

## **Tender Specifications**

### **Attached to the Invitation to tender**

## **Invitation to tender No. EMSA/NEG/5/2021 for a feasibility study for the development of a software tool to support Member States on oil pollution response operations at sea**

### **1. Introduction**

The European Maritime Safety Agency (EMSA) was established under Regulation (EC) No 1406/2002 of the European Parliament and of the Council<sup>1</sup> for the purpose of ensuring a high, uniform and effective level of maritime safety. Among its tasks, the Agency was tasked to 'work with the Member States to support on request with additional means, in a cost-efficient way, the pollution response actions in case of pollution caused by ships as well as marine pollution caused by oil and gas installations' (Art. 2 (3) d of Regulation 1406/2002/EC as amended).

EMSA's Action Plan for Oil Pollution Preparedness and Response (2004), as well as the Action Plan for Response to Marine Pollution from Oil and Gas Installations (2013), as updated by the annual Work Programmes of the Agency, identify how to implement these tasks.

### **2. Objective, scope and description of the contract**

#### **2.1 Objective**

EMSA is currently exploring the feasibility to develop an IT tool to support Member States in their preparedness and operational decision-making process of mobilising and deploying oil pollution response resources at sea.

The objective of the present contract is to gather information on existing tools, to evaluate the feasibility of the development of an enhanced IT tool and to define its functional and technical requirements. The aim is to provide Member States with a user-friendly tool allowing for quick calculation and visualisation of the effectiveness of various response techniques and means used in a simulated spill.

#### **2.2 Scope**

The information to be gathered and the assessment to be made within this service contract shall enable the concrete definition of the functional, non-functional and technical requirements of the future IT tool. The work envisaged will be divided into two parts:

- Part 1: gathering of information to fully understand the functional aspects of the tool and its limitations.

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<sup>1</sup> Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p. 1.).

- Part 2: proposal for options for the definition of the functional, non-functional and technical requirements of the tool.

## 2.3 Context

This feasibility study shall discuss to which extent EMSA's vision and desired functionalities of the tool are technically feasible and shall propose technical solutions that EMSA may or may not take into account in the preparation of the requirements for the procurement of services for the development of the future IT tool to be launched in 2023.

## 2.4 Work description

### Part 1 – Gathering of information to fully understand the functional aspects of the tool and its limitations

Considering the objective and description of the future IT tool (see *Appendix A - Objective and description of the future IT tool*), the information to be gathered and assessed shall address the following topics:

1. Oil spill models to estimate the trajectory, dispersion and weathering of oil spills at sea.
  - 1.1. Gather information on available oil spill models used by EU Member States and discuss the pros and cons of each model.
  - 1.2. Assess and compare the different options for importing oil spill model data from different models in the tool. Propose technical solutions. Note that the tool must have one model integrated to generate the data needed for the simulator, however it should be flexible to allow users to input data from their own oil spill models.
  - 1.3. Identify and assess options to provide in an easy and user-friendly way the location of the oil spill into the GIS oil spill model e.g. aerial observations, geographical coordinates, polygons from satellite images, images from RPAS.
  - 1.4. Identify and assess options to adjust or “calibrate” the model output by using “real” data e.g. from satellite images, aerial observations, RPAS images.
  - 1.5. Explore the possibility of integrating various GIS layers (e.g. environmental sensitivity maps, bathymetry, shipping lanes, location of wind and fish farms, AIS data).
2. Simulator to calculate the efficiency of oil response operations at sea
  - 2.1. Gather information and discuss the different aspects that influence the efficiency of oil response operations at sea that could be integrated in the tool: weather conditions and characteristics of the weathered surface oil. The aim is to bring as much as possible the reality of oil response operations at sea into the tool. For each of the aspects identified, discuss possible technical solutions to incorporate it in the tool.
  - 2.2. Identify and assess the technical and logistic aspects associated with the deployment of response assets at sea. Identify the critical issues and propose solutions on how to integrate them in the tool.
  - 2.3. Identify, assess, and present one or more technical solutions for capturing the encounter rate of the response asset with the oil slick in the simulator's calculation in a realistic manner. The encounter rate depends on several aspects: e.g. the time the asset spends chasing the oil slick, the time the asset is actually operating at sea recovering oil, the thickness of the slick, the area covered by asset (this will depend on the speed of the asset and the swath of the recovery system).
  - 2.4. Identify and assess options for pairing stand-alone equipment (identified in the database of response assets) with adequate vessels.
  - 2.5. Identify and assess the possibility of having a warning message displayed to the user on the window of opportunity for oil spill response at sea considering the weather conditions and the characteristics of the weathered oil. Propose a technical solution for this function.

- 2.6. Identify, assess and propose a technical solution for the integration in the simulator's calculations the changes in time to the surface oil: changes due weathering of the oil and the changes (reduction) to the surface oil as a result of the deployment and operation of oil spill response assets at sea.
- 2.7. Identify and assess the technical feasibility, advantages and disadvantages of having the simulator also GIS based.
3. Metocean data sources: forecast, hindcast and real-time data.
  - 3.1. Gather a list of relevant environmental data parameters needed for the oil spill model and the simulator that could be integrated in the tool bringing it closer to the actual operations at sea. Considering the benefit and effort to have them included in tool, prioritise them.
  - 3.2. Identify potential sources for each type of data including the potential exchange mechanism from the source to the future IT tool.
  - 3.3. The tool shall have a list of European environmental data sources of data by default. In addition, it should allow the user to incorporate and select their own environmental data sources in principle with higher resolution. Discuss and identify the best option to integrate metocean data in the oil spill model and the simulator.
  - 3.4. Identify and assess the possibility of integrating the impact of coastal environmental data (e.g. river outlets, islands/topography, local currents) and tides and near shore bathymetry to better estimate and reflect a spill occurring near the coast.
  - 3.5. Identify and assess the possibility to have real time metocean data integrated in the tool. e.g. metocean data from buoys, HF radars, metocean stations. Discuss if it could be integrated in the oil spill model calculations and in the simulator in order to "calibrate" the tool.
4. Database of European oil pollution resources and equipment
  - 4.1. EMSA will provide an outdated database of European oil pollution resources and equipment to be used as basis. The user should be able to add resources to the database and modify existing ones. The tenderer shall discuss the best way to do it in an easy and user-friendly manner. The option of having bulk updates via excel files should also be assessed.
5. Database of oils transiting European waters, to be used by the oil spill model
  - 5.1. The user should be able to add new oils to the database. Identify and assess the best way for the user to add new oils to the database.
  - 5.2. Propose a technical solution for assisting the user to select an adequate oil. Frequently, at the beginning of an incident there is no information on the exact type of oil spilled so a similar type of oil should be selected instead.

## Part 2 – Definition of the functional, non-functional and technical requirements of the tool.

Considering the objective and description of the future IT tool (see *Appendix A - Objective and description of the future IT tool*) and the information gathered on the points above, the contractor should provide an overview on its architecture and a list of functional, non-functional and technical requirements for the new tool.

1. Propose a conceptual and physical system architecture for tool.
  - 1.1. Propose and present a concept architecture for the tool and its systems. See *Appendix C - EMSA System and application technical landscape*, for more information on the technical solutions used by EMSA at system level.
  - 1.2. Present it in different views in order to provide a comprehensive overview of the systems proposed.
  - 1.3. Explain and present the IT work required in work packages in terms of components. These should be defined considering the complexity, feasibility and dependences of the systems and the work to be

done. These should be further sub-divided in order to enable the identification of issues and technical solutions.

1.4. The work packages and sub-tasks should be prioritised, and their dependences should be highlighted.

2. Define the functional, non-functional and technical requirements for the tool.

2.1. Do an analysis of the high-level requirements and propose functional, non-functional and technical requirements for the tool.

2.2. All requirements should be drafted according to EMSA's guidance for requirements definition (see *Appendix B - EMSA Guidelines for Requirement Definition*).

2.3. Identify and discuss potential issues, propose solutions and conclude on the best option.

### 3. Contract management responsible body

EMSA Unit 1.1 in charge of Sustainability will be responsible for managing the contract.

### 4. Project Planning

The major milestones along with the indicative execution of the Contract are shown in the table below:

	Event	Comment	Indicative time	Relevant deliverables/documents from the contractor	Payment scheme
1	Signature of the Service Contract by both parties	End of the negotiated procedure	End November 2021		
2	Kick off meeting	Online meeting/meeting at EMSA premises	One week after contract signature	Project plan, timetable, meeting minutes	
3	Regular on-line meetings		Monthly on-line meetings and more frequent meetings as needed		
4	<u>Submission of the draft report on Part 1 of the deliverables (as described in point 2.4 Work description).</u>		Three months after contract signature (End February 2022)	Draft report on Part 1 of the deliverables	
5		Review by EMSA and provision of feedback – online meeting with EMSA. Any comments from EMSA should be addressed in the subsequent versions of the draft report on Part 1.	Initial feedback from EMSA within 2 weeks of receipt of the first draft. Submission of second draft (if needed) and any subsequent draft within 2 weeks of receipt of EMSA feedback. Approval of the draft report on Part 1 within 10 working days after receipt of the final version.	Invoice for interim payment	Interim Payment 30% conditioned upon approval of the draft report on Part 1 of the deliverables.

6	<u>Submission of the draft report on Part 1 and 2 of the deliverables</u> (as described in point 2.4 Work description).		Six months after contract signature (End May 2022)	Draft report on Part 1 and 2 of the deliverables	
7		Review by EMSA and provision of feedback – online meeting with EMSA. Any comments from EMSA should be addressed in the subsequent versions of the draft report on Part 1 and 2.	Initial feedback from EMSA within 2 weeks of receipt of the first draft. Submission of second draft (if needed) and any subsequent draft within 2 weeks of receipt of EMSA feedback. Approval of the draft report on Part 1 and 2 within 10 working days after receipt of the final version.	Invoice for interim payment	Interim Payment 30% conditioned upon approval of the draft report on Part 1 and 2 of the deliverables.
8	<u>Submission of the final report on Part 1 and 2 of the deliverables</u> (as described in point 2.4 Work description).		Eight months after contract signature (End July 2022)	Final report on Part 1 and 2 of the deliverables	
9		Review by EMSA and provision of feedback – online meeting with EMSA. Any comments from EMSA should be addressed in the subsequent versions of the final report on Part 1 and 2.	Initial feedback from EMSA within 2 weeks of receipt of the final report. Submission of the updated version (if needed) of the final report within 2 weeks of receipt of EMSA feedback. Approval of the final report on Part 1 and 2 within 10 working days after receipt of the final version.	Invoice for balance payment	Payment of the balance (40%), conditioned upon acceptance of the final report

## 5. Timetable

The estimated date for signature of the contract is November 2021 with a duration of 9 months.

## 6. Estimated Value of the Contract

The maximum budget available for this contract is EUR 60,000.00 excluding VAT.

## 7. Terms of payment

Payments will be made in accordance with the provisions of the draft **Service Contract** available in the Procurement Section under the call to tender **EMSA/NEG/5/2021** on EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).

## 8. Terms of contract

When drawing up a bid, the tenderer shall bear in mind the terms of the draft Service Contract (**Enclosure 1** to these Tender Specifications).

EMSA may, before the contract is signed, cancel the award procedure without the tenderers being entitled to claim any compensation.

## 9. Financial guarantees

Not applicable.

## 10. Subcontracting

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners it shall indicate in its offer which part will be subcontracted, as well as the name and qualifications of the subcontractor or partner. It should be noted that the overall responsibility for the work remains with the tenderer.

The tenderer must provide required evidence for the exclusion and selection criteria on its own behalf and, when applicable, on behalf of its subcontractors. The evidence for the selection criteria on behalf of subcontractors must be provided where the tenderer relies on the capacities of subcontractors to fulfil selection criteria<sup>2</sup>. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided will be checked to ensure that the tenderer and its subcontractors as a whole fulfils the criteria. However, the selection criteria may apply individually where it is relevant in view of their nature.

## 11. Requirements as to the tender

Bids can be submitted in any of the official languages of the EU. However, as the main working language of the Agency is English, bids should preferably be submitted in English and shall in particular include an English version of the documents requested under points 13.5 and 14 of the present Tender Specifications. The tenderer must comply with the minimum requirements provided for in these Tender Specifications. This includes compliance with applicable obligations under environmental, social and labour law established by Union law, national law and collective agreements or by the international environmental, social and labour law provisions listed in Annex X to Directive 2014/24/EU of the European Parliament and of the Council.<sup>3</sup>

The tenderer shall complete the Tenderer's checklist (**Enclosure 2**).

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners (Join Offers) it shall indicate it in its offer by completing the form "Statement of Subcontracting / Joint

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<sup>2</sup> To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

<sup>3</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

Offer". This document is available on the Procurement Section / Calls for Tenders (Documents for tenderer) of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).

The tender must be presented as follows and must include:

- a) A signed **cover letter** indicating the name and position of the person authorised to sign the contract/purchase order, the bank account on which payments are to be made and the email address to be used for contacts during the procurement procedure.
- b) **The Financial Identification Form completed**, signed and stamped. This document is available on the Procurement Section (Financial Identification Form) of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).
- c) **The Legal Entity Form** completed, signed and stamped along with the requested accompanying documentation, including recent proof of that authorisation (not more than one year old). This document is available on the Procurement Section (Legal Entity Form) of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu))

Tenderers are exempt from submitting the Legal Entity Form and Financial Identification Form requested if such a form has already previously been completed and sent either to EMSA or any EU Institution. In this case the tenderer shall simply indicate on the cover letter the bank account number to be used for any payment in case of award.

**Part A:** All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the points **10, 13** and **14.2** of these specifications (exclusion criteria). These shall include the **Declaration on Honour (Enclosure 3)** to these Tender Specifications);

**Part B:** All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Economic and Financial Capacity** (part of the selection criteria) set out under point **14.4** of these specifications.

**Part C:** All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Technical and Professional capacity** (part of the selection Criteria) set out under point **14.5** of these specifications.

**Part D:** All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Award Criteria** set out under point **16.16** of these specifications;

**Part E:** Setting out **prices** in accordance with point **12** of these specifications.

With reference to parts **C, D** and **E**, tenderers shall also submit the **Technical and Financial tender template (Enclosure 4)** to these Tender Specifications).

## **12. Price**

- a) Price must be quoted for a feasibility study for the development of a software tool to support Member States on oil pollution response operations at sea and shall include all costs, including costs of participation to teleconferences and meetings (one-day kick-off meeting at EMSA) required for the execution of the contract .
- b) Prices must be fixed amounts and non-revisable.
- c) Prices must be quoted in euro.

- d) Under Article 3 and 4 of the Protocol on the privileges and immunities of the European Union, the latter is exempt from all duties, taxes and other charges, including VAT. This applies to EMSA pursuant to the Regulation 1406/2002/EC. Therefore, price and the amount of VAT must be shown separately.

### 13. Joint Offer

Groups of economic operators, irrespective of their legal form, may submit bids. Tenderers may, after forming a group, submit a joint bid on condition that it complies with the rules of competition. Such groups must specify the company or person heading the project and must also submit a copy of the document authorising this company or person to submit a bid.

Each member of the group must provide the required evidence for the exclusion and selection criteria. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided by each member of the group will be checked to ensure that the group as a whole fulfils the criteria.

If awarded, the contract will be signed by the person authorised by all members of the group. Tenders from groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member or group.

### 14. Information concerning the personal situation of the tenderer and information and formalities necessary for the evaluation of the minimum economic, financial, technical and professional capacity required.

#### 14.1 Legal position – means of proof required

When submitting their bid, tenderers are requested to complete and enclose the **Legal Entity Form** available on the Procurement Section of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)).

#### 14.2 Grounds for exclusion – Exclusion criteria

To be eligible to participate in this contract award procedure, a tenderer must not be in any of the exclusion situations listed in the Declaration of Honour.

For this purpose, the Declaration of Honour available on the Procurement Section of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)) shall be completed and signed.

#### 14.3 Legal and regulatory capacity – Selection criteria

##### 14.3.1 Standards / Prerequisites

The tenderer must have the legal and regulatory capacity to pursue the professional activity needed for performing the contract.

##### 14.3.2 Evidence

For this purpose, the Declaration of Honour available on the procurement section of EMSA's website ([www.emsa.europa.eu](http://www.emsa.europa.eu)) must be completed and signed as per section 14.2 above.



## 14.4 Economic and financial capacity – Selection criteria

### 14.4.1 Standards / Prerequisites

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

### 14.4.2 Evidence

- a) *Financial statements or their extracts for the last three years for which accounts have been closed.*
- b) *Statement of the overall turnover and, where appropriate, turnover relating to the relevant services for the last three financial years.*
- c) *Tenderers are exempt from submitting the documentary evidence if such evidence has already been completed and sent to EMSA for the purpose of another procurement procedure and the provided documents are up-to-date. In this case the tenderer shall simply indicate on the cover letter the procurement procedure where the evidence has been provided.*
- d) *If, for some exceptional reason which EMSA considers justified, a tenderer is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other document which EMSA considers appropriate. In any case, EMSA must at least be notified of the exceptional reason and its justification in the tender. EMSA reserves the right to request at any moment during the procedure any other document enabling it to verify the tenderer's economic and financial capacity].*

## 14.5 Technical and professional capacity – Selection criteria

Only tenders that meet the selection criteria for technical and professional capacity will be further considered for the evaluation of the award criteria (point 16 of the Tender Specifications).

### 14.5.1 Standards / Prerequisites

- A. The tenderer (including subcontractors or partners in case of joint offers) must have at least 4 years of experience in activities related to:
  - Oil spill response operations at sea or development of oil spill modelling tools for tracking the trajectory, dispersion and weathering of oil spills at sea
  - and
  - IT GIS based projects related to software development.
- B. The tenderer (including subcontractors or partners in case of joint offers) must have the technical and professional capacity to deliver the services described in point 2 of these Tender Specifications. A multi-disciplinary team with different backgrounds and expertise must be allocated to this project. The team shall have the following areas of expertise:
  - Oil pollution response operations at sea or development of modelling tools for tracking the trajectory, dispersion and weathering of oil spills at sea
  - and

- The IT team shall include at least a **business analyst** and a **system architect**. These two team members shall cover the following minimum requirements:

#### **Business analyst**

##### *Education*

- University degree(s) in the IT or Engineering field or at least 8 year of proven professional experience in IT projects.

##### *Professional experience*

- 4 years working experience in analysing user requirements and translating them into functional and technical requirements,

and

- 4 years' experience with GIS tools and data modelling.

#### **System architect**

##### *Education*

- University degree(s) in the IT or Engineering field or at least 8 year of proven professional experience in IT projects.

##### *Professional experience*

- 4 years working experience in system analysis, design, processes and software implementation,

and

- 4 years' experience with GIS tools and data modelling.

All members of the team shall have at least the B2 level language skills in English.

### **14.5.2 Evidence**

- A. To demonstrate the experience mentioned in point 14.5.1 sub point A, the tenderer shall provide a list of projects carried out in the last 4 years for each type of activities. The following format should be used:
  - Short description of the services comparable to the scope of this tender.
  - Start and finish date for each project.
  - Volume in Euros.
  - Role of the company (prime or sub-contractor).
  - Technical capabilities required for the project.

For confidentiality purposes, the client names do not need to be disclosed.

- B. To demonstrate the technical and professional capacity of the multi-disciplinary team mentioned in point 14.5.1 sub point B, the tenderer must provide the CVs of all the team members expected to be involved in the project. In addition, the tenderer shall summarise per area of expertise the following information (that should be in line with the CVs):
  - Team Member Name
  - Profile
  - Education
  - English language, at least B2 level in the Common European Framework of Reference (CEFR)
  - Working experience, total number of years

- Years of work experience in activities similar to those in the role assigned in the team
- Summary of key skills (mentioning relevant professional certificates)

## 15. Declaration of Honour (DoH)

Please note that the tenderer shall provide information with regards its situation and on the natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control and beneficial owners.

Upon request and within the time limit set by EMSA, the tenderer shall provide the following evidence concerning itself, the natural or legal persons as listed under the first paragraph, and concerning the natural or legal persons which assume unlimited liability for the debt of the tenderer:

For the exclusion situations described in points (a), (c), (d), (f), (g) and (h) of the Declaration of Honour, production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the tenderer showing that those requirements are satisfied.

For the exclusion situations described in (a) and (b) of the Declaration of Honour, production of recent certificates issued by the competent authorities of the country of establishment is required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

The successful tenderer must provide the documents mentioned as supporting evidence before signature of the contract and within the deadline given by EMSA. This requirement applies to each member of the group in case of joint tender.

If the tenderer already submitted such evidence for the purpose of another procedure, its issuing date does not exceed one year and it is still valid, the person shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

## 16. Award criteria

The contract will be awarded to the tenderer who submits the most economically advantageous bid (the one with highest score) based on the following quality criteria and their associated weightings:

### **Quality criterion 1:** Composition of the project team ( $W_1 = 15\%$ )

Quality of the proposed team based on the team organisation, the description of their responsibilities within the team and breakdown of tasks.

The tenderer shall provide a team diagram with a proposed team. For each team member, a description of responsibilities within the team and a breakdown of tasks.

### **Quality criterion 2:** Quality of the draft project plan for the contract. ( $W_2 = 15\%$ )

The tenderer shall provide a draft project plan describing how and when the objectives defined in the plan will be achieved. It shall include time plan, milestones, breakdown of tasks in terms of time frame of the project, planning assumptions and quality assurance.

**Quality criterion 3:** Quality of the methodology for assessing the feasibility for developing the IT tool ( $W_3 = 35\%$ ),

For part 1, the tenderer shall identify the main information sources to be used in the assessment and explain the methodology to identify and propose technical solutions. For part 2, the tenderer shall list all tools, IT project methods and resources that he plans to use in the contract implementation.

**Quality criterion 4:** Environmental compliance ( $W_4 = 5\%$ )

EMSA seeks to contract services and works with a reduced environmental impact. Therefore, the Agency integrates environmental considerations into this tender procedure. This is addressed to companies that have established a culture of sustainable business behaviours, developed environmental policies and employed green techniques that will be reflected in the performance of the contract. Those tenderers and subcontractors with a third-party certified environmental management scheme (e.g. ISO 14001) or EMAS (Eco-Management and Audit Scheme) are preferred. The relevant certificates shall be provided in the bid.

and the price criterion and associated weighting:

1. Price of the bid ( $W_{Price} = 30\%$ ).

For all bids evaluators will give marks between 0-10 (half points are possible) for each quality criterion.

The score is calculated as

$$S = SQ + SP$$

where:

The average quality for quality criterion  $i$  is

$$Q_i = \frac{1}{\text{number of evaluators}} * \sum_{\text{evaluator}} \text{mark of the evaluator for quality criterion } i$$

The overall weighted quality is

$$Q = \sum_i Q_i * W_i$$

The score for quality is

$$SQ = \frac{Q}{Q \text{ of the bid with highest } Q} * 100 * \sum_i W_i$$

The score for price is

$$PP = \sum_i \frac{\text{lowest Price}_i \text{ of all bids}}{\text{Price}_i} * 100 * W_{Price_i}$$

Only bids that have reached a minimum of 60 % for  $Q_1$ , a minimum of 60 % for  $Q_2$ , a minimum of 60 % for  $Q_3$  and a minimum of 60 % for  $Q_4$  will be taken into consideration when calculating the score for quality  $SQ$ , score for price  $SP$  and score  $S$ .

Only bids that have reached a minimum of 70 % for the score *S* will be taken into consideration for awarding the contract.

## **17. Rejection from the procedure**

Contracts will not be awarded to tenderers who, during the procurement procedure, are in one of the following situations:

- A. are in an exclusion situation;
- B. have misrepresented the information required as a condition for participating in the procedure or have failed to supply that information;
- C. were previously involved in the preparation of procurement documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition that cannot be remedied otherwise.

## **18. Intellectual Property Right (IPR)**

Please consult the contract for IPR related clauses.

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

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

## **List of attachments**

- Enclosure 1 – Draft Service Contract
- Enclosure 2 – Tenderer's Checklist
- Enclosure 3 – Declaration on Honour
- Enclosure 4 – Technical and Financial tender template
- Enclosure 5 – Statement of subcontracting/Joint offer (if applicable)
- Appendix A – Objective and description of the future IT tool
- Appendix B – EMSA Guidelines for Requirement Definition
- Appendix C – EMSA System and Application Technical Landscape