)¹⁷.

For the indicative planning of the meetings, see *section 1.4.8*.

The costs of these meetings are to be borne by the contractor and included in the financial offer. No additional reimbursement of costs will follow. The Contracting authority will bear its own costs.

1.4.8. Indicative timetable

The work under the contract shall follow the timetable below. Based on that, the tenderer shall propose in its offer a more detailed work plan, clearly indicating the sequences and timing of the work as well as the respective deliverables.

Timetable (months/weeks/days)	Meetings	Actions/Deliverables
Reference date (T0)		Start date of the contract

T0 + 1 month	Kick off meeting	
T0+1 month		<ul style="list-style-type: none"> - Submission of the Inception report - Minutes of the kick-off meeting.
T0 + 3 months		Project website
T0 + 5 months		<p>Submission of the first interim report</p> <p>Request for the first interim payment (10% of the total value of the contract)</p>
T0 + 6 months	1 st stocktaking meeting	
T0 + 7 months		Submission of the 1st progress report, including the Minutes of the 1st stocktaking meeting
T0 + 12 months	2 nd stocktaking meeting	
T0 + 13 months		<p>Submission of the 2nd interim report, including the Minutes of the 2nd stocktaking meeting</p> <p>Submission of the request for the 2nd interim payment (20% of the total value of the contract)</p>
T0 + 18 months	3rd stocktaking meeting	
T0 + 19 months		Submission of the 2nd progress report, including the Minutes of the 3rd stocktaking meeting
T0 + 24 months	4 th stocktaking meeting	

T0 + 25 months		Submission of the 3rd interim report, including the Minutes of the 4 th stocktaking meeting Submission of the request for the 3rd interim payment (25% of the total value of the contract)
T0 + 30 months	5th stocktaking meeting	
T0 + 31 months		Submission of the 3rd progress report, including the Minutes of the 5th stocktaking meeting
T0 + 36 months	6th stocktaking meeting	
T0 + 37 months		Submission of the 4th interim report, including the Minutes of the 6th stocktaking meeting Submission of the request for the 4th interim payment, (25% of the total value of the contract)
T0 + 42 months	7th stocktaking meeting	
T0 + 43 months		Submission of the 4th progress report, including the Minutes of the 7th stocktaking meeting
T0 + 48 months	8th stocktaking meeting	
T0+48		Submission of the Final report, including the minutes of the 8th stocktaking meeting Submission of the request for payment of the balance
T0+48		Report on innovation through creativity in WORTH Partnership Project II
T0+48		Handover documentation

1.5. Place of performance: where will the contract be performed?

The services will be performed at the premises of the contractor and at the following locations:

All the countries participating in the COSME programme, namely all EU Member States and COSME participating countries²¹.

1.6. Nature of the contract: how will the contract be implemented?

The procedure will result in the conclusion of a direct service contract.

In direct contracts all the terms governing the provision of the services are defined at the outset. Once signed, they can be implemented directly without any further contract procedures.

☞ Tenderers need to take full account of the provisions of the Draft contract as the latter will define and govern the contractual relationship(s) to be established between the *Contracting Authority* and the successful tenderer(s). Special attention is to be paid to the provisions specifying the rights and obligations of the contractor, in particular those on payments, performance of the contract, confidentiality, and checks and audits.

1.7. Volume and value of the contract: how much do we plan to buy?

The maximum amount for the execution of all the tasks referred to in this call for tenders is EUR 4 000 000, including all charges and expenses and excluding any renewals. No contract offer above this amount will be considered.

1.8. Duration of the contract: how long do we plan to use the contract?

The contract resulting from the award of this call for tenders will be concluded for at most 48 months.

The execution of the tasks shall not start before the contract has been signed. Work will follow the timetable detailed in *Section .1.4.8*.

1.9. Electronic exchange system: can exchanges under the contract be automated?

For all exchanges with the contractor during the implementation of the contract as well as for future possible subsequent proceedings for the purposes of EDES ([European Union's Early Detection and Exclusion System](#)) the *Contracting Authority* may use an electronic exchange system meeting the requirements of Article 148 of [Regulation \(EU, Euratom\) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union](#)¹⁹. At the request of the *Contracting Authority* the use of such a system shall become mandatory for the contractor at no additional cost for the *Contracting Authority*. Details on specifications, access, terms and conditions of use will be provided in advance.

²¹ <http://ec.europa.eu/growth/smes/cosme/>

2. GENERAL INFORMATION ON TENDERING

2.1. Legal basis: what are the rules?

This call for tenders is governed by the provisions of [Regulation \(EU, Euratom\) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union](#) (the “Financial Regulation”)²².

The *Contracting Authority* has chosen to award the contract resulting from this call for tenders through an open procedure pursuant to Article 164(1) (a) of the Financial Regulation. In an open procedure any interested economic operator (any natural or legal person who offers to supply products, provide services or execute works) may submit a tender.

The call for tenders is based on Regulation (EU) no 1287/2013 of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of the Enterprises and small and medium-sized enterprises (henceforth "COSME") (2014-2020) and repealing Decision No 1639/2006/EC. More particularly, it is based on Commission Implementing Decision of 2020 "on the financing of the programme for the Competitiveness of Enterprises and Small and Medium-sized Enterprises and the adoption of the work programme for 2020 " C (2020) 111 final.

2.2. Rules on access to procurement: who may submit a tender?

Participation in this call for tenders is open on equal terms to all natural and legal persons coming within the scope of the [Treaties](#), as well as to international organisations.

It is also open to all natural and legal persons established in a third country, which has a special agreement with the European Union in the field of public procurement on the conditions laid down in that agreement²³. Where the Agreement on Government Procurement²⁴ concluded within the World Trade Organisation applies, the participation to this call for tenders is open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions laid down therein.

In case of a joint tender (see *Section 2.4.1*), each member of the group must have access to this procurement procedure.

²² Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p.1).

²³ Third countries with a special agreement in the field of public procurement that have been given access to procurement procedures of the Union institutions, agencies and bodies regardless of the value of the purchase are: Albania, Bosnia and Herzegovina, Iceland, Liechtenstein, Montenegro, Norway, Republic of North Macedonia and Serbia.

²⁴ https://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm.

The rules on access to procurement do not apply to subcontractors. Subcontracting may not be used with the intent to circumvent the rules on access to procurement.

To enable the *Contracting Authority* to verify the access, each tenderer must indicate its country of establishment (and in case of joint tender – the country of establishment of each group member) in **Annex 5 – Letter of submission** and must present the supporting evidence normally acceptable under the law of that country/-ies²⁵. The same document(s) could be used to prove country/-ies of establishment and the delegation(s) of the authorisation to sign as described in *Section 4.3*.

📌 *For tenderers established in the United Kingdom:*

Please be aware that following the entry into force of the EU-UK Withdrawal Agreement* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union are to be understood as including natural or legal persons residing or established in the United Kingdom. UK residents and entities are therefore eligible to participate under this call.

* Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

2.3. Registration in the Participant Register: why register?

Any economic operator willing to submit a tender for this call for tenders must be registered in the [Participant Register](#) - an online register of organisations and natural persons participating in European Commission's calls for tenders or proposals (participants).

On registering each participant obtains a Participant Identification Code (PIC, 9-digit number) which acts as its unique identifier in the Participant Register. A participant needs to register only once – the information provided can be further updated or re-used by the participant in other EASME's and European Commission's calls for tenders or calls for proposals.

📌 **Please provide information about the SME status of the participant in the Participant Register by filling in the SME Declaration section in the Participant Register. The section becomes available only when updating/modifying the details of the registered organisation.**

At any moment during the procurement procedure the Research Executive Agency Validation Services (hereafter *the EU Validation Services*) may contact the participant and ask for supporting documents on legal existence, status and financial capacity. The requests will be made through the register's messaging system to the e-mail address of the participant's contact person indicated in the register. It is the responsibility of the participant to provide a valid e-mail address and to check it regularly.

²⁵ The supporting evidence are to be provided when requested by the *EU Validation Services*

The documents that may be requested by *the EU Validation Services* are listed in the [EU Grants and Tenders Rules on Legal Entity Validation, LEAR appointment and Financial Capacity assessment](#).

⚠ **Please note that a request for supporting documents by the EU Validation Services in no way implies that the tenderer has been successful.**

2.4. Ways to submit a tender: how can economic operators organise themselves to submit a tender?

Economic operators can submit a tender either as a sole tenderer or as a group of tenderers. In either case, subcontracting is permitted.

In order to fulfil the selection criteria set out in *Section 3.2* the tenderer can rely on the capacities of subcontractors or other entities (not subcontractors).

The role of each entity involved in a tender (hereafter referred to as “*involved entity*”) must be clearly specified in the eSubmission application: i) sole tenderer; ii) group leader of group of tenders; iii) member of a group of tenderers; or iv) subcontractor. For an entity on whose capacities the tenderer relies to fulfil the selection criteria²⁶ (that is not a subcontractor), this role is defined in the commitment letter (**Annex 5.2**). This applies also where the *involved entities* belong to the same economic group (see *Section 2.4.3*).

2.4.1. Joint tenders

A joint tender is a situation where a tender is submitted by a group (with or without legal form) of economic operators regardless of the link they have between them. The group as a whole is considered a tenderer²⁷.

All members of the group assume joint and several liability towards the *Contracting Authority* for the performance of the contract as a whole.

Group members must appoint a *Group leader* and a single point of contact authorised to act on their behalf in connection with the submission of the tender and all relevant questions, clarification requests, notifications, etc., that may be received during the evaluation, award and until the contract signature. The model power of attorney attached in **Annex 3** is to be used.

The joint tender must clearly indicate the role and tasks of each member and of the *Group leader* who will act as the *Contracting Authority's* contact point for the contract's administrative or financial aspects and operational management. The *Group leader* will have full authority to bind the group and each of its members during contract execution. If the joint tender is successful, the *Contracting Authority* shall sign the contract with the Group leader, authorised by the other members to sign the contract on their behalf via power of attorney drawn up in **Annex 3**.

²⁶ Such an entity is not considered a subcontractor, see *Section 2.4.3*.

²⁷ References to *tenderer* or *tenderers* in this document shall be understood as covering both sole tenderers and groups of economic operators submitting a joint tender.

Changes in the composition of the group during the procurement procedure (after the submission deadline and before contract signature) shall lead to rejection of the tender except in case of a merger or takeover of a member of the group (universal succession), provided that the new entity has access to procurement (see *Section 2.2*), and is not in an exclusion situation (see *Section 3.1*).

In any case the selection criteria must be still fulfilled by the group and the terms of the originally submitted tender may not be altered substantially, i.e. all the tasks assigned to the former entity must be taken over by the new entity member of the group, the change must not make the tender non-compliant with the Tender specifications, and the evaluation of award criteria of the originally submitted tender may not be modified.

2.4.2. Subcontracting

Subcontracting is the situation where the contractor enters into legal commitments with other economic operators, which will perform part of the contract on its behalf. The contractor retains full liability towards the *Contracting Authority* for performance of the contract as a whole.

The following shall not be considered subcontracting:

- a) Use of workers posted to the contractor by another company owned by the same group and established in a Member State (“intra-group posting” as defined by Article 1, 3, (b) of [Directive 96/71/EC concerning the posting of workers in the framework of the provision of services](#)).
- b) Use of workers hired out to the contractor by a temporary employment undertaking or placement agency established in a Member State (“hiring out of workers” as defined by Article 1, 3, (c) of [Directive 96/71/EC concerning the posting of workers in the framework of the provision of services](#)).
- c) Use of workers temporarily transferred to the contractor from an undertaking established outside the territory of a Member State and that belongs to the same group (“intra-corporate transfer” as defined by Article 3, (b) of [Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer](#)).
- d) Use of staff without employment contract (“self-employed persons working for the contractor”), without the tasks of the self-employed persons being particular well-defined parts of the contract.
- e) Use of suppliers and/or transporters by the contractor, in order to perform the contract at the place of performance, unless the economic activities of the suppliers and/or the transporting services are within the subject of this call for tender (see *Section 1.4*).
- f) Performance of part of the contract by members of an EEIG (European Economic Interest Grouping), when the EEIG is itself a contractor or a group member.

The persons mentioned in points a), b), c) and d) above will be considered as “personnel” of the contractor as defined in the contract.

All contractual tasks may be subcontracted unless the *Technical specifications* expressly reserve the execution of certain critical tasks to the sole tenderer itself, or in case of a joint tender, to a member of the group.

By filling in the form available in *Annex 4 (List of Identified Subcontractors)*, tenderers are required to give an indication of the proportion of the contract that they intend to subcontract, as well as to identify and describe briefly the envisaged contractual roles/tasks of subcontractors meeting any of these conditions (hereafter referred to as *identified subcontractors*):

- on whose capacities the tenderer relies upon to fulfil the selection criteria as described under *Section 3.2*;
- whose individual share of the contract, known at the time of submission, is above 10 % .

Any such subcontractor must provide the tenderer with a commitment letter drawn up in the model attached in *Annex 5.1* and signed by its authorised representative.

Changes concerning subcontractors identified in the tender (withdrawal/replacement of a subcontractor, additional subcontracting) during the procurement procedure (after the submission deadline and before contract signature) require the prior written approval of the *Contracting Authority* subject to the following verifications:

- any new subcontractor is not in an exclusion situation;
- the tenderer still fulfils the selection criteria and the new subcontractor fulfils the selection criteria applicable to it individually, if any;
- the terms of the originally submitted tender are not altered substantially, i.e. all the tasks assigned to the former subcontractor are taken over by another involved entity, the change does not make the tender non-compliant with the Tender specifications, and the evaluation of award criteria of the originally submitted tender is not modified.

Subcontracting to subcontractors identified in a tender that was accepted by the *Contracting Authority* and resulted in a signed contract, is considered authorised.

2.4.3. Entities on whose capacities the tenderer relies to fulfil the selection criteria

In order to fulfil the selection criteria a tenderer may also rely on the capacities of other entities, regardless of the legal nature of the links it has with them. It must in that case prove that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment letter in the model attached in *Annex 5.2*, signed by the authorised representative of such an entity, and the supporting evidence that those other entities have the respective resources.

If the contract is awarded to a tenderer intending to rely on another entity to meet the minimum levels of economic and financial capacity, the *Contracting Authority* may require the entity to sign the contract or, alternatively, to provide a joint and several first-call financial guarantee for the performance of the contract.

With regard to technical and professional selection criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required (i.e. the latter will assume the role of subcontractors).

☞ Relying on the capacities of other entities is only necessary when the capacity of the tenderer is not sufficient to fulfil the required minimum levels of capacity. Abstract commitments that other entities will put resources at the disposal of the tenderer will be disregarded.

3. EVALUATION AND AWARD

The evaluation of the tenders that comply with the submission conditions will consist of the following elements:

- check if the tenderer has access to procurement *Annex 5 Letter of Submission* and *Annex 4 List of identified subcontractors* (see *Section 2.2*);
- verification of administrative compliance (i.e. if the tender is drawn up in one of the official EU languages and the required documents *Annex 5 Letter of Submission* and *Annex 3 Power of Attorney* signed by duly authorised representative(-s) of the tenderer);
- verification of non-exclusion of tenderers on the basis of the exclusion criteria;
- selection of tenderers on the basis of selection criteria;
- verification of compliance with the minimum requirements specified in the procurement documents; and
- evaluation of tenders on the basis of the award criteria.

The *Contracting Authority* will evaluate the abovementioned elements in the order that it considers to be the most appropriate. If the evaluation of one or more elements demonstrates that there are grounds for rejection, the tender will be rejected and will not be subjected to further full evaluation. The unsuccessful tenderers will be informed of the ground for rejection without being given feedback on the non-assessed content of their tenders. Only tenderer(s) for whom the verification of all elements did not reveal grounds for rejection can be awarded the contract.

The evaluation will be based on the information and evidence contained in the tenders and, if applicable, on additional information and evidence provided at the request of the *Contracting Authority* during the procedure. If any of the declarations or information provided proves to be false, the *Contracting Authority* may impose administrative sanctions (exclusion or financial penalties) on the entity providing the false declarations/information.

For the purposes of the evaluation related to exclusion and selection criteria *the Contracting Authority* may also refer to publicly available information, in particular evidence that it can access on a national database free of charge.

3.1. Exclusion criteria

The objective of the exclusion criteria is to assess whether the tenderer is in any of the exclusion situations listed in Article 136(1) of the Financial Regulation.

Tenderers found to be in an exclusion situation will be rejected.

As evidence of non-exclusion each tenderer needs to submit with its tender a Declaration on Honour²⁸ in the model available in *Annex 2*²⁹. The declaration must be signed by an authorised representative of the entity providing the declaration.

The initial verification of non-exclusion of tenderers will be done on the basis of the submitted declarations and consultation of the [European Union's Early Detection and Exclusion System](#). The documents mentioned as supporting evidence in the Declaration on Honour need to be provided whenever requested and where this is necessary to ensure the proper conduct of the procedure within a deadline given by the Contracting Authority³⁰.

Annex 1 specifies which of the *involved entities* participating in a tender need to provide the Declaration on Honour and, when requested by *the Contracting Authority*, the supporting evidence.

Please note that a request for evidence in no way implies that the tenderer has been successful.

3.2. Selection criteria

The objective of the selection criteria is to assess whether the tenderer has economic, financial, technical and professional capacity to perform the contract.

The selection criteria for this call for tenders, including the minimum levels of capacity, the basis for assessment and the evidence required, are specified in the following subsections.

Tenders submitted by tenderers not meeting the minimum levels of capacity will be rejected.

When submitting its tender each tenderer shall declare on honour that it fulfils the selection criteria for the call for tender. The model Declaration on Honour available in *Annex 2* shall be used.

The initial assessment of whether a tenderer fulfils the selection criteria will be done on the basis of the submitted declaration(s) and the information included in the tables in *Annex 2.1 Statement on turnover* and *Annex 2.2 Technical capacity* fully completed and the evidence where requested.

²⁸ The European Single Procurement Document (ESPD) may not be used yet in EASME and European Commission's calls for tenders.

²⁹ Unless the same declaration has already been submitted for the purposes of another award procedure of EASME, the situation has not changed, and the time elapsed since the issuing date of the declaration does not exceed one year.

³⁰ The obligation to provide the supporting evidence will be waived in the following situations:

- if the same documents have already been provided in a previous award procedure of the same *Contracting Authority*, have been issued no more than one year before the date of their request by the *Contracting Authority* and are still valid at that date;
- if such evidence can be accessed by the *Contracting Authority* on a national database free of charge, in which case the economic operator shall provide *the Contracting Authority* with the internet address of the database and, if needed, the necessary identification data to retrieve the document;
- if there is a material impossibility to provide such evidence.

The subsections below specify which selection criteria evidence must be provided with the tender or may be requested later, at any time during the procurement procedure³¹. In any case, to the extent that there is no ground for a waiver, the evidence must be provided, upon request and within a deadline given by the *Contracting Authority*. The evidence must be provided in accordance with the applicable basis for assessment of each criterion: in case of a consolidated assessment – only by the *involved entities* who contribute to the fulfilment of the criterion, and in case of individual assessment – by each *involved entity* to whom the criterion applies individually.

3.2.1. Legal and regulatory capacity

N.A.

3.2.2. Economic and financial capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary economic and financial capacity to perform the contract.

Criterion F1	
Minimum level of capacity	Average annual turnover for the last two years for which the accounts have been closed shall be above EUR 2 000 000.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. a consolidated assessment of the combined capacities of all <i>involved entities</i> will be carried out.
Evidence	Copy of the profit and loss accounts and balance sheets for the last two years for which accounts have been closed from each concerned <i>involved entity</i> , or, failing that, appropriate statements from banks. The most recent year must have been closed within the last 18 months.

Tenderers, including partners in a joint tender, and subcontractors must provide a Statement of Turnover in accordance with *Annex 2.1* of these tender specifications completed with the information requested.

☞ The evidence of economic and financial capacity of the members of the group or sole tenderer does not need to be provided with the tender but may be requested by the *Contracting authority* or the *EU Validation Services* at any time during the procedure.

☞ **Only subcontractors contributing to the combined financial and economic capacity of tenderers should submit with the tender the following documents in eSubmission:**

³¹ The obligation to provide the supporting evidence will be waived in the following situations:

- if the same documents have already been provided in a previous award procedure of the same Contracting authority and are still valid at that date;
- if such evidence can be accessed by the Contracting Authority on a national database free of charge, in which case the economic operator shall provide the Contracting authority with the internet address of the database and, if needed, the necessary identification data to retrieve the document.

- ✓ Copy of the Profit and Loss accounts for the last two years for which the accounts have been closed from each concerned legal entity;

Failing that,

- ✓ Appropriate statements from banks;

Or,

Evidence of professional risk indemnity insurance.

Please note that a request for evidence in no way implies that the tenderer has been successful.

3.2.3 Technical and professional capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary technical capacity to perform the contract.

Tenderers must provide in their tender the table in Annex 2.2 of these tender specifications, exhaustively completed with all the necessary information.

A. Criteria relating to tenderers:

Criterion T1	
The tenderer must prove at least 5 years' experience in the field of fashion and lifestyle sectors, including all stages of their value chain, from design through production to marketing	
Minimum level of capacity	At least 2 projects in the field of fashion and lifestyle sectors, each of them covering all stages of the value chain, completed in the last 5 years preceding the tender submission deadline, with a minimum value for each of them of EUR 1 000 000.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> (all members of the group).
Evidence	A list of projects meeting the minimum level of capacity. The list shall include details of their title and main activities, start and end date, total project amount, role of implementing entity (leader, partner, subcontractor, etc.) and amount invoiced. In case of projects still on-going only the portion completed during the reference period will be taken into consideration. As supporting documents for each project reference the <i>Contracting Authority</i> may request statements issued by the clients and contact them.

Criterion T2

The tenderer must prove a minimum of 5 years' experience in the management and/or financing of incubation programmes and in the provision of coaching and professional advice to enterprises in the fashion and lifestyle sectors.

Minimum level of capacity	At least 2 projects in incubation programmes and in providing coaching and professional advice to enterprises completed in the last 5 years preceding the tender submission deadline, with a minimum value for each of them EUR 1 500 000.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> (all members of the group).
Evidence	<p>A list of projects meeting the minimum level of capacity. The list shall include details of their start and end date, total project amount and scope, role and amount invoiced. In case of projects still on-going only the portion completed during the reference period will be taken into consideration.</p> <p>As supporting documents for each project reference the <i>Contracting Authority</i> may request statements issued by the clients and take contact with them.</p>

Criterion T3

The tenderer must prove a minimum 5 years' experience in providing services or legal advice to companies in the fashion and lifestyle sector on issues related to Intellectual Property Rights (IPR).

Minimum level of capacity	At least 2 projects in providing services or legal advice to companies in the fashion and lifestyle sector on issues related to Intellectual Property Rights (IPR) completed in the last 5 years preceding the tender submission deadline, with a minimum value for each of them EUR 150 000.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> (all members of the group).
Evidence	The tenderer must provide a list of projects with description of services or legal advice provided to companies in the fashion and lifestyle sector on issues related to Intellectual Property Rights (IPR) in the last five years.

Criterion T4

The tenderer must prove a minimum of 3 years of experience in marketing and communication activities in the fashion and lifestyle sectors.

Minimum level of capacity	At least 2 projects in marketing and communication activities in the fashion and lifestyle sectors completed in the last 3 years preceding the tender submission deadline, with a minimum value for each of them EUR 300 000.
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Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> (all members of the group).
Evidence	A list with a short description of the projects or activities demonstrating experience in marketing and communication activities.

Criterion T5	
The tenderer must prove professional experience in web designing.	
Minimum level of capacity	At least 2 projects in web designing in the fashion and lifestyle sectors completed in the last 3 years preceding the tender submission deadline
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> (all members of the group).
Evidence	A list with a short description of the projects or activities demonstrating experience in web designing activities

Criterion T6	
The tenderer must prove its capacity to target at least 10 COSME participating countries in total.	
Minimum level of capacity	At least 1 project in the targeted industry sector, with a scope corresponding to the tasks described under Section 1.4.2.1 of these tender specifications, in at least 10 COSME participating countries in the last 5 years preceding the tender submission deadline, with a minimum value of EUR 1 000 000.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i> (all members of the group).
Evidence	The tenderer must provide a list with a description of at least one project, delivered to/within at least 10 EU and/or COSME participating countries in the last 5 years.

B. Criteria relating to the team delivering the service:

Tenderers must comply with the following selection criteria in order to prove that they have the necessary professional capacity to perform the contract.

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

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

The contractor shall ensure that the staff members listed in the technical offer are effectively available when the contract begins.

Criterion P1

Project Manager

Minimum level of capacity	At least 5 years' experience in project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in projects at EU and/or national level, and proven experience in the fashion and/or lifestyle sectors industry.
Basis for assessment	This criterion applies to the individual/s proposed for that profile.
Evidence	CV with a list of relevant projects managed describing the activities and tasks carried out.

Criterion P2

Experts in business support

Minimum level of capacity	At least 2 experts shall have a minimum of 3 years of professional experience each, in incubating and providing coaching/support services to businesses in the fashion or lifestyle sectors.
Basis for assessment	This criterion applies to the individual/s proposed for that profile.
Evidence	CV describing incubation projects/activities and coaching and business support carried out.

Criterion P3

Expert in web editing

Minimum level of capacity	At least 3 years of professional experience in writing and editing for the web; Native level English language proficiency or equivalent (at least C2 level in the Common European Framework for Reference for Languages in English) ³² .
Basis for assessment	This criterion applies to the individual/s proposed for that profile.
Evidence	CV and language certificate, where relevant, to prove language requirement.

Criterion P4

Expert in communication (community manager)

Minimum level of capacity	At least of 5 years of professional experience in the field of communication and social media.
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³² www.coe.int/t/dg4/linguistic/Cadre1_en.asp

Basis for assessment	This criterion applies to the individual/s proposed for that profile.
Evidence	CV

Criterion P5	
Expert in Intellectual Property Rights (IPR)	
Minimum level of capacity	At least 5 years professional experience in providing services (legal or not) on issues related to IPR to companies in the fashion and/or lifestyle industry.
Basis for assessment	This criterion applies to the individual/s proposed for that profile.
Evidence	CV

☞ All of the above specified evidence of technical and professional capacity must be provided with the tender.

☞ Involved entities must not be subject to conflicting interests, which may negatively affect the contract performance. Where the *Contracting authority* has established such conflicting interests, it may conclude that the tenderer or an involved entity does not possess the required professional capacity to perform the contract to an appropriate quality standard.

The presence of conflicting interests shall be examined during the evaluation phase based on the statements made through the *Annex 2 Declaration on Honour* and, where applicable, the commitment letters (*Annex 5.1 and Annex 5.2*).

3.3. Compliance with the minimum requirements of the Tender specifications

By submitting a tender a tenderer commits to perform the contract in full compliance with the terms and conditions of the procurement documents for this call for tender. Particular attention is drawn to the minimum requirements specified in *Section 1.4* of these specifications and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

Information about the environmental policy of EASME is provided in Annex 9 to these specifications.

The minimum requirements shall be observed throughout the entire duration of the contract. Compliance with these requirements is mandatory and cannot be subject to any assumptions, limitations, conditions, or reservations on the part of a tenderer.

☞ **Tenders that are not compliant with the applicable minimum requirements shall be rejected.**

3.4. Award criteria

The objective of the award criteria is to evaluate the tenders with a view to choosing the most economically advantageous tender.

Tenders will be evaluated on the basis of the following award criteria and their weighting:

1. Price - 30%

The price considered for evaluation will be the total price of the tender, quoted under "A- Total price of the contract and total price used for the assessment of the financial offer" (as per *Annex 6 Price and breakdown of prices*) covering all the requirements set out in the Tender Specifications.

2. Quality - 70%

The quality of the tender will be evaluated based on the following criteria:

Award criterion	Explanation of the criterion's scope	Maximum number of points per criterion (out of 100)	Minimum points to be obtained (out of 100)
Methodology	<p>Quality, appropriateness and completeness of the organisation of the proposed activities and of the work plan (technical relevance, detailed tasks description, clear timetable), plausibility and global coherence of the bid.</p> <p>This criterion will evaluate, inter alia:</p> <ul style="list-style-type: none"> - How the proposed activities will meet the objectives of this call for tenders - How clear, coherent and ambitious is the work plan - How appropriate, practical and innovative are the activities proposed - To what extent is the work plan clearly defined in terms of schedule, milestones and deliverables? - Is there a logical link between identified needs, specific 	60	40

	<p>objectives, proposed actions and expected results?</p> <ul style="list-style-type: none"> - The quality, relevance, completeness, innovativeness and coherence of the methodology proposed to implement: i) Task 1: Selection and validation of partnerships; ii) Task 2: Providing support to partnerships; iii) Task 3: dissemination and information activities; iv) Task 4: drafting the report on innovation through creativity in the Worth partnership project II. - Are the proposed activities likely to have an impact on the target audience? - Are there expected multiplying effects? To what extent does the proposal include elements of transferability (including lessons learnt and good practices)? How the proposed methodology will engage the relevant stakeholders and organise the selection procedures? - How the proposed methodology will identify the relevant SMEs, designers, tech-providers, crafters, assess their innovation needs and select the business partnerships, and organise the meetings (awareness-raising/preparatory meetings, working/coaching meetings? - Is the chosen approach feasible and the expected results achievable? 		
<p>Organisation of the work and resources</p>	<p>This criterion assesses how the roles and responsibilities of the proposed team and of the different economic operators (in case of joint tenders, including subcontractors if applicable) are</p>	<p>20</p>	<p>10</p>

		<p>distributed for each task. It also assesses the global allocation of time and human resources to the project and to each task or deliverable, and whether this allocation is adequate for the work.</p> <p>The tender should provide details on the allocation of time and human resources and the rationale behind the choice of this allocation. Details should be provided as part of the technical offer.</p> <p>! Units costs/prices are to be included in the financial offer only.</p>		
Quality control measures		<p>This criterion assesses the quality control system applied to the service foreseen in these tender specifications concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.</p> <p>It also assesses the risk identification and assessment, and mitigations measures proposed.</p>	20	10
Total			100	60

- The result of the technical evaluation is the sum of the points obtained based on the evaluation of each criterion (maximum 100 points). Only those tenders that score at least 60% of the total points will be considered for the award of the contract.

Tenders not reaching the minimum quality threshold will not be further assessed. Their financial tenders will therefore not be considered for determining the cheapest reference price.

3.5. Award (ranking of tenders)

Tenders shall be ranked according to the best price-quality ratio in accordance with the formula below:

Score for tender X	=	Cheapest reference price	*	100	*	Price weighting (30 %)	+	Total quality score for all award criteria of tender X	*	Quality weighting (70 %)
		Reference price of tender X								

Should the outcome of the formula lead to two or more tenders with the same result, the tenders with lower price will be ranked higher than the tenders with higher price.

The contract shall be awarded to the tender ranked first, which complies with the Tender Specifications and is submitted by a tenderer having access to procurement, not in an exclusion situation and fulfilling the selection criteria.

4. FORM AND CONTENT OF THE TENDER

4.1. Form of the tender: how to submit the tender?

Tenders shall be submitted via the e-Submission application according to the instructions laid down in the Invitation to tender letter and the [e-Submission Quick Guide](#).

👉 Make sure you prepare and submit your electronic tender in e-Submission early enough to ensure it is received within the deadline specified under Heading IV.2.2 of the contract notice. A tender received after this deadline will be rejected.

4.2. Content of the tender: what documents to submit with the tender?

The documents to be submitted with the tender in e-Submission are listed in *Annex 1*.

The following requirements apply to the technical and financial offer (to be uploaded as Technical tender and Financial tender in e-Submission):

(a) Technical offer

The technical offer must provide all the information needed to assess the compliance with *Section 1.4* of these specifications and the award criteria. Tenders deviating from the minimum requirements or not covering all the requirements may be rejected on the basis of non-compliance and not evaluated further.

For the appraisal, the written submission shall include a clear and detailed description of the organisation, human and technical resources and methodology proposed. Tenderers will provide a practical and detailed description of the human and technical resources and services proposed to achieve the objectives and results set out in *Section 1.4* above. Tenderers will also provide a summary of their technical offer in *Annex 7 Technical tender form*.

The tender should provide details on the allocation of time and human resources and the rationale behind the choice of this allocation. Details should be provided as part of the technical offer, i.e. the allocation should be indicated for each task and should specify the role, the names and the estimated number of days/units for each member of the team. This is not a request for a budget; the budget should only be part of the financial offer.

(b) Financial offer

A complete financial offer, including the breakdown of the price, needs to be uploaded. For this purpose, the Financial Model in *Annex 6* shall be completed, duly signed and uploaded in e-Submission. The total amount of the offer as indicated in cell <indicate here the exact cell of the Financial offer form workbook> must be encoded in the field “Total amount excl. taxes” under the section “Tender data” in eSubmission.

It is the responsibility of each tenderer to ensure that the total amount of the tender inserted in the relevant field of the e-Submission application corresponds to the amount indicated in the uploaded financial offer. In case of discrepancies, only the amount indicated in the financial offer will be taken into account.

The financial offer shall be:

- expressed in euros. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to bear the risks or the benefits deriving from any variation.
- quoted free of all duties, taxes and other charges, i.e. also free of VAT.

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

⚡ The European Union Institutions are exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union of 8 April 1965 annexed to the Treaty on the Functioning of the European Union. Exemption is granted to the Commission by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption.

For those countries where national legislation provides an exemption by means of a reimbursement, the amount of VAT must be shown separately. In case of doubt about the applicable VAT system, it is the tenderer's responsibility to contact his or her national authorities to clarify the way in which the European Union is exempt from VAT.

4.3. Signature policy: how can documents be signed?

Where a document needs to be signed, the signature must be either hand-written, or a qualified electronic signature as defined in [Regulation \(EU\) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market \(the eIDAS Regulation\)](#).

For hand-written signatures see: *Section 1* of the Invitation to tender.

For electronic signatures see: <https://webgate.ec.europa.eu/fpfis/wikis/x/iwX4Dg>

All documents must be signed by the signatories (when they are individuals) or by their duly authorised representatives.

For the following documents, when signed by representatives, tenderers must provide evidence for the delegation of the authorisation to sign:

- The Declaration on Honour (*Annex 2*) of the tenderer (in case of joint tender – the Declarations on Honour of all group members).
- (If applicable – in the case of joint tender) the power(s) of attorney drawn up using the model attached in *Annex 3*).
- The Letter of Submission (*Annex 5*).
- The Statement of turnover (*Annex 2.1*).

The delegation of the authorisation to sign on behalf of the signatories (including, in the case of proxy(-ies), the chain of authorisations) must be evidenced by appropriate written evidence (copy of the notice of appointment of the persons authorised to represent the legal entity in signing contracts (together or alone), or a copy of the publication of such appointment if the legislation which applies to signatory requires such publication or a power of attorney).

A document that the *Contracting Authority* can access on a national database free of charge does not need to be submitted if the *Contracting Authority* is provided with the exact internet link and, if applicable, the necessary identification data to retrieve the document.

4.4. Confidentiality of tenders: what information and under what conditions can be disclosed?

Once the *Contracting authority* has opened a tender, it becomes its property and shall be treated confidentially, subject to the following:

- For the purposes of evaluating the tender and, if applicable, implementing the contract, performing audits, benchmarking, etc., the *Contracting Authority* is entitled to make available (any part of) the tender to its staff and the staff of other Union institutions, agencies and bodies, as well to other persons and entities working for the *Contracting Authority* or cooperating with it, including contractors or subcontractors and their staff provided that they are bound by an obligation of confidentiality.
- After the signature of the award decision tenderers whose tenders were received in accordance with the submission modalities, who have access to procurement, who are not found to be in an exclusion situation referred to in Article 136(1) of the FR, who are not rejected under Article 141 of the FR, whose tenders are not found to be incompliant with the procurement documents, and who make a request in writing will be notified of the name of the tenderer to whom the contract is awarded, the characteristics and relative advantages of the successful tender and the price of the offer and/or contract value. The *Contracting Authority* may decide to withhold certain information that it assesses as being confidential, in particular where its release would prejudice the legitimate commercial interests of economic operators or might distort fair competition between them. Such information may include, without being limited to, confidential aspects of tenders such as unit prices included in the financial offer, technical or trade secrets³³.
- The *Contracting Authority* may disclose the submitted tender in the context of a request for public access to documents, or in other cases where the applicable law requires its disclosure. Unless there is an overriding public interest in disclosure³⁴, the *Contracting Authority* may refuse to provide full access to the submitted tender, redacting the parts (if any) that contain confidential

³³ For the definition of trade secrets please see Article 2 (1) of DIRECTIVE (EU) 2016/943 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure.

³⁴ See Article 4 (2) of the REGULATION (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents.

information, the disclosure of which would undermine the protection of commercial interests of the tenderer, including intellectual property.

☞ The *Contracting authority* will disregard general statements that the whole tender or substantial parts of it contain confidential information. Tenderers need to mark clearly the information they consider confidential and explain why it may not be disclosed. The *Contracting authority* reserves the right to make its own assessment of the confidential nature of any information contained in the tender.

APPENDIX: LIST OF REFERENCES

<i>Award criteria</i>	See <i>Section 3.4</i>
<i>Contracting Authority</i>	See <i>Section 1.1</i>
<i>Entities on whose capacities the tenderer relies to fulfil the selection criteria</i>	See <i>Section 2.4.3</i>
<i>EU Validation services</i>	See <i>Section 2.3</i> EU Grants and Tenders Rules on Legal Entity Validation, LEAR appointment and Financial Capacity assessment
<i>Exclusion criteria</i>	See <i>Section 3.1</i>
<i>Financial Regulation</i>	Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union
<i>Group leader</i>	See <i>Section 2.4.1</i>
<i>Identified subcontractors</i>	See <i>Section 2.4.2</i>
<i>Involved entities</i>	See <i>Section 2.4</i>
<i>Joint tender</i>	See <i>Section 2.4.1</i>
<i>Participating entities</i>	See <i>Section 1.1</i>
<i>Participant Register</i>	See <i>Section 2.3</i> https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/how-to-participate/participant-register
<i>Selection criteria</i>	See <i>Section 3.2</i>
<i>Sole tenderer</i>	See <i>Section 2.4</i>
<i>Subcontracting/subcontractor</i>	See <i>Section 2.4.2</i>
<i>Treaties</i>	The EU Treaties: https://europa.eu/european-union/law/treaties_en

ANNEXES

Annex 1 - List of documents to be submitted with the tender or during the procedure

Annex 2 - Declaration on honour on exclusion and selection criteria

Annex 2.1 – Statement of turnover

Annex 2.2 – Technical capacity

Annex 3 - Power of attorney

Annex 4 – List of identified subcontractors

Annex 5 - Letter of submission

Annex 5.1 - Commitment letter by an identified subcontractor

Annex 5.2 - Commitment letter by an entity on whose capacities is being relied

Annex 6 – Financial offer form

Annex 7 – Technical tender form

EASME Environmental policy

Draft service contract and Annexes