



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES  
Directorate C  
ATLANTIC, OUTERMOST REGIONS AND ARCTIC

# **ANNEX 1**

## **OPEN CALL FOR TENDERS No MARE/2012/22**

### **Studies for carrying out the Common Fisheries Policy**

**LOT 1: Scientific support for the development of a  
management plan in the Celtic Sea**

**LOT 2: Scientific data storage and transmission under  
the 2014-2020 Data Collection Multi-Annual  
Programme (DC-MAP) – Feasibility Study**

## **Tendering Specifications**

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## 1. INTRODUCTION

### 1.1. General information concerning the call for tenders

The European Commission, represented for the purposes of this call for tenders by the Directorate-General for Maritime Affairs and Fisheries (DG MARE), wishes to conclude two service contracts on topics in relation to the implementation of the Common Fisheries Policy.

The eligible topics, which represent different lots of this call for tenders, are the following:

#### **- LOT 1 - Scientific support for the development of a management plan in the Celtic Sea**

The main purpose of this service contract is to elaborate a decision-support tool (a scientific model) that will enable the assessment of management options in the context of Celtic Sea's mixed fisheries.

#### **- LOT 2 - Scientific data storage and transmission under the 2014-2020 Data Collection Multi-Annual Programme (DC-MAP) – Feasibility Study**

The main purpose of this service contract is to develop possible scenarios for the future in order to adapt the current data storage and transmission set-up towards ensuring that a future set-up will be simpler and more cost-efficient, as well as better adapted to the needs of data providers, of those implementing data quality assessments and of data end-users.

Tenderers may submit a tender for one or both lots. When tendering for more than one lot, tenderers must submit a separate tender for each lot and tenders may not be conditional on the award of several lots.

Joint tenders and subcontracting are authorised.

The services required under each of the lots are described in detail in section 2 of these specifications.

### 1.2. General information concerning the contract

The contractual terms are included in the draft service contract in Annex 2

#### **LOT 1: Scientific support for the development of a management plan in the Celtic Sea**

Duration of the contracts: 24 months

Terms of payment:

First Interim payment : 30 % upon approval of the first interim report

Second Interim payment : 40 % upon approval of the second interim report

Payment of the balance: 30 % after acceptance of the final report

## **LOT 2: Scientific data storage and transmission under the 2014-2020 Data Collection Multi-Annual Programme (DC-MAP) – Feasibility Study**

Duration of the contracts: 7 months

Terms of payment:

Interim payment : 30 % upon approval of the interim report

Payment of the balance: 70 % after acceptance of the final report

## **2. TECHNICAL SPECIFICATION**

### **2.1. DEFINITION**

#### **2.1.1. LOT 1: Scientific support for the development of a management plan in the Celtic Sea**

##### *Background of the study*

The proposed reform of the Common Fisheries Policy anticipates a move towards multi-annual plans which cover multiple stocks where and when they are exploited together or where the dynamics of stocks relate to one another<sup>1</sup>.

Interactions may either be considered from a biological or a technical perspective. Biological interactions comprise relationships/interdependence between species e.g. in the food web, or the reaction of a given species to changes in the environment and food availability. Technical interactions result from different sets of species and range sizes being caught together by an array of fishing gears operated by the various fleets operating in the management area.

In the context of this call for tenders, the following definitions for multi-annual plans covering multiple species shall apply: '*Species and/or fisheries are linked with each other either through the food web (multi-species) or through technical interactions in the associated fishery (mixed fisheries)*'.

Looking at mixed fisheries, the array of possible interactions is immense. Moreover, they are variable in space and time. In a recent document<sup>2</sup>, the International Council for the Exploration of the Sea (ICES) gives an example of the trade-offs that mixed fisheries management plans will inevitably bring about: '*For a mixed-species fishery, it may not be possible to achieve the single-stock MSYs of all the stocks simultaneously. Either the TACs for some stocks will be exceeded in trying to catch the TACs of other stocks, or the TACs for some stocks will not be caught in order to prevent TACs for other stocks from being exceeded*'.

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<sup>1</sup> COM(2011) 425 final: Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy.

<sup>2</sup> General context of ICES advice. Advice basis June 2012.

The management of a set of stocks in a single instrument is therefore likely to involve accepting trade-offs and choosing an acceptable level of risk. To that end, the scientific basis for management must incorporate methods and approaches to identify such trade-offs and measure risks, in a situation where the level of complexity is much superior to the one tackled by single-stock science.

As regards the Celtic Sea fisheries, it is a highly complex system where various factors interact in a non-linear way. These factors comprise but are not limited to the following:

- management tools such as quotas, seasonal closures, gears restrictions and other management tools restricting the possible catches;
- fleets' behaviour (resulting from fishing strategies) adapting over time to management decisions, fish availability and market constraints;
- various European Union Member States hold fishing quotas in a given area;
- target species vary in space and time and are linked to individual and collective fishing strategies preferences;
- there can be a high variety of commercial and non-commercial species taken as by-catch in one single fishery;
- demersal and pelagic species may be targeted with different gears in a single fishing trip;
- fishing gears, métiers, vessels' size are variable and influence catch composition;
- cultural preferences, markets structure, fish prices, practical parameters such as fuel price, distance to the home port, hull capacity and local ports' facilities also influence the decisions made by individual fishermen.

Mixed fisheries management must develop in line with the requirements of sustainable development. The pursuit of the latter is a prominent feature of all the policies of the European Union including the Common Fisheries Policy<sup>3</sup>. Its objective is to *"ensure exploitation of living aquatic resources that provides sustainable economic, environmental and social conditions"*. Further specification of this objective has been included in the proposal for the CFP reform as ensuring *"by 2015, that exploitation of living marine biological resources restores and maintains populations of harvested species above levels which can produce the maximum sustainable yield"*<sup>4</sup>.

In pursuit of the above general objective, it is necessary to assess the environmental, but also the economic and social impacts of any multi-annual plan that the Commission wishes to propose. To achieve this in a context of mixed fisheries management implies to develop the means to model the response of stocks to exploitation while assessing the economic performance and the social benefits the fisheries would bring about under each exploitation scenario. In essence, it would be very useful to develop a "decision-support" tool that can model how the different stocks will evolve under different management scenarios and how such evolution will affect the economic and social returns that the fishery produces, and thus guide managers when choosing a management strategy for the relevant area, in this case the Celtic Sea.

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<sup>3</sup> Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy.

<sup>4</sup> COM(2011) 425 final: Proposal for a Regulation of the European Parliament and of the Council on the Common Fisheries Policy.

## *Objectives*

The objective of this service contract is the development of a decision-support tool (a scientific model) that will integrate the sustainability of mixed fisheries (i.e. the technical interactions of fleets with target/non-target fish) with economic and possibly social dimensions of the Celtic Sea fisheries. The main purpose of the tool shall be to allow the assessment of management options in relation to mixed fisheries management in the Celtic Sea. In its main application, the tool shall assist the European Commission as represented by the services of Directorate-General for Maritime Affairs and Fisheries (henceforth DG MARE) in improving its management decisions. However, it is intended that the scope of the tool shall be broad enough to enable a wider application. The tool should be modular, flexible and versatile enough to apply to areas beyond the Celtic Sea, as is or with limited adaptation.

## *Terms of reference*

### a. Compendium of existing models, studies and data – Data requirements

The tenderer shall provide an inventory of the models, studies and data available to develop the decision-support tool. This overview shall cover all fields relevant to the fisheries in the Celtic Sea, in particular data describing the stocks and the fleets of the European Union Member States most active in the area as well as their behaviour, catches and economic and social performance. The successful tenderer is required to devise (if not already available) a segmentation of the EU fleets according to different métiers or combination of métiers and to describe fleets' dynamics. The Member States concerned are Ireland, the United Kingdom, Spain, France, Belgium, and possibly the Netherlands if relevant to the areas studied in this project. The successful tenderer may suggest that other relevant fleets be covered and precisely state which ones and why. Non-EU countries should be considered if relevant.

The successful tenderer shall detail the data that will be used in the development of the decision-support tool. The tenderer shall detail the standards of quality needed for the work, including but not limited to, the length of time series and the overall size of the datasets. The data coverage shall ensure the highest possible degree of statistical significance and overall reliability in the analyses performed. Available, validated data shall be exploited to the widest possible extent if their level of precision and accuracy is compatible with the analysis intended.

The data should accurately describe the following items, including, but not limited to:

- biological, economic and social fisheries models, relevant studies, or any combination of those, available or under preparation, highlighting their relevance or possible application to this project;
- existing relevant data sources, type of data available and possible additional needs for data collection.

Any cost relating to possible additional data necessary for the execution of the contract should be borne by the contractor, including those incurred for the purpose of collecting, collating, processing and otherwise acquiring further data or datasets. The Commission reserves the right to review and assess any needs for additional data.

### b. Geographic scope

The decision-support tool is primarily intended to allow ex-ante assessment of management options for the Celtic Sea, the boundaries of which are variable. Accordingly, the tenderers are required to propose and carefully justify the ICES areas that they intend to study. The precise geographic scope of a future mixed fisheries management plan will in fact be one of the management options that the Commission will have to consider when preparing any future proposal. The tool developed by means of this project must be built in such a way that it can effectively model different options in this respect. The successful tenderer shall cater for the necessary flexibility when planning and executing the data compilation phase of the project. The tool delivered shall not be conditioned by the constraints affecting the choice of geographical origin of the data used in its development. This is also required in light of the desirability, noted in the objectives section above, to ensure that the tool is adaptable to areas other than the Celtic Sea.

c. Decision-support tool

The decision-support tool delivered at the conclusion of this project should be user-friendly for informed fishery scientists and should allow the modelling of responses to various possible management scenarios in terms of:

- how the conservation status / yield of the stocks will evolve;
- how the economic returns of the fishery for the harvesting sector will evolve;
- economic impacts on the economy of the regions dependent of the activity of the main ports used by the fleets operating in the Celtic Sea;
- social impacts, with regard to jobs and social cost responses in the harvesting sector and relevant quayside industries.

Scenarios may include:

- species (catch limits) / areas managed;
- plausible combinations of participating métiers at different levels of fishing effort and using different gear specifications (mesh sizes, separator panels, etc.);
- management objectives (e.g. MSY for all stocks; preserving the most ecosystem-relevant species; maximising the catch; maximising economic returns / profits; protecting the stock in the worst state of conservation; minimisation of unwanted catch; etc.);
- the timeframe within which management objectives will be reached;
- Variations in prices of inputs in particular Interest rate, capital costs dynamics and fuel costs, including a scenario where fuel cost increase is equivalent to a total removal of existing fuel tax exemptions;
- Fish price dynamics (ex vessel price), including supply demand and elasticity effects.

Tenderers will specify the feasibility of port economy and social impact modelling in light of the data available and any additional collection needs. The tenderers shall also specify any other aspects that the proposed tool should be able to model beyond those mentioned above.

The responsibility to propose a reliable structure for the proposed decision-support tool lies with the tenderer. The tool should include a comprehensive users' guide. A minimum list of items is expected to be part of the package. Tenderers may propose to amend it, whether adding or deleting items upon due justification. The Commission reserves the right to do so. The expected items comprise:

- a modelling engine;
- the databases used to run the model;
- metadata in a standardised format;
- GIS databases and associated metadata in a standardised format if possible and relevant;
- a comprehensive users' guide;

Being the core of the project, the tool as such will be carefully examined by the assessment board. Tenderers are expected to provide both a basic and a comprehensive description of how the tool will work. The descriptions may be supplemented with graphs and figures.

#### d. Software

The software used to build, exploit and otherwise allow the dissemination of the decision-support tool shall be open source. Should this not be the case, it has to be duly justified by the contractor and approved by the Commission. The tool should be built in such a way that its source code be open and allow subsequent modifications, adaptations and improvements. The tool should be delivered with adequate and complete documentation. Where possible, software used should be operable across computers' operating systems.

#### e. Scientific expertise and resources – Collaboration with the Commission's scientific advising bodies

The successful tenderer must ensure that he may provide in due time, where and when suitable, the relevant amount of expertise, scientific resources and workforce in order to carry out the services requested by the contract. Research institutions or scientific teams may be involved as joint tenderers (partners) or subcontractors. Tenderers are requested to identify joint tenderers and subcontractors in their tender. The successful tenderer shall ensure that the Commission's scientific advising bodies be involved in the course of this project, as regards i) the provision of expertise and data; ii) the continuation and improvement of the project's outputs after the completion of the contract. The level and nature of Commission's scientific advising bodies' involvement and its possible shape will be discussed in an inception meeting. The meeting shall take place after the successful tenderer be designated, with possible participation of these advising bodies.

#### f. Product delivery and legal rights

The end product should be tested by fitting the model to the existing datasets and using the adequate statistical tools allowing assessing the statistical power and robustness of the model in describing the fishery. The final acceptance of the end product by the services of the Commission and related final payment to the successful tenderer shall be conditioned, in addition to all the other conditions set in this call for tenders and in the contract, to the successful passing of this test. The decision-support tool is to be available for test and use by scientific and stakeholder bodies that so wish, upon request to the Commission. The Commission shall be free to decide granting access to it on its own initiative to such bodies. It shall therefore be delivered in a way that facilitates its dissemination. The tenderer may be required by the Commission to present this tool and provide training as to how to use and possibly update and upgrade it to potential users after the completion of this project.



### *Duration of the task*

The contract will be concluded for a period of 24 months with effect from the date on which it is signed by the last contracting party.

### *Timetable and reports*

The successful tenderer shall present the detailed approach and the work-plan on the progress of the study at an inception meeting within the first month after the signature of the contract. The use of complementary graphs and figures is recommended.

The successful tenderer shall submit a first interim report 4 (four) months after the signature of the contract. This report shall present an overview of the tasks performed during the first interim period, especially focusing on the progress as regards the data collection including a first description of results achieved by then. The report shall also present: i) problems that aroused in the first interim period of the study and how these were addressed; ii) mitigation measures if the study needs adjustment driven by unforeseeable events.

The successful tenderer shall submit a second interim report 12 (twelve) months after the signature of the contract. This report shall present an overview of the tasks performed during the second interim period, including a description and evaluation of results achieved by then. The report shall also present: i) problems that aroused in the second interim period of the study and how these were addressed; ii) mitigation measures if the study needs adjustment driven by unforeseeable events.

A final report shall be submitted by the end of the 24 (twenty-four) months period. It shall present a complete overview of the execution and of the results of the study, including both a summarised and comprehensive documentation of the decision-support tool. The report shall also comprise an executive summary (maximum 15 pages) before the main body of the report.

Signature of the contract	
Inception meeting	Within the first month after the signature of the contract
First interim report	4 (four) months after the signature of the contract
Second interim report	12 (twelve) months after the signature of the contract
Final report	To be submitted by the end of the 24-month period

## 2.1.2. LOT 2: Scientific data storage and transmission under the 2014-2020 Data Collection Multi-Annual Programme (DC-MAP) – Feasibility Study

### *Background of the study*

The Common Fisheries Policy (CFP) is guided by principles of good governance, including decision-making based on best available scientific advice<sup>5</sup>. Scientific advice depends on the availability of relevant, accurate and up-to-date data. The CFP currently co-funds the data collection by national authorities of biological and socio-economic data on the fisheries, aquaculture and processing sectors.

Data collection currently occurs under the Data Collection Framework (DCF)<sup>6</sup> and the multi-annual Union programme for data collection established thereunder.<sup>7</sup> The Second Financial Instrument for the CFP funds the DCF.<sup>8</sup>

The DCF is to be replaced by the Data Collection Multi-Annual Programme (DC-MAP) in 2014, for the 2014-2020 period. The DC-MAP is established under Article 37 of the Proposal for a Basic Regulation on the CFP.<sup>9</sup> The DC-MAP will be funded under the European Maritime and Fisheries Fund (EMFF).<sup>10</sup> The DC-MAP is to be adopted in 2013 once the Basic Regulation on the CFP and the Regulation establishing the EMFF have been adopted.

Under the current data storage and data transmission set-up for data collected under the DCF, data are collected by the national competent authorities, stored in national computerised databases (*Article 13 of Council Regulation 199/2008*) and transmitted to intermediaries<sup>11</sup> and end-users on their request through formal 'data calls' (*Chapter IV of Council Regulation 199/2008*), or informally, not on the basis of formal data calls. End-users are those requiring data for the purposes of providing scientific advice, for public debate and stakeholder participation in policy development and for scientific publication (*Article 18 of Council Regulation 199/2008*). Various intermediaries and end-users, including the Joint Research Centre (JRC) {an intermediary between data providers and DG MARE/ the Scientific Technical and Economic Committee for Fisheries (STECF)}, Regional Coordination Meetings (RCMs), the International Council for the Exploration of the Sea (ICES) and Regional Fisheries Management Organisations (RFMOs) then store the data requested in specific databases.

During on-going discussion on the DC-MAP the need to adapt the current data storage and data transmission set-up for data collected under the DCF has become apparent, in terms of

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<sup>5</sup> Commission Communication COM(2011)425 Proposal for a new regulation of the European Parliament and of the Council on the common fisheries policy.

<sup>6</sup> Council Regulation 199/2008 concerning the establishment of a Community framework for the collection, management and use of data in the fisheries sector and support for scientific advice regarding the Common Fisheries Policy and Commission Regulation 665/2008 laying down detailed rules for the application of Council Regulation 199/2008.

<sup>7</sup> Commission Decision 93/2010 adopting a multiannual Community programme for the collection, management, and use of data in the fisheries sector for the period 2011-2013.

<sup>8</sup> Council Regulation 861/2006 establishing Community financial measures for the implementation of the common fisheries policy and the Law of the Sea and Commission Regulation 1078/2008 laying down detailed rules for the implementation of Council Regulation 861/2006 as regards the expenditure incurred by Member States for the collection and management of basic fisheries data

<sup>9</sup> Commission Communication COM(2011)425 Proposal for a new regulation of the European Parliament and of the Council on the common fisheries policy.

<sup>10</sup> Commission Communication COM(2011)804 Proposal for a regulation of the European Parliament and of the Council on the European Maritime and Fisheries Fund

<sup>11</sup> i.e. intermediaries between data providers and end-users

ensuring that the future set-up will be simpler and more cost-efficient, as well as better adapted to the needs of data providers, of those implementing data quality assessments and of data end-users. The need for such an adaptation was also highlighted in a recent study evaluating the DCF, funded by the Commission.<sup>12</sup>

In addition, in a broader context, there is a need to adapt the current data storage and transmission set-up in the context of the Marine Knowledge 2020 Green Paper<sup>13</sup>. This aims to create a knowledge base that can facilitate the growth of a sustainable, job-creating 'blue economy' in marine and maritime sectors through ensuring, amongst others, that the relevant data (including data currently collected under the DCF) should be interoperable, accessible and free of restrictions on use.

Such an adaptation of the current data storage and data transmission set-up for data collected under the DCF is to be implemented in the context of the DC-MAP, from 2014 onwards.

### *Study Objectives*

- a) To provide a description of the current data storage and transmission set-up (*baseline scenario*).
- b) To develop several (i.e. three to five) *possible scenarios for the future* for the data storage and transmission set-up which allow achieving a number of policy objectives.
- c) To assess the effectiveness and feasibility of these possible scenarios. In this context the effectiveness shall be assessed against the achievement of the policy objectives, and the feasibility shall be assessed against legal, administrative and financial constraints to implementation.

### *Terms of Reference*

#### ***I. Scope of the study***

##### *A. Types of data to be considered*

When describing the *baseline scenario* and developing *possible scenarios for the future* for the data storage and transmission set-up, the following types of data shall be considered:

- *Type I* – Fisheries data currently collected by Member States under the DCF: Data collected under Commission Decision 93/2010 establishing a multiannual Community programme for the collection, management, and use of data in the fisheries sector for the period 2011-2013. *This includes socio-economic (fleet, as well as aquaculture and processing sector data), biological (métier- and stock-related data) and transversal data.*
- *Type II* – Other fisheries data collected by Member States to meet reporting obligations under EU legal instruments, and under RFMOs:

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<sup>12</sup> *Evaluation of the Data Collection Framework (DCF)*- Specific Contract No 1 under Framework Contract MARE/2011/01- Lot 2: Retrospective and prospective evaluation on the common fisheries policy, excluding its international dimension.

<sup>13</sup> Commission Green Paper COM(2012)473 Marine Knowledge 2020 from seabed mapping to ocean forecasting

Data required for the collection of *Type I* - data. This includes, for example, data collected under the Control Regulation<sup>14</sup> enabling the collection of *Type I* data.

Data collected under other legal instruments which overlap with *Type I* – data. The relevant legal instruments are, in particular, the Marine Strategy Framework Directive<sup>15</sup> and the Eurostat Regulation<sup>16</sup>.

Data collected by Member States to meet obligations towards RFMOs<sup>17</sup>, as far as not covered by *Type I*, which overlap with Type I-data.

- *Type III* – Marine/ maritime data collected/ to be collected under the Integrated Maritime Policy:  
Data included in the European Marine Observation and Data Network (EMODnet), i.e. data on sea-beds, as well as data on the present and past physical, chemical and biological state of the overlying water column.<sup>18</sup>

*The study is to consider the data storage and transmission set-up for Type I - data. In doing so, interactions with the data storage and transmission set-up for Type II - and Type III - data shall also be considered.*

#### *B. Data storage and data transmission set-up*

As outlined above this study is to consider the current as well as several possible future data storage and data transmission set-ups. 'Data storage and data transmission set-up' refers to the following elements:

- *Access of data providers to data required for the collection of Type I - data*
- *Database set-up*, i.e. number of supra-national databases, their hosting organisation, their connection if any, their data structure, and data aggregation levels?
- *Data upload* onto these databases, i.e. through ad-hoc data calls or through a fixed upload schedule from national databases? Using which transfer format?
- *Data quality checks*, i.e. data validation and data quality assessment
- *Provision of data from supra-national databases to end-users for analysis*, i.e. provision of data to actors requiring them for the purposes of providing scientific advice, for public debate and stakeholder participation in policy development and for scientific publication<sup>19</sup>

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<sup>14</sup> Council Regulation 1224/2009 establishing a Community control set-up for ensuring compliance with the rules of the common fisheries policy

<sup>15</sup> Directive 56/2008 of the European Parliament and the Council establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)

<sup>16</sup> Regulation 223/2009 of the European Parliament and the Council on European statistics

<sup>17</sup> Focus on the following RFMOs: CCAMLR, CCSBT, GFCM, IATTC, ICCAT, IOTC, NAFO, NEAFC, SEAFO, SPRFMO, WCPFC

<sup>18</sup> Commission Green Paper COM(2012)473 Marine Knowledge 2020 from seabed mapping to ocean forecasting – pages 5-6.

<sup>19</sup> Including DG MARE, the Scientific Technical and Economic Committee for Fisheries (STECF), the Joint Research Centre (JRC), Regional Coordination Meetings (RCMs), the International Council for the Exploration of the Sea (ICES) and Regional Fisheries Management Organisations (RFMOs) (*as listed above*).

- *Dissemination from supra-national databases to actors beyond end-users, if applicable.*

*As highlighted above, the study is to consider the data storage and transmission set-up for Type I - data. In doing so, interactions with the data storage and transmission set-up for Type II - and Type III - data shall also be considered.*

## **II. Tasks to be completed under Study Objective a)**

The current data storage and transmission set-up (the *baseline scenario*) shall be described with regard to the types of data and the elements of the data storage and data transmission set-up referred to above. This shall include the following elements, as well as descriptions (*to be elaborated further*):

- *With regard to access to data required for the collection of Type I - data:*

Real-time access to data collected under the Control Regulation is currently required for data collection (fisheries dependent data) under the DCF, to plan sampling activities on-shore and at-sea. Access for DCF data providers to data collected under the Control Regulation is formally guaranteed through data calls with response deadline of one month (*Chapter IV of Council Regulation 199/2008*). Real-time access is, however, not formally guaranteed.

*The contractor shall outline the access provisions to data collected under the Control Regulation for DCF data providers in the Member States, and assess these arrangements in relation to the needs of data providers. In doing so, particular attention shall be given to data confidentiality issues and differences in data aggregation levels.*

- *With regard to database set-up:*

Data is stored in *national* computerised databases and transmitted to intermediaries and end-users on their request.<sup>20</sup> Various intermediaries and end-users, including the Joint Research Centre (JRC), DG MARE, Regional Coordination Meetings (RCMs), the International Council for the Exploration of the Sea (ICES) and Regional Fisheries Management Organisations (RFMOs) then store the data requested in specific *supra-national* databases. There appear to be duplications in the data stored in these databases.

Recently, an emphasis has been placed on the development of Regional Databases. Regional Coordination Meetings (RCMs) are organised once a year to 'assist Member States in coordinating their national programmes and the implementation of the collection, management and use of the data in the same region' (Article 5 of Council Regulation 199/2008) for biological variables. In the past it has been

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<sup>20</sup> For information on national databases refer to the reports of field work missions to certain Member States under framework contract MARE/2009/08 - 'Assistance for the monitoring of the implementation of national programmes for the collection, management and use of data in the fisheries sector'.

necessary, for the purpose of coordination national sampling programmes regionally, to request data from each country in the region on an ad-hoc basis in order to carry out basic analyses, which are necessary for coordination. Such a process is error prone and also time consuming both for the national institutes and the actual meetings of the RCMs. To address this shortcoming, RDBs for the Baltic Sea, the North Sea and the Atlantic have been set up. Fisheries-dependent biological and fisheries-independent biological data is uploaded by Member States onto RDBs (only partially for the Atlantic). Then sampling coordination and data quality assessment occurs on the basis of this data. In 2012 RCMs for these sea-basins used RDBs for sampling coordination, and for data quality assessment.

*The contractor shall list the relevant databases, and outline their data structure. Duplications, similarities and differences shall be assessed, as well as the value added of each database. In doing so, particular attention shall be given to differences in data aggregation levels.*

*Further, the contractor shall envisage actions to simplify the database set-up.*

– *With regard to data upload:*

There are regularly changing (sometimes informal) data calls, through which data from Member States is requested (*Chapter IV of Council Regulation 199/2008*). Different data transmission formats exist. Data transmission checks are implemented for some end-users (JRC/DG MARE, ICES).

*The contractor shall list relevant data calls, as well as the associated data transmission formats (Excel, XML etc.) and transmission protocols (file upload, e-mail etc.). Duplications, similarities and differences shall be assessed. In doing so, particular attention shall be given to differences in data aggregation levels.*

*Further, the contractor shall envisage actions to simplify these processes.*

– *With regard to data quality checks:*

*Data validation/ data quality assessments*

This is the responsibility of Member States (Article 14 of Council Regulation 199/2008), but is not always effective.

The JRC is using a data validation tool for data received through JRC/ DG MARE data calls (checks for use of valid codes/ type of data entered/ erroneous or duplicated data).

RCMs conducted for the first time comparative checks of biological data collected by different Member States on the same stocks/ parameters (e.g. comparison of length/weight and length/age data of different Member States, for the same stocks). Intermediaries and end-users such as ICES, the JRC, and the STECF also implement quality assessments.

*The contractor shall list relevant data validation processes and data quality checks carried out by data providers in the Member States and by data receivers (data intermediaries and data end-users). Duplications, similarities and differences shall be assessed, as well as the value added of the individual data*

*validation processes and data quality checks. Further, the contractor shall identify important gaps and issues in the data validation processes and data quality checks (if relevant) in relation to end-user needs.*

*Further, the contractor shall envisage actions to address the identified gaps and issues.*

- *With regard to provision of data from supra-national databases to end-users for analysis, and with regard to data dissemination:*

Data are provided to end-users from the relevant supra-national databases. Further, data requested from Member States through JRC/DG MARE data calls has recently been made available to the public through an online data dissemination tool.

*The contractor shall list relevant access provisions for end-users to the supra-national databases. Access provisions and possible data confidentiality issues shall be assessed in relation to end-user needs. In doing so, particular attention shall be given to differences in data aggregation levels.*

*In addition data dissemination initiatives shall be listed, and the users and uses of these shall be described.*

*Further, the contractor shall envisage actions to address the identified gaps and issues.*

### **III. Tasks to be completed under Study Objective b)**

Several (i.e. three to five) possible scenarios for the future for the data storage and transmission set-up are to be developed. These scenarios are to be built on the basis of the following policy objectives:

- i) The current set-up should be simplified and the overall running costs of the set-up should be reduced for data providers, for those implementing data quality assessments, and for data end-users. In doing so, attention should be paid in particular to linking various data storage and transmission set-ups established under different EU legal instruments.
- ii) The current set-up should be adapted to the needs of data providers, of those implementing data quality assessments and of data end-users. This includes:
  - The needs stemming from the continued regionalisation of data collection, in connection with the objective of regionalisation for the CFP as a whole, should be taken into account. At the same time the need to ensure overall coherence between regions, in order to allow assessing the fisheries and aquaculture sectors *across* the EU.
  - The need to integrate socio-economic and biological data for producing integrated advice (through bio-economic modelling and indicators), for impact assessments and policy evaluations, should be taken into account. This ultimately ensures that decision-making is based on best available

scientific advice, through ensuring that scientific advice is based on high quality data<sup>21</sup>.

- iii) The future set-up should allow strengthening the assessment of the quality of the data, based on end-user needs. This again ultimately ensures that decision-making is based on best available scientific advice, through ensuring that scientific advice is based on high quality data. High quality data is understood here as data that is relevant, comparable, accurate, provided in a timely manner, and processed using sound statistical methods.
- iv) The future set-up should ensure that data is accessible and free of restrictions on use, as set out in the Marine Knowledge 2020 Green Paper.
- v) The future set-up should be coherent with all initiatives under DG MARE's '*Integrated Fisheries Data Management Programme*'.

*When building the scenarios, all elements of the data storage and transmission set-up listed in above shall be considered.*

*Possible scenarios could include the following:*

- A database would be established for each sea-basin ('the regional database') and evolve towards becoming a single platform for data quality checks, as well as the single intermediary between data providers and various end-users for all biological data for a given sea-basin. Such Regional Databases could be hosted at the ICES and the GFCM for the relevant sea-basins. A separate single platform for economic data for *all* sea-basins could be hosted at the JRC, and effectively linked to the Regional Databases.
- *Or*, the JRC databases could be strengthened towards integrating the current role of Regional Databases, and towards becoming a single platform for all biological and socio-economic data, and the relevant data quality checks.

In both cases the databases for DCF data would have to be linked and consistent with databases established under other EU legal instruments.

- Or, the various databases established for DCF data and under other EU legal instruments could be linked effectively, for example under the umbrella of EMODnet, and data quality checks could be coordinated for data stored in these databases.

#### ***IV. Tasks to be completed under Study Objective c)***

The *baseline scenario* and the *possible scenarios for the future* data storage and transmission set-up shall be assessed with regard to:

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<sup>21</sup> High quality data is understood here as data that is relevant, comparable, accurate, provided in a timely manner, and processed using sound statistical methods.



- The effectiveness against the individual *policy objectives* (Section III, above).
- Further, the feasibility with regard to legal, administrative and financial constraints to implementation. The constraints to be considered are:
  - *Legal constraints, in terms of provisions on access to data as well as in terms of provisions on data transmission and storage, under:*
    - the DCF and the future DC-MAP (currently being drafted by Commission Services)
    - the Control Regulation
    - the Marine Strategy Framework Directive
    - the Eurostat Regulation
    - other relevant legal instruments
  - *Administrative constraints:*
    - Implications for relations between DG MARE and the Joint Research Centre (JRC), International Council for the Exploration of the Sea (ICES) and Regional Fisheries Management Organisations (RFMOs).
    - Estimated duration of the transition from the *baseline scenario* to the *possible scenarios for the future*.
  - *Financial constraints:*  
Cost of the transition from the *baseline scenario* to the *possible scenarios for the future* for all actors, i.e. data providers, those implementing data quality assessments, and data end-users.

All the *scenarios* shall be evaluated against the policy objectives as well as these constraints. An overall assessment of the strengths, weaknesses, opportunities and threats of the different *possible scenarios for the future* shall then be made on the basis of this evaluation.

#### *Duration of the tasks*

The contract will be concluded for a period of 7 months with effect from the date on which the last contracting party signs it.

#### *Timetable and reports*

*All reports are to be submitted in English. All meetings are to be held on premises of DG MARE in Brussels.*

##### *i) Inception report and meeting*

The successful tenderer shall present the detailed approach and a workplan on the progress of the study in an inception report, to be submitted one month after the signature of the contract. This report shall be presented at an inception meeting to be held maximum three weeks after its submission.

*ii) Interim report and meeting*

An interim report shall be submitted three and a half months after the signature of the contract. The interim report shall be presented at meeting to be held maximum three weeks after its submission.

The interim report shall present results for *Study Objective a)*, i.e. description of the current data storage and transmission set-up (*baseline scenario*), as well as preliminary results for *Study Objective b)* outline of several *possible scenarios for the future* for the data storage and transmission set-up

*iii) Draft final report and meeting*

A draft final report shall be submitted five and a half months after the signature of the contract. The draft final report shall be presented at meeting to be held maximum three weeks after its submission.

*iv) Final report*

A final report shall be submitted at the end of the contracting period, at the latest seven months after the signature of the contract.

Signature of the contract	
Inception report	Within one month after signature
Interim report	Within three and a half months after signature
Draft final report	Within five and a half months after signature
Final report	Within seven months after signature

## 2.2. VOLUME

### **LOT 1 - Scientific support for the development of a management plan in the Celtic Sea**

The maximum budget for this study is five hundred thousand euros (€500,000) covering all expenses including personnel, travel, overheads and consumables.

### **LOT 2 - Scientific data storage and transmission under the 2014-2020 Data Collection Multi-Annual Programme (DC-MAP) – Feasibility Study**

The maximum budget for this study is three hundred thousand euros (€300,000) covering all expenses including personnel, travel, overheads and consumables.

## 3. TERMS AND CONDITIONS APPLICABLE TO THE CALL FOR TENDERS

### 3.1. TENDERS

Tenderers must include all the information and documentation required to enable the authorising department to appraise tenders in accordance with the criteria set out in section 4.

When tendering for more than one lot, tenderers must submit a separate tender for each lot. As regards the documentation related to the identification of the tenderer and the exclusion and selection criteria, tenderers are allowed to provide original documents in the tender for one of the lots and copies of these documents in the tender(s) for the other lot(s).

Submission of a tender in response to a call for tenders issued by the Commission implies:

- accepting all the terms and conditions stipulated in the call for tenders and in the special terms and conditions, if any (see model contract in Annex 2 of the tender dossier);
- waiving the tenderer's own terms of business.

All documents presented by the tenderers will become the property of the European Commission and are to be deemed confidential.

The tender must be submitted in triplicate (one copy clearly identified "Original", and two copies marked "Copy 1" and "Copy 2"; "Copy 2" should be unbound), in three sealed envelopes:

- 1) One sealed envelope containing the documentation for the identification of the tenderer and exclusion and selection criteria as requested under sections 4.1, 4.2 and 4.3 of the tendering specifications, including the declaration of honour with respect to the exclusion criteria and absence of conflict of interest (Annex 4), the questionnaire (Annex 5), the legal entity form and the financial identification form.
- 2) One sealed envelope containing the technical tender according to section 4.4.1 of the tendering specifications, including the technical tender form in Annex 3, filled in and signed by the tenderer. The technical tender should contain no financial information.
- 3) One sealed envelope containing the financial tender, i.e. the financial tender form in Annex 3, filled in and signed by the tenderer.

Each of these envelopes must clearly indicate the content ("Identification, Exclusion and Selection Criteria", "Technical" and "Financial").

All tenders will be opened in public at the place, on the date and at the time specified in the covering letter of this call for tenders. Tenderers or their authorised representatives are allowed to attend the opening. These persons will have to sign an attendance list.

For practical reasons, tenderers are requested to inform DG MARE by e-mail ([mare-tenders@ec.europa.eu](mailto:mare-tenders@ec.europa.eu)) of their wish to attend the opening no later than one week before the meeting.

### **3.2. PRICES**

The Commission enters into contracts and makes payments in Euro.

Prices must be free of all duties, taxes and dues (on the grounds that the Commission is exempt from such charges under the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union).

Prices must be quoted in Euro, exclusive of VAT and all taxes and dues. The amounts must be quoted to two decimal places.

Costs incurred in preparing and submitting tenders are borne by the tenderers.

All costs linked directly or indirectly with the performance of the contract shall be incorporated into the financial tender. No additional reimbursement of costs linked to the performance of the contract like travel and subsistence expenses will be provided.

Prices shall be fixed and not subject to revision.

In signing and submitting an offer, the tenderer shall certify that:

- the prices indicated in the tender have been laid down in full independence, without consultation or communication on any of the points concerning the price with another tenderer or competitor;
- unless the law stipulates otherwise, the prices indicated in the tender have not been and will not be voluntarily communicated by the tenderer to another tenderer or competitor, directly or indirectly, before the offers are opened;
- the tenderer has not attempted and will not attempt to induce other persons to present a tender or to prevent them from so doing with a view to restricting competition.

### 3.3. JOINT TENDERS

A joint tender is a situation where an offer is submitted by a group of service providers. **Partners in a joint tender assume joint and several liability towards the Commission for the performance of the contract as a whole.**

Statements, saying for instance:

- that one of the partners of the joint tender will be responsible for part of the contract and another one for the rest, or
- that more than one contract should be signed if the joint tender is successful

are thus incompatible with the principle of joint and several liability. The Commission will disregard any such statement contained in a joint tender, and reserves the right to reject such a tender without further evaluation, on the grounds that it does not comply with the tendering specifications.

A joint tender has to be signed by all members of the group, or by one of the members, which has been duly authorised by the other members.

The duly authorised member will also sign, on behalf of the other members, the contract if awarded, and will act with full authority to bind the grouping or the consortium and each of its members.

A joint tender must specify the role of each of the members involved.

If awarded the contract, each member of the group assumes a joint and several liability towards the Commission. The contract will have to be signed by all members of the group, or by one of the members, which has been duly authorised by the other members.

### **3.4. SUBCONTRACTORS**

Subcontracting is the situation where a contract is to be established between the Commission and a contractor and where the contractor, in order to carry out that contract, enters into legal commitments with other legal entities for performing part of the service. However, the Commission has no direct legal commitment with the subcontractor(s).

Tasks provided for in the contract may be entrusted to subcontractors but the contractor retains full liability towards the Commission for performance of the contract as a whole. Accordingly:

- the Commission will treat all contractual matters (e.g. payments) exclusively with the contractor, whether or not the tasks are performed by a subcontractor;
- under no circumstances can the contractor avoid liability towards the Commission on the grounds that the subcontractor is at fault.

Any intention to subcontract part of the contract must be clearly stated in the tender. Tenderers should provide:

- a document stating clearly the identity, roles, activities and responsibilities of subcontractor(s) and specifying the volume/proportion for each subcontractor;
- a letter of intent by each subcontractor stating its unambiguous undertaking to collaborate with the tenderer if he wins the contract and the extent of the resources that it will put at the tenderer's disposal for the performance of the contract.

If the above-mentioned documents are not provided, the Commission shall assume that the tenderer does not intend subcontracting.

### **3.5. CONTACTS**

The contact point indicated in the covering letter of this call for tenders is the only one allowed. Tenderers are requested to put any questions in writing and to send them to the e-mail address indicated. Queries by telephone will not be considered.

Questions concerning the administrative procedures will be treated individually. If the reply to a question is of general interest, it will be made available on DG MARE website at the following address:

[http://ec.europa.eu/dgs/maritimeaffairs\\_fisheries/contracts\\_and\\_funding/calls\\_for\\_tender/index\\_en.htm](http://ec.europa.eu/dgs/maritimeaffairs_fisheries/contracts_and_funding/calls_for_tender/index_en.htm)

The site will be updated regularly and it is tenderers' responsibility to check for updates and modifications during the tendering period.

#### 4. EVALUATION AND AWARD OF THE CONTRACT

The evaluation will be based on the information provided by the tenderer in the tender submitted in reply to this call for tenders.

In addition, the Commission reserves the right to use any other information from public or specialist sources. All the information will be assessed in the light of the criteria set out in these specifications.

The evaluation will proceed in stages, as described below. Only the tenders meeting the requirements of each stage will pass on to the next stage of the evaluation. The final stage involves the award of the contract.

The stages of the evaluation procedure will be as follows:

- 1) Identification of the tenderer: eligibility, joint tenders and subcontractors.
- 2) Exclusion criteria: the purpose of these criteria is to determine whether the tenderer is authorised to participate in the procurement procedure.
- 3) Selection criteria: the purpose of these criteria is to determine whether the tenderer has the necessary financial, economic, technical and professional capacity to carry out the contract.
- 4) Award criteria: the purpose of these criteria is to choose between the tenders which have been submitted by the tenderers not subject to exclusion and which meet the selection criteria.

##### 4.1. IDENTIFICATION OF THE TENDERERS

Tenderers must complete the questionnaire in Annex 5.

In addition, tenderers must fill in the "Legal entity form" (if they are not already registered as service providers of the Commission) and the "Financial identification form" available at the following addresses:

Legal entity form:

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

Financial information form:

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

These forms should be attached to the identification questionnaire in Annex 5.

In the case of a joint tender, the questionnaire and forms must be completed by one of the members, which has been duly authorised by the other members.

Moreover, an official document (statutes, power of attorney, notary statement, etc.) must be submitted proving that the person who signs on behalf of the company or the joint venture is duly authorised to do so.

Any intention to subcontract part of the contract must be clearly stated in the tender (see requirements under clause 3.4)

Participation in tendering procedures is open on equal terms to all natural and legal persons falling within the scope of the Treaties (this includes all economic operators registered in the European Union and all EU citizens).

Provisions of the Financial Regulation applicable to the budget of the European Communities imply that suppliers established in third countries have the right to participate in tendering procedures:

- if the country in which they are established has with the European Communities a special agreement in the field of public procurement : **Stabilisation and Association Agreements (SAA) :Croatia, FYROM, Albania and Montenegro<sup>22</sup>**, the **EEA Agreement (Iceland, Norway and Liechtenstein)** and **bilateral agreements with Mexico and Chile**
- or if the country in which they are established has ratified the WTO Agreement on Government Procurement (usually called GPA) . The following countries have signed the GPA: **Canada, Chinese Taipei, Hong Kong China, Israel, Japan, Korea, the Netherlands with respect to Aruba, Singapore, Switzerland, and the United States<sup>5</sup>**. You may find more information on GPA on the following link:

[http://www.wto.org/english/tratop\\_e/gproc\\_e/gp\\_gpa\\_e.htm](http://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm)

## **4.2. EXCLUSION CRITERIA**

In the case of a joint tender and/or subcontracting, information on exclusion criteria must be provided by each member of the group and/or subcontractor<sup>23</sup>.

The exclusion criteria will be assessed in relation to each member of the group and subcontractor individually. If a member of the group or a subcontractor is subject to exclusion, the tenderer shall be excluded.

By providing the declaration (see annex 4) on their honour in relation to the exclusion criteria as required under sections 4.2.1 and 4.2.2 below, tenderers acknowledge that they have been acquainted with the administrative and financial penalties described under art 133 and 134 b of Commission Regulation 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the general budget of the European Union, which may be applied if any of the declarations or information provided prove to be false.

### **4.2.1. EXCLUSION FROM PARTICIPATION IN THE PROCUREMENT PROCEDURE**

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<sup>22</sup> *Serbia and Bosnia and Herzegovina will be granted access when the SAA enter into force.*

<sup>23</sup> *This requirement does not apply to subcontractors if the total value of subcontracting is less than 10 % of the total value of the contract.*

Tenderers must provide a declaration on their honour (see annex 4), duly signed and dated, stating that they are not in any of the situations described hereafter.

Tenderers will be disqualified from taking part in the procurement procedure if they:

- (a) are bankrupt or being wound up, are having their affairs being administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
- (c) have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- (d) have not fulfilled all their obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which they are established, with those of the country of the contracting authority and those of the country where the contract is to be carried out;
- (e) have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the European Union's financial interests;
- (f) are currently subject to an administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a procurement procedure or failing to supply an information, or being declared to be in serious breach of their obligations under contracts covered by the European Union's budget.

Tenderers are informed that the tenderer to whom the contract is to be awarded will be requested to furnish, within a time limit defined by the contracting authority and preceding the signature of the contract, evidence confirming his declaration with regard to the situations of exclusion described in point (a), (b), (d) and (e).

In the case of a joint tender and/or subcontracting, evidence will have to be furnished by each member of the group and/or subcontractor<sup>24</sup>.

The contracting authority shall accept, as satisfactory evidence that the tenderer to whom the contract is to be awarded is not in one of the situations described in point (a), (b) or (e), a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied<sup>25</sup>.

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<sup>24</sup> This requirement will not apply to subcontractors if the total value of subcontracting is less than 10 % of the total value of the contract.

<sup>25</sup> The tenderer may find more information about the requested documentation on the following website: <http://ec.europa.eu/markt/ecertis/login.do>



The contracting authority shall accept, as satisfactory evidence that the tenderer is not in the situation described in point (d), a recent certificate issued by the competent authority of the State concerned.

For any of the situations (a), (b), (d) or (e) above, where any document or certificate referred to above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

The contracting authority may waive the obligation of the tenderer to whom the contract is to be awarded to submit the documentary evidence if such evidence has already been submitted to it for the purposes of another procurement procedure and provided that the issuing date of the documents does not exceed one year and that they are still valid.

In such a case, the tenderer to whom the contract is to be awarded shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes in his situation have occurred.

#### **4.2.2. EXCLUSION FROM AWARD OF THE CONTRACT**

A contract shall not be awarded to tenderers who, during the procurement procedure for this contract:

- are subject to a conflict of interest;
- are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information;
- find themselves in one of the situations of exclusion from participation in the procurement procedure.

Tenderers must declare on their honour (see annex 4) that:

- (g) on the date of submission of the tender, the company or organisation they represent and the staff proposed for this tender are not subject to a conflict of interests in the context of this call for tenders and that they undertake to inform the Commission without delay of any change to this situation after the date of submission of the tender;
- (h) they will carry out the study and/or provide services to the highest professional standards, in particular in terms of objectiveness and impartiality and exclusively in the best interests of the contracting authority with no consideration linked to any possibility of a future contract;

- (i) they guarantee that there is no conflict of interests with other commitments or contracts recently concluded or to be concluded by them either individually or by any consortium to which they belong or via any subsidiary or related company.
- (j) they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- (k) they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract;
- (l) the information provided to the Commission within the context of this call for tenders is accurate, sincere and complete;
- (m) in case of award of the contract, they shall provide the evidence that they are not in any of the situations described in section 4.2.1 under (a), (b), (d), (e).

### 4.3. SELECTION CRITERIA

#### 4.3.1. ECONOMIC AND FINANCIAL CAPACITY

Tenderers must have sufficient economic and financial capacity to be able to perform the contract in compliance with the contractual provisions. If, in the light of the information supplied, the contracting authority has serious doubts about a tenderer's financial capacity, or if this is clearly insufficient for performance of the contract, the tender may be rejected without the tenderer being entitled to claim any financial compensation.

In the case of a joint tender and/or subcontracting, information on economic and financial capacity must be provided by each member of the group and/or subcontractor<sup>26</sup>.

**Each member of the tenderer** (lead company, joint tender member and/or subcontractor) must provide the **following supporting documents** for verification of its economic and financial capacity:

- Copy of the balance sheets and of the profit and losses accounts for the last 3 years for which accounts have been closed, showing the annual pre-tax profit. If, for a valid reason, tenderers are unable to provide them, they must enclose a statement as to annual pre-tax profits for the last 3 years.
- Simplified balance sheets and profits and losses accounts to be filled for last three closed financial exercises (see template in Annex 6)

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<sup>26</sup> *This requirement does not apply to subcontractors if the total value of subcontracting is less than 10% of the total value of the contract.*

- Statement as to overall annual turnover realised during the last 3 years. Minimum level demanded: tenderers (as a whole) must provide evidence of an average overall annual turnover exceeding at least €500 000 for Lot 1 and at least €300 000 for lot 2.
- If, for some **exceptional reason** which the contracting authority considers justified, the tenderer is unable to provide the references requested, it may prove its economic and financial capacity by any other means which the contracting authority considers appropriate.
- Tenderers may, where appropriate, rely on the capacities of other entities, regardless of the legal nature of the links which they have with them. They must in this case prove to the contracting authority that they will have at their disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at their disposal.

Under the same conditions, a group of service providers may rely on the capacities of the members of the group or of other entities.

#### **4.3.2. TECHNICAL AND PROFESSIONAL CAPACITY**

In the case of a joint tender and/or subcontracting the selection criteria for technical and professional capacity will be assessed in relation to the combined capacities of all members of the group and/or subcontractors, as a whole, to the extent that subcontractors put their resources at the disposal of the tenderer for the performance of the contract.

Tenderers must furnish the following supporting documents for verification of their technical and professional capacity:

#### **LOT 1 - Scientific support for the development of a management plan in the Celtic Sea**

The successful tenderer must provide the relevant amount of expertise, scientific resources and workforce in order to carry out the services requested in this tender. Research institutions or scientific teams may be involved as joint tenderers or subcontractors. Tenderers must provide the following supporting documents for verification of their technical and professional capacity:

1. Statement of the average annual manpower and the number of managerial staff in the last three years. Minimum level demanded: successful tenderers must provide evidence of having employed at least two managerial staff with academic education.
2. Scientists with proven record in their field of expertise should constitute the team developing the decision-support tool. A curriculum vitae and a review of relevant studies and publications shall be provided for each member of the team.
3. The team should comprise at least the following experts:
  - **category I (senior project manager with > 10 years professional experience)**: at least two with proven expertise in fishing fleets' dynamics and/or fish population dynamics and/or fisheries modelling and/or fisheries economics and/or fish stocks assessment.
  - **category II (senior staff with academic qualification and  $\geq 5$  years professional experience as scientific correspondents)**:

- At least one in each of the 5 European Union's Member States involved in Celtic Sea fisheries (IE, FR, UK, BE, ES plus NL if relevant). The senior project manager may be one of them if qualified as category I staff.
- At least one in each of the non-EU Member States if their fleets are involved in Celtic Sea fisheries and if relevant.

In particular, the expert's profiles listed below are required. They may form part of category I or category II staff referred to above or be additional staff with category II qualification as a minimum:

- At least one senior specialist in fishing fleets' dynamics
- At least one senior specialist in fish stocks dynamics
- At least one senior programmer with proven expertise in fisheries modelling
- At least one senior specialist in fisheries economics
- At least one expert statistician

Tenderers may, where appropriate, rely on the capacities of other entities, regardless of the legal nature of the links which they have with them. They must in this case prove to the contracting authority that they will have at their disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at their disposal.

Under the same conditions, a group of service providers may rely on the capacities of the members of the group or of other entities.

**LOT 2: Scientific data storage and transmission under the 2014-2020 Data Collection Multi-Annual Programme (DC-MAP) – Feasibility Study**

The successful tenderer must provide the relevant amount of expertise, scientific resources and workforce in order to carry out the services requested in this tender. Research institutions or scientific teams may be involved as joint tenderers or subcontractors. Tenderers must provide the following supporting documents for verification of their technical and professional capacity:

1. Statement of the average annual manpower and the number of managerial staff in the last three years. Minimum level demanded: successful tenderers must provide evidence of having employed at least two managerial staff with academic education.
2. Scientists with proven record in their field of expertise should constitute the team implementing the study. A curriculum vitae and a review of relevant studies and publications shall be provided for each member of the team.
3. The team should comprise at least the following experts:
  - One senior project manager with over ten years professional experience and proven expertise in fisheries data management and fisheries economics and/or fish stock assessment
  - One senior specialist in fisheries data management, with at least five years of experience and proven expertise in this field

- One senior specialist in information technology/ database management, with at least five years of experience and proven expertise in this field
- One senior specialist in fisheries economics, with at least five years of experience and proven expertise in this field
- One senior specialist in fish stock assessment, with at least five years of experience and proven expertise in this field

Tenderers may, where appropriate, rely on the capacities of other entities, regardless of the legal nature of the links which they have with them. They must in this case prove to the contracting authority that they will have at their disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at their disposal.

Under the same conditions, a group of service providers may rely on the capacities of the members of the group or of other entities.

#### **4.4. AWARD CRITERIA**

The contract will be awarded to the tenderer offering the best value for money having regard to quality and price. To determine which tender offers the best value for money, the following evaluation method will be used:

##### **4.4.1. TECHNICAL EVALUATION**

The technical tender should neither include any of the documents referred to under the exclusion or selection criteria nor should it refer to matters already covered by the exclusion and selection criteria.

In particular, CVs of the staff available for the performance of the services will be assessed as part of the selection criteria (technical capacity) and should not be provided again as part of the technical tender as they are not to be re-examined in the award phase.

A maximum of 100 points will be awarded for the quality of the tender.

The criteria for the assessment of the quality are:

- **LOT 1 - Scientific support for the development of a management plan in the Celtic Sea**

##### **(1) Understanding of the context and objectives, completeness, clarity and presentation (maximum 16 points; minimum required: 8 points)**

The tenderer should present a 5 page maximum description of their understanding of the requested service to meet the objectives and requirements set out in section 2 ('Technical specifications'). In particular, the tenderer shall provide concise information on his (and his possible partners/subcontractors) current knowledge on the following items:

- on main stocks harvested in the Celtic Sea;
- on main fishing fleets operating in the Celtic Sea;
- on issues specific to this area

Additional subjects may be covered in this sub-section if the tenderer deems it relevant.

The tender must be complete and drafted in clear and easily readable language.

**(2) Quality of the method, tools and data (maximum 50 points, minimum required: 25 points)**

The overall description in this section shall not exceed 20 pages. The tenderer should provide: i) a comprehensive description of the method intended and ii) a description of the services proposed for the performance of the contract as listed below:

**2.1 Fleets and métiers (maximum 10 points; minimum required: 5 points)** - How the tenderer intends to characterise the fleets and métiers operating in the Celtic Sea in terms of:

- main catches, by-catch and discard species (including non-commercial species);
- fishing vessels and gears, including their selectivity and impact on the ecosystem;
- socio-economic characteristics of the operators.

**2.2 Tools (maximum 20 points; minimum required: 10 points)** - The tenderer shall provide information on:

- the state of the art in terms of biological, economic and social models applied to fisheries with examples of their respective usual field of application published in high-level, peer-reviewed fisheries literature;
- what models the tenderer intends to use;
- how the tenderer intends to combine the models above in order to fill the main objective stated in section 1.1 and 2.1 ('Objectives') of the present call for tenders;

**2.3 Data (maximum 20 points; minimum required: 10 points)** – Further information must be supplied by the tenderer on:

- data required by the models referred to in the second indent of section 2.2 above and their suitable level of data aggregation, in line with the objectives of the study;
- data already available and how/where these will be gathered from (industry, experts, scientists, public authorities, etc.); and the possible need for further data collection, collation or compilation and how these steps will be achieved;
- how the data will be combined, analysed and used in the decision-support tool;
- what data shall be used to validate the models and insights on how this will be achieved.

**(3) Project management, work organisation, quality control and time schedule (maximum 34 points; minimum required: 17 points)**

The tenderer is encouraged to use graphs, drawings and charts to support their explanations where relevant. The tenderer should provide the items listed below:

**3.1 A description of the approach to project management, including the organisation and coordination of work, contract follow-up and the use of specific software and databases (maximum 10 points, minimum required: 5 points);**

3.2. A workflow graph, including a detailed implementation plan on each of the tasks and subtasks with the estimated timing, staffing (functions and organisation chart of the team) and other resources allocation per sub-task. The tenderer must ensure that the staff assigned to the implementation of the tasks and subtasks is listed among the personnel indicated for the selection criteria (4.3.2 – Technical and professional capacity, Lot 1), or has an equivalent professional qualification and experience. The tenderer is also expected to provide an overview of the coordination with possible partners or subcontractors and particulars on how the tenderer plans to liaise with the Commission.  
**(maximum 16 points; minimum required: 8 points).**

3.3 A description of the approach to quality control in all relevant work items, including with respect to timely delivery of reports. **(maximum 8 points, minimum required: 4 points).**

- **LOT 2: Scientific data storage and transmission under the 2014-2020 Data Collection Multi-Annual Programme (DC-MAP) – Feasibility Study**

**(1) Understanding the context and objectives (maximum, 10 points; minimum required, 5 points)**

To this end, the tenderers shall present a two-page summary description of their understanding of the requested services.

In this description they shall, in particular, provide an indication of their understanding of the current data storage and transmission set-up for data collected under Commission Decision 93/2010 (*Type I – data, as defined in the Terms of Reference*). Further, of their knowledge of data required for the collection of this data, as well as data collected under other EU legal instruments and data collected by Member States to meet RFMO obligations that overlap with this *Type I - data (Type II – data, as defined in the Terms of Reference)*.

**(2) Quality of the method, tools and data (maximum, 60 points; minimum required, 30 points)**

The tenderers shall provide a simple, detailed description of the services proposed for the performance of the contract, as follows. The overall length of descriptions in this section shall not exceed eight pages.

2.1 *Study Objective a)*. Description of the current data storage and transmission set-up (*baseline scenario*) **(Maximum, 20 points; minimum required, 10 points)**

In doing so, particular importance shall be attributed to how the duplications, similarities and differences in the database set-up and data uploads will be assessed, as well as how end-user needs with regard to data quality checks and provisions of data from supra-national databases to end-users will be identified.

2.2 *Study Objective b).* Development of several *possible scenarios for the future* for the data storage and transmission set-up which allow achieving a number of policy objectives **(Maximum, 20 points; minimum required, 10 points)**

In doing so, particular importance shall be attributed to how the cumulative cost of the data storage and transmission set-up is to be calculated (including investment and running costs), and how the needs for integration between socio-economic and biological data will be identified.

2.3 *Study Objective c).* Assessment of the effectiveness and feasibility of *possible scenarios for the future* **(Maximum, 20 points; minimum required, 10 points)**

In doing so, particular importance shall be attributed to how other relevant legal instruments will be identified, and how the cost of the transition from the *baseline scenario* to the *possible scenarios for the future* for all actors, i.e. data providers, those implementing data quality assessments, and data end-users, will be calculated.

This section shall also include a preliminary description of the *possible scenarios for the future*.

**(3) Project management, work organisation, quality control and time schedule (maximum, 30 points; minimum required, 15 points)**

*The tenderers shall provide:*

3.1 A description of their approach to project management, including the organisation and coordination of work.

**(Maximum, 12 points; minimum required, 6 points)**

3.2 A work-plan, including a detailed plan of the different stages of the work, their estimated duration and timing, as well as the anticipated allocation of staff time and other resources.

**(Maximum, 12 points; minimum required, 6 points)**

3.3 A description of the approach to quality control for all deliverables.

**(Maximum, 6 points; minimum required, 3 points).**

For each lot only the tenders having reached the minimum number of points required for each of the criteria for the assessment of the quality and a minimum score of 60 for all the criteria out of 100 will be considered for the financial evaluation.

#### **4.4.2. FINANCIAL EVALUATION**

The financial value of the tenders that pass the quality examination will be determined by calculating the price index as follows:

$$\text{(Lowest price tender / Price of the tender in question) X 100}$$



#### **4.4.3. AWARD OF THE CONTRACT**

The contract shall be awarded to the tender offering the best quality/price ratio, with a 70/30 weighting between technical quality and financial value.

This will be achieved by multiplying:

- the result of the technical evaluation (number of points) by 0.7
- the result of the financial evaluation (price index) by 0.3

The two results will be added together and the contract will be awarded to the tender obtaining the highest score at the end of this process.

#### **Appendix : Evaluation grids**