

ANNEX I TO THE INVITATION TO TENDER

TENDER SPECIFICATIONS

**Assistance Services in Managing the Pilot Project on
Investigative Journalism**

OPEN CALL FOR TENDERS

PO 2010-28/A3

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1. TITLE OF THE TENDER

Assistance Services in Managing the Pilot Project on Investigative Journalism.
(Ref. PO/2010-28/A3).

2. OBJECTIVE AND CONTEXT

The Pilot Project on Investigative Journalism (PPIJ) was added via an amendment of the European Parliament to the 2010 budget at the request of the European Union. The stated aim of the pilot project is to facilitate and develop serious cross-border journalistic research at EU level.

In this regard, it should support journalists doing cross-border stories in areas not always receiving resources from traditional media, and encourage the emergence of a European public space.

This support is justified by a series of factors:

- proper independent scrutiny of public affairs enables citizens to be properly informed of conduct in public life, and promotes their active participation in democratic life;
- private news media, particularly the press, no longer invest in traditional journalistic scrutiny because of failing economic conditions;
- lack of a culture of investigative journalism in other news media, particularly broadcasting and online journalism, as well as a lack of tradition in this type of journalism in some parts of Europe;
- lack of real, cross-border investigative journalism, in which journalists from different countries work together on issues of common public interest.

The core of the Pilot Project, as defined in the budgetary comment, will consist of calls for proposals organised with a view to select shared investigation projects, involving journalists from at least two Member States, with a cross-border or European dimension resulting from a national, regional or local perspective.

Given the particular field of action of this project, in order to guarantee that the PPIJ complies with the necessary requirements of independence in terms of content, funding and implementation of projects, the Commission will be assisted by a contractor, referred to as the Assistance Body. It will provide assistance in:

- a) selecting projects and awarding grants;
- b) managing and implementing the pilot project.

3. SERVICES TO BE PROVIDED BY THE ASSISTANCE BODY

The Assistance Body will be tasked with:

- providing general expert assistance to the Commission in all aspects related to the management of the project;
- setting up a group of between 5 and 7 widely recognised experts in the field of journalism and/or investigative journalism, either practitioners or editors;
- providing recommendations on the proposals to be selected. These recommendations will include the justification for funding, on the basis of the award criteria announced in the Call for Proposals (see Annex), as well as a proposal of the amount to be granted, on the basis of the budget estimates provided by applicants;

- organising networking activities and independent assistance by the group of experts, to support grant recipients in their investigative work by providing information on particular aspects of investigative work;
- ensuring feedback from grant recipients and, if possible, their publishers, keeping the Commission informed about any outstanding issues and potential problems identified through the monitoring of activities;
- reporting regularly on the implementation of the project;
- arranging for grant recipients' English summaries of the stories resulting from grants to be translated into at least one (depending on demand) official EU language to facilitate possible third-party publication or broadcast;
- facilitating the dissemination and/or placing of stories resulting from grants in cases where grant recipients finally were unable to get their story published as previously agreed by the publisher;
- organising one stocktaking seminar/workshop with expert participation to discuss the added value, strengths and weaknesses of the Pilot Project, at the end of the first year of its implementation.
- promoting, through the most appropriate means and amongst the concerned public, the second call for proposals of the Pilot Project which should take place during the first half of 2011.

To this end, the following services are required:

3.1. Appointing an Expert Jury and providing it with administrative assistance

Given the need for independence and credibility of the project, the Commission will rely on the opinion of a group of between 5 and 7 independent, reputed experts in journalism, investigative journalism and/or edition in those fields. They will be expected to manage the grants throughout the time from selection of the proposals to their implementation.

The Assistance Body will appoint the members of the Expert Jury. The members of the Jury may not belong to the Expert Group on Investigative Journalism set up by the Commission:

<http://ec.europa.eu/transparency/regexpert/detail.cfm?ref=2480>.

To guarantee an appropriate balance, the experts should represent both the editorial and the journalistic fields. The Jury should have a relative balance in their geographical origin and representation of men and women.

Given the importance of the group being composed of highly reputed professionals or ex-professionals in the field of journalism, it is accepted that some experts may be proposed by several tenderers.

The Expert Jury will choose a chairperson amongst its members, who will call meetings and draft the agenda for them.

The Assistance Body will provide the administrative assistance and logistics necessary for the implementation of the tasks of the Expert Jury.

The Expert Jury will have two roles:

3.1.1 Jury for the assessment of proposals

The Expert Jury will receive the requests for grants and analyse them on the basis of the eligibility, selection and award criteria drafted in the Terms of Reference of the Call for Proposals. After analysis, the Expert Jury will prepare a substantiated report

on each request using a format that will be provided by the Commission once the contract is signed, and will draft its recommendations for funding.

Moreover, the Assistance Body will ensure that the content of the Expert Jury Report corresponds to the needs of the Commission, in terms of information for assessing the proposals on the basis of the eligibility, selection and award criteria.

In order to guarantee the proper selection of proposals, the Commission will take its decision for the award of research grants on the basis of the opinion of the Expert Jury.

3.1.2 Expert opinion on the implementation of the grant scheme

The Expert Jury will be regularly informed by the Assistance Body about the implementation of the Pilot Project, including the individual grants if relevant. On the basis of this reporting, the Expert Jury will give its opinion on the implementation of the grant scheme or any issues arising during implementation. This opinion will be provided at least bi-monthly and sent to the Commission by the Assistance Body together with the operational report (see point 3.7). The Expert Jury may also prepare an additional opinion on its own initiative.

The Expert Jury may also be requested by the Assistance Body, or possibly by the Commission, to give an opinion on any issue identified during the implementation of the grants. The reply must be sent to the Commission within 10 calendar days.

Finally, the Expert Jury will provide an overall opinion about the quality of the projects funded, shortcomings identified, room for improvement and any other recommendation relevant for the possible continuation of the scheme. This overall opinion will be integrated into the final report of the Assistance Body (see point 3.7 below).

All reports and opinions should be drafted in English.

In their offers, tenderers should present

- a) a list of the experts to be appointed as members of the Expert Jury, together with their detailed *curriculum vitae* and a letter of commitment.
- b) the mechanisms for the working arrangements, meetings and administrative assistance to be provided to the Expert Jury.

3.2. Development and maintenance of a Website

The Assistance Body will develop and maintain a website with at least the following functionalities:

- a) a page containing general information about the grant scheme, the reasons for it, the time schedule, relevant documents, summaries of the results of the research grants, etc.
- b) an online forum for exchange of views and practices amongst participants and questions/answers. Access to the forum would be restricted to grant recipients.

The website, hosted on the contractor's own server but clearly distinguished, formally and graphically, from the contractor's own webpages if any, will make a reference to the fact that the Pilot project is funded by the EU budget. The website will in no case be located in the Commission's Europa pages.

Should the contractor decide to create an independent website with a separate web address, he shall buy and renew the corresponding domain name(s) at his own

expenses. In addition, the domain name or, if several domain names, at least one of them shall be in “.eu”.

The main features of the site, as described above, should be available in at least English, French and German. The tenderer is invited to mention additional EU languages to which he can offer translations. This will be taken into account during the evaluation of the quality of the tenders.

Even if the website is associated to the research grants for cross-border investigative journalism, the contractor must ensure that the site will be active at least during six (6) months after the end of the contract in order to maximise the dissemination of the results and promote their publication, at no additional cost.

At the end of the contract, the contractor will transfer to the Commission the domain names and the content of the website originating from him, including the layout.

In their bids, tenderers must present:

- a) the draft layout and site map of the website, together with
- b) a detailed description of the contents and structure of each page and the EU official languages in which they will be available;
- c) the timing for the launch of the website after the signing of the contract, which should be no later than 3 weeks after the entry into force of the contract;
- d) the timing and contents of site updates throughout the grant scheme;
- e) the projected technical and moderating solutions for the online forum.

3.3. Facilitating publication of results by media outlets beyond those initially intended by grant recipients

The Assistance Body will actively seek and develop contacts with editors and media in order to ensure that the project results are published more widely than planned by the grant recipients in their proposals.

To this end, the Assistance Body will apply all relevant means of communication and dissemination that they consider relevant.

On this point, tenders should include in his tender:

- a) a description of the mechanisms and timing to be used for establishing contacts, disseminating results and promoting publication;
- b) a list of media to be contacted throughout the EU.

Any publication of the results of the research project in whatever form and by whatever medium, including the internet, must specify that

“This project has been supported by the Pilot Project on Investigative Journalism of the European Union. It reflects the authors' view and the European institutions are not liable for the information contained therein.”

3.4. Technical assistance and reporting to the Commission during implementation of the grants

The Assistance Body will follow up and monitor closely the implementation of the grants. It will ask for feedback on a regular basis from the grant recipients, in an editor-like manner, and will notify the Commission about any potential issue which might arise during the research projects. This should be done with due respect to the need for confidentiality and credibility peculiar to this type of journalism.

In particular, the Assistance Body will monitor the timing laid down in the grant agreement and forewarn the grant recipients of any risk of exceeding the end dates of the project covered by the grant. In such cases the Assistance Body should notify the grant recipient sufficiently in advance for an amendment to be formally requested from the Commission.

The Assistance Body will report as soon as possible to the Commission on issues such as:

- a) operational issues encountered;
- b) assistance provided to grant recipients;
- c) research projects abandoned and the reasons thereof;
- d) requests for amendment of the grant in terms of timing or budget;
- e) delays in implementation;
- f) issues identified, related to the termination causes listed in Article II.11.2 of the Draft Grant Agreement (in Annex to the Call for Proposals);
- g) research projects concluded. Projects will be considered to be concluded
 - a. when the results are actually published or the date of publication is formally established by the editor of a recognised medium.
 - b. if an editor withdraws agreement to publish the results, when the product is in its final form and ready for publication.
 - c. when the final date for implementation is reached, unless an amendment extending the deadline is made to the grant agreement.

When the Assistance Body receives the final results of the project, it will notify the Commission immediately. The Assistance Body will have maximum 15 working days to provide an assessment of the quality of the project, with the assistance of the Expert Jury, and draft a report about the eligibility of the costs incurred and the quality of the final product. It will then send the report to the Commission, together with all the supporting documents and the calculation of the total amount of the grant.

Any request for amendment, suspension or interruption of a research project will be immediately notified to the Commission, with a justified assessment by the Assistance Body made with the assistance of the Expert Jury. All decisions regarding amendment, suspension, interruption or payment will be taken by the Commission on the basis of the Assistance Body's reports.

The Assistance Body will promptly notify the Commission of any indication regarding misconduct that it may be aware of during the implementation of this contract.

In their bids, tenderers should describe:

- a) the resources and mechanisms for the implementation of this task.
- b) a model final report for research projects on the basis of the text of the Call for Proposals (see Annex to these Specifications).

3.5. Technical assistance to the grant recipients

The Assistance Body will respond to the questions of the grant recipients on specific aspects of the implementation of the grant, such as:

- a) eligibility of the costs.

- b) contents of the grant agreement.
- c) any other technical aspect related to the management of the funding.

The Assistance Body will contact the Commission in order to provide an authoritative reply.

The replies to the questions will be posted on the website forum accessible only by all grant recipients.

This assistance may cover technical and practical issues about the investigative work, as well as legal aspects on the implementation of these projects.

However, it will not cover any legal assistance in the case of personal or professional misconduct by the grant recipients, as indicated in Article II.11.2 of the Grant Agreement.

3.6. Seminar/workshop

The Assistance Body will organise a workshop/seminar involving grant recipients and stakeholders in the field of journalism and investigative journalism. The preparation of the seminar should involve the members of the Expert Jury appointed by the Assistance Body, as well as the members of the Expert Group on Investigative Journalism set up by the Commission:

<http://ec.europa.eu/transparency/regexpert/detail.cfm?ref=2480>.

The seminar will take place in July 2011 and will take stock of the results of the projects so far, their quality, the issues raised, implementation mechanisms and the credibility of the funding scheme.

Tenderers must provide a list of potential participants in the workshop in order to maximise the added value of the event.

3.7. Promotion of the second call for proposals

The Assistance Body will promote and make known the publication of the second call for proposals amongst the public concerned by all useful means. To do this, it should foresee ways of promoting the call at least amongst the main journalists' organisations at national or international level. In their offers, the bidders will propose a coherent communication strategy to fulfil this objective.

3.8. Reports

At bi-monthly intervals, starting from the date of signing the contract, the Assistance Body should send the Commission operational reports on the assistance delivered and its outcome, with due regard to potential confidentiality issues involved.

At the latest twelve months after signing the contract, the Assistance Body should provide the Commission with the final technical report on the overall implementation of the grant scheme, the issues identified, an assessment of the system, and recommendations for improvement, if relevant. If the contract is renewed, a similar report should be provided within the same deadline.

In addition to formal reports, the bidders should plan in their tenders for quarterly meetings with the Commission in Brussels to discuss the implementation of the contract.

All reports should be drafted in English.

4. PARTICIPATION IN THE TENDER

This tender is covered by the Government Procurement Agreement (GPA) in the framework of the WTO Agreement. Participation in tendering procedures is open on equal terms to all natural and legal persons.

5. VARIANTS

No variants are allowed.

6. SIZE OF THE CONTRACT

The indicative budget for this tender is between 200 000 EUR and 300 000 EUR per year, and between 600 000 EUR and 900 000 EUR over three years, VAT excluded.

Under Article 126(1)f and Article 126(3) of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002, laying down detailed implementing rules, the contracting authority may use a negotiated procedure for the award of new services which entail the repetition of similar services entrusted to the Assistance Body who was awarded the original contract. That procedure may be used only during the three years following conclusion of the original contract.

7. DOCUMENTS AVAILABLE TO THE TENDERERS

Invitation to tender and its annexes:

Annex 1 Tender Specifications with Annex (Draft Call for Proposals)

Annex 2 Draft contract for services

Annex 3 Declaration of honour relating to exclusion criteria

Annex 4 Table of selection criteria

Annex 5 Price table

8. CONTRACTUAL FRAMEWORK

The services specified above will be the subject of a contract drawn up between the Commission and the tenderer to whom the contract is awarded. This contract will lay down the legal, financial, administrative, and technical conditions applicable for its period of validity, including price indexation. The draft contract is attached in Annex 2 to the Invitation to Tender. In drawing up their bids, tenderers should bear in mind the provisions of this draft contract.

The contract will be concluded for an initial period of one year, renewable up to a maximum of two times for a further year, each time according to the conditions mentioned in draft contract. The total duration of the contract may not exceed 3 years.

If the bidders intend to subcontract part of the work involved in this contract, they will notify in their tenders the share of work to be subcontracted as well as the identity of the subcontractors.

Subcontracting during contract performance is only possible after prior written approval by the contracting authority. In any case the Assistance Body remains solely responsible for the performance of the contract.

9. ASSISTANCE BODY'S OBLIGATIONS

The offers should comply with national and European Union law. Tenderers are reminded that their bids must be established in conformity with the applicable national and EU law, in particular regarding the transfer of undertakings, and specifically Directive 2001/23/EC (OJ L 82, 22.03.2001) and national measures of execution. The tenderers' attention is drawn to the applicable provisions on the safeguarding of employees' rights in the case of a change of employer by a conventional company transfer.

Compliance with copyright and other intellectual property right legislation, as well as with image right rules, is of the utmost importance to the Commission. When providing the services under the present Tender, the Contractor shall comply with these rules and with the conditions detailed in Article I.10.2 of the service contract.

10. PAYMENT METHODS

Provisions on payment are laid down in Article I.4 of the draft contract in Annex 2 to the Invitation to Tender.

Payment will be made exclusive of VAT, as the European Union is exempt from all duties and taxes, including value added tax (VAT) under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union.

Invoices presented by the Assistance Body must specify separately the amount(s) exclusive of VAT and the amount of VAT.

11. PRICE

The following provisions apply to the price to be proposed in the bid.

- The price proposed must be quoted using the attached form in Annex 5 to Invitation to tender, which must be duly signed and dated.
- The price must be quoted in Euros.
- The price quoted must be all-inclusive and cover all costs related to the performance of the contract as described above.
- The price must be quoted free of all taxes, duties and other charges, including VAT, as the European Union is exempt from all duties and taxes, including value added tax (VAT) under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union.
- The price must be fixed and not subject to revision during the first year of the contract.

In the event of renewal, from the beginning of the second year of performance of the contract, the price(s) may be revised upwards or downwards each year, in accordance with the provisions of the draft contract.

This revision will be determined according to the MUICP index and the method laid down in the draft contract.

- All costs incurred for the preparation and submission of a tender are to be borne by the tenderer and will not be reimbursed.

12. SUBMISSION OF BIDS

The tenderer's bid must comprise:

- The Declaration on Honour concerning the exclusion criteria listed under point 14, duly signed and completed, using the form in Annex 3 to the Invitation to Tender.
- All documents relating to the selection criteria listed under point 15; for those documents, the tenderer will fill in the reference tables to be found in Annex 4 to the Invitation to Tender.
- The technical tender, as specified under point 13, in line with the specifications under point 3.
- The price proposed corresponding to all of the tender specifications, using the table in Annex 5 to the Invitation to Tender, which must be filled in, dated and signed by the tenderer.

The tender may be drawn up in any of the official languages of the European Union.

The tender must be dated and signed by a person with the capacity to commit the tenderer.

Tenders submitted by consortia or groups of service providers must specify the role, title and experience of each member of the group.

13. TECHNICAL TENDER

Tenderers should include in their bid a technical tender detailing how they will perform the tasks covered by the contract, in compliance with all requirements of the tender specifications.

The technical tender should follow the same structure as the subject of the contract. It should include a detailed explanation of the different arrangements for the implementation of the contract, by supplying as a minimum the information requested for each type of service detailed in Point 3.

The technical tender should not include any of the documents referred to under the exclusion or selection criteria, nor should it refer to issues already covered by the exclusion and selection criteria.

The technical tender will be assessed in the light of the award criteria (quality and price) set out under point 16.

14. EXCLUSION CRITERIA

Bids from tenderers excluded under the exclusion criteria will not be considered for the award of the contract.

14.1 Exclusion from participation

Applicants or tenderers will be excluded from participation in a procurement procedure if:

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning these matters, or

- are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they have been convicted of an offence concerning professional conduct by a judgment which has the force of *res judicata*;
 - c) they have been guilty of grave professional misconduct proven by any means which the awarding authority can justify;
 - d) they have not fulfilled their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established, or with those of the country of the awarding authority, or with those of the country where the contract is to be performed;
 - e) they have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the financial interests of the European Union;
 - f) following another procurement procedure or grant award procedure financed by the EU budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

Evidence

1. Tenderers will provide a declaration on their honour, duly signed and dated, stating that they are not in one of the situations referred to above, using the form provided in Annex 3 to the invitation to tender.
2. The tenderer to whom it is proposed to award the contract will furnish, within a time-limit specified by the contracting authority and prior to the signature of the contract, the following evidence in support of their declaration:
3. The awarding authority will accept, as satisfactory evidence that the tenderer to whom the contract will be awarded is not in one of the situations described in points 14.1.(a), (b) or (e), the production of a recent extract from the judicial record or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that these requirements are satisfied. The awarding authority will accept, as satisfactory evidence that the tenderer is not in any of the situations described in point 14.1.(d), a recent certificate issued by the competent authority of the Member State concerned.

Where the document or certificate referred to in paragraph 1 is not issued by the country concerned, and for the other cases of exclusion referred to in points 14.1.c) and 14.1.f), it may be replaced by a declaration under oath, or, failing that, a solemn declaration made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in their country of origin or provenance.

Depending on the national legislation of the country in which the tenderer or applicant is established, the documents referred to in paragraphs 1 and 3 will relate to legal and/or natural persons, including, where considered necessary by the awarding authority, company directors or any person with powers of representation, decision-making or control in relation to the tenderer.

These supporting documents must be valid on the date of the deadline for submission of tenders and, at all events, must have been issued within the 12 months preceding that date.

The Commission reserves the right to check the information provided by tenderers.

14.2. Exclusion from award of contracts

Contracts may not be awarded to applicants or tenderers who, during the procurement procedure:

- a) are subject to a conflict of interests. The Commission must ensure that, on the date on which the tender is submitted, no tenderer is subject to a conflict of interests in relation to this invitation to tender; such a conflict of interest could arise in particular as a result of economic interest, political or national affinity, family or emotional ties, or any other relevant connection or shared interest.

Tenderers are therefore asked to specify whether their company includes among its employees or shareholders any:

- European Union institution officials on leave of absence;
- former European Union institution officials or any other former employee of the European Union institutions (contract or temporary staff, local staff, etc.) who have worked for the European Union during the three years prior to this invitation to tender;
- former staff seconded to the European institutions who have worked for the European Union during the three years prior to this invitation to tender.

The Commission reserves the right to judge whether such a conflict of interest exists.

Tenderers are also asked to declare:

- that they have not made and that they commit themselves not to make any offer of any type whatsoever from which an advantage could be derived in connection with this contract;
- that they have not granted, sought, attempted to obtain or accepted 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;
- that they will inform the contracting authority, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest.

- b) 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.

Evidence

The awarding authority will accept a declaration on their honour signed by the tenderer (see Annex 3 to the invitation to tender) as satisfactory evidence that the tenderer is not in one of the situations described in points 14.2.a) and 14.2.b). The Commission reserves the right to check this information.

14.3. Tenders submitted by consortia — Tenders involving subcontracting

In the case of tenders submitted by consortia or groups of service providers, all the economic operators involved in the tender must provide evidence that none of the exclusion criteria for participation in or award of the contract apply to them, by furnishing a declaration on their honour, duly dated and signed (Annex 3 to the Invitation to Tender).

The tenderer to whom the contract is awarded must furnish, within the time-limit specified by the awarding authority and prior to the signature of the contract, the evidence listed above, confirming the declaration on honour, for each member of the consortium or group of service providers.

In the case of tenders involving subcontracting, the tenderer to whom the contract is awarded must furnish, within the time-limit specified by the awarding authority and prior to the signature of the contract, the declaration on honour and/or the evidence listed above regarding exclusion criteria for participation in or award of the contract, for each of the subcontractors named in the tender in respect of whom the Commission requests such evidence. However, if the offer includes sub-contractors for which the tasks represent less than 20% of the contract in value, these sub-contractors are not required to provide proof of the documents; the declaration on honour is sufficient.

The Commission reserves the right to check the information provided by the tenderer.

15. SELECTION CRITERIA

15.1 Identity and capacity of the tenderer

The tenderer must demonstrate sufficient economic, financial, technical and professional resources to be able to perform the tasks as specified at point 3 of these specifications and according to the payment schedule specified in the draft service contract in Annex 2 to the Invitation to Tender.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links that it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal (see Points 15.2 and 15.3 below).

Tenderers who do not provide the documents required regarding the selection criteria will be excluded. The Commission will decide whether the substantiating documents provided constitute compliance with the selection criteria.

Tenderers must provide proof of their professional, economic, financial, and technical capacity by enclosing the following information and documents with their tender:

a) Professional capacity:

For natural and legal persons:

- Name, address, telephone and fax numbers
- VAT registration number
- Bank account number and bank's name and address
- Certificate of enrolment on the professional trade register in accordance with the legislation of the Member State in which the tenderer is established

For legal persons the following information is necessary in addition to the above:

- legal status
- copy of the company's memorandum and articles of association
- names and duties of managerial staff

b) Financial and economic standing (for legal and natural persons):

Evidence of financial and economic standing has to be provided by one or both of the following documents:

- appropriate statements from banks or evidence of professional risk indemnity insurance
- balance sheets or extracts from balance sheets for at least the last two years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established.

c) Technical capacity (for legal and natural persons):

Tenderers must be organisations or bodies with a demonstrated experience in the field of assistance, support and/or networking to journalists. They must have a cross-border capacity and in-depth knowledge of the field of journalism in the EU. They must prove their technical, cultural and linguistic capacity to deal with cross-border research projects. They must demonstrate convincingly that they have the ability to undertake the tasks requested by this tender.

To assess these criteria, the bidder must provide:

- A statement of the average annual manpower and the number of managerial staff in the last three years;
- A detailed description of the services provided by the bidder(s) in the past three years in the domains that are the subject of the tender;
- A detailed description of the resources available to perform the contract: infrastructure, equipment, personnel, etc.;
- The CVs including educational and professional qualifications of each of the main persons responsible for performing the tasks under the contract, who should have the following skills:
 - Minimum of 5 years of experience in the field of journalism, and/or training of journalists (including university training or assistance to journalists);
 - Recognised expertise in investigative journalism;
 - Perfect knowledge of English and/or French and a good working knowledge of at least one other EU official language.
- At least one CV of an IT specialist with expertise in setting up and managing a website, who will be responsible for the tasks related to the website;
- At least one CV of a person with sound expertise in organising seminars/workshops;
- A description of the measures used by the tenderer to prove:
 - ability to perform the contract effectively and without interruption over the whole contract period and to meet all deadlines;
 - capacity to deal with documents written in different languages and translate them if necessary;
 - quality of performance, including quality control measures.

15.2 Additional requirements for joint offers

Where a consortium submits the tender, the following must be provided:

- A document stating the economic and financial capacity for each economic operator that is part of this consortium. The technical and professional capacity will be ascertained for the consortium as a whole;
- A document stating clearly the composition and constitution of the grouping or similar entity (company, temporary association, etc.), and, if applicable, what legal form their cooperation will take, should they be awarded the contract and if this change is necessary for proper performance of the contract;
- A letter signed by each member stating their commitment to execute the services in the tender, in a signed letter clearly indicating their role, qualifications and experience.

15.3 Additional requirements for tenders including subcontracting

If the tender includes subcontractors, the Commission reserves the right to request evidence of their economic, financial, technical and professional capacity if the tasks subcontracted represent a substantial part of the contract.

The following elements must be provided in the offer:

- A document stating clearly the identity, roles, activities and responsibilities of the subcontractor(s) and specifying the volume/proportion of the tasks of (each of) the subcontractor(s), as well as a description of the quality control measures they intend to apply on the tasks to be carried out by (each of) the subcontractor(s);
- A letter of intent by (each of) the subcontractor(s) stating their unambiguous undertaking to collaborate with the tenderer if they win the contract and the extent of the resources that they will put at the tenderer's disposal for the performance of the contract.

In the absence of this, a document stating that the tenderer does not intend to subcontract and that he/she will inform the Commission about any change in this situation. The Commission reserves the right to judge if such a change would be acceptable.

16. AWARD CRITERIA

Bids from tenderers who do not satisfy the exclusion and/or selection criteria will not be considered for the award of the contract.

The contract will be awarded to the tender offering the best value for money on the basis of the quality/price ratio measured on the basis of the technical and financial evaluation of the proposal.

16.1 Technical evaluation

The quality of the technical proposal will be assessed on the basis of the following award criteria:

- a) Quality criterion 1 (10 points): General understanding of the work at hand, on the basis of the contents of the overall tender.
- b) QC 2 (20 points): Quality of the composition of the team and organisation of the work (see Point 3.1).

- c) QC 3 (10 points): Quality of the proposed members of the Expert Jury and of the arrangements for its functioning (see Point 3.1).
- d) QC 4 (10 points): Quality of the proposal for the website including translation into additional EU official languages (see Point 3.2).
- e) QC 5 (10 points): Quality of the proposal for promotion and dissemination of the results (see Point 3.3).
- f) QC 6 (20 points): Quality of the proposal for assistance and reporting to the Commission during the implementation of the grant scheme (see Point 3.4).
- g) QC 7 (10 points): Quality of the technical assistance services proposed to the grant recipients (see Point 3.5).
- h) QC 8 (5 points): Quality of the proposal for the seminar/workshop (see Point 3.6).
- i) QC 9 (5 points): Quality of the proposal for promotion of the second call for proposals (see Point 3.7).

Quality criteria will be evaluated on the basis of the technical tender to be submitted as part of the bid (see point 13).

Only those tenders with a rating higher than 60 percent of the total number of points per criterion, and higher than 70 points for the overall assessment, will be taken into consideration for the award of the contract.

16.2 Financial evaluation

For the financial bid, the tenderer must use the standard financial table in Annex 5 to invitation to tender.

16.3 Award of the contract

The contract will be awarded to the tender achieving the highest score obtained by applying the following formula:

Score for tender X	=	Cheapest price	*	total quality score (out of 100) for all criteria of tender X
		Price of tender X		

ANNEXE

Terms of Reference for the Call for Proposals for the Pilot project for European Research Grants for Cross-border Investigative Journalism