



CALL FOR TENDERS

**EMODnet Bathymetry - High resolution seabed
mapping**

EASME/EMFF/2018/007

EMFF/2017/1.3.1.2.

TENDER SPECIFICATIONS

Open Procedure

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EASME/EMFF/2018/007

EMODnet Bathymetry - High resolution seabed mapping

1. TECHNICAL SPECIFICATIONS

1.1. INTRODUCTION

The Executive Agency for Small and Medium-sized Enterprises (henceforth "EASME" or "the contracting authority")¹, acting under powers delegated by the European Commission (hereinafter "the Commission"), is launching this invitation to tender for developing, maintaining and disseminating high resolution digital maps of the topography of the European seabed.

The call for tenders is based on Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund² and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council and, in particular, on the Commission Implementing Decision C(2016) 8422 final of 15.12.2016 concerning the adoption of the work programme for 2017 and the financing for the implementation of the European Maritime and Fisheries Fund³ (as amended by Decision C(2017) 6382 final of 27.09 2017).

1.2. BACKGROUND INFORMATION AND CONTEXT

A vision for the accessibility and interoperability of marine knowledge in 2020 was set out in the European Commission's 2012 Green Paper⁴:

"(...) a seamless multi-resolution digital seabed map of European waters by 2020. It should be of the highest resolution possible, covering topography, geology, habitats and ecosystems. It should be accompanied by access to timely observations and information on the present and past physical, chemical and biological state of the overlying water column, by associated data on human activities, by their impact on the sea and by oceanographic forecasts. All this should be easily accessible, interoperable and free of restrictions on use. It should be nourished by a sustainable process that progressively improves its fitness for purpose and helps Member States maximise the potential of their marine observation, sampling and surveying programmes".

Part of the effort so far has been achieved by a partnership of over a hundred and fifty European organisations working through the European Marine Observation and Data Network (EMODnet)⁵, an initiative launched by the European Commission's Directorate-General for Maritime Affairs and Fisheries (DG MARE) as part of its Marine Knowledge 2020 strategy. Under EMODnet, these organisations work together to assemble marine data from diverse sources and resources in order to make them more accessible and more interoperable. Part of their work involves building gateways to national, regional or thematic repositories and creating products such as digital terrain models or sediment maps based on marine and maritime data held by public bodies.

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

² Official Journal of the European Union, L 149/1, 20.5.2014.

³ http://ec.europa.eu/dgs/maritimeaffairs_fisheries/contracts_and_funding/annual_work_programme/

⁴ Green Paper, Marine Knowledge 2020, from seabed mapping to ocean forecasting Brussels, 29 August 2012, COM(2012) 473 final.

⁵ More information on the European Marine Observation and Data Network (EMODnet): <http://www.emodnet.eu/>

This partnership includes seven thematic groups⁶. One of them (Bathymetry⁷) is particularly relevant to the work required under this contract. It has developed (1) a digital terrain model of European seas on a grid with a base resolution of 3 arc seconds⁸ and higher resolution (down to ¼ arc seconds) where the underlying data permit it and (2) a best-estimate digital coastline.

The aim of this contract is to build on the work of this thematic group to provide a multi-dimension digital terrain model of European seas.

It will contribute to increasing productivity of those working on marine issues, stimulating innovation in the blue economy and reducing uncertainty in our knowledge of the behaviour of the sea by increasing the accessibility and interoperability of marine data as set out by the Commission in 2010⁹. It is part of the EU's digital agenda and will be an essential contribution to the data and information sharing provisions in the Marine Strategy Framework Directive¹⁰ and the Maritime Spatial Planning Directive¹¹.

1.3. GENERAL AND SPECIFIC OBJECTIVES

EASME is launching an invitation to tender with a view to concluding a service contract on Bathymetry - High resolution seabed mapping.

The objective of the contract is to create and maintain an operational service providing free and open access to digital maps of the seabed topography and coastline of European seas at the highest resolution possible and to the survey data underlying them.

This will require developing and maintaining:

- (1) a common method of access to data from surveys held in repositories
- (2) a multi-resolution digital terrain model of the sea bottom of European seas with common standards, baseline and formats
- (3) standard coastline data
- (4) procedures for machine-to-machine connections to data and data products
- (5) a web portal allowing users to find, visualise and download data
- (6) a help desk offering support to users
- (7) interoperability with digital terrain models developed by organisations from outside the EU
- (8) a process to become compliant with the INSPIRE Directive¹²
- (9) a process to monitor performance and deal with user feedback

⁶ <http://www.emodnet.eu/portals>

⁷ <http://www.emodnet.eu/bathymetry>

⁸ Except the international waters of the north Atlantic, where the base resolution is 30 arc seconds.

⁹ Communication from the Commission to the European Parliament and the Council - Marine Knowledge 2020, marine data and observation for smart and sustainable growth COM/2010/0461 final. <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52010DC0461>

¹⁰ http://ec.europa.eu/environment/marine/eu-coast-and-marine-policy/marine-strategy-framework-directive/index_en.htm

¹¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0089&from=EN>

¹² Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE). <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=OJ%3AL%3A2007%3A108%3ATOC>

The service shall build on products and services developed by the EMODnet thematic group responsible for bathymetric data, aim for complete interoperability with services developed by other thematic groups and with the INSPIRE Directive and be open to receive data provided through the EMODnet Ingestion facility¹³.

Details are provided in the next sections.

1.4. TASKS AND GEOGRAPHICAL SCOPE

1.4.1. Tasks

Task 1: Bathymetric surveys

Data from bathymetric surveys held in national, regional or commercial information systems shall become interoperable, discoverable and downloadable. Latest technologies that increase the robustness and speed of the operations shall be used.

Task 2: Digital terrain model

A multi-resolution digital terrain model of European seas shall be set up with a base resolution of 3 arc seconds¹⁴ and higher resolution (down to ¼ arc seconds) where the underlying data permit it. The metadata shall include:

- (a) ownership
- (b) assessment of accuracy and precision
- (c) (for data products) indication of method used for their construction

Task 3: Coastline data

A best-estimate digital coastline related to the GRS80 ellipsoid shall be set up including:

- (a) mean sea level
- (b) highest astronomical tide level
- (c) lowest astronomical tide level
- (d) level of the hydrographic vertical datum
- (e) legal baseline
- (f) indications of most appropriate technique for future mapping
- (g) intertidal area

Task 4: Machine-to-machine connections to data and data products

Web services will be set up so that the data (surveys, coastlines, digital terrain models) can be accessed by interoperable machine-to-machine interaction through the Internet.

¹³ <https://www.emodnet-ingestion.eu/>

¹⁴ Except the international waters of the north Atlantic, where the base resolution will be 30 arc seconds.

Task 5: Web portal

A web portal with an EMODnet look and feel will be set up and maintained that allows users to search for, visualise and download survey data, digital terrain models and coastline data. Graphic requirements for the web portal are described in section 2.1.3.

Task 6: Help-desk

The help-desk shall offer telephone queries and an on-line chat service by means of a live operator available from 9:00 to 17:00 (Brussels time) from Monday to Friday. Contact by e-mail shall also be possible. The telephone service shall not be charged at premium rates and e-mails shall be answered within two working days. A record shall be kept of all contacts and the reaction to them.

Task 7: International interoperability

A report will be delivered one year after the start of the contract identifying any issues compromising interoperability with digital terrain models developed by organisations from outside the EU. Account should be taken of the Galway Statement process for the Atlantic¹⁵ and appropriate linkages ensured.

Task 8: INSPIRE compliance

The service shall be compliant with the standards and protocols set out in the INSPIRE Directive. This will require dialogue with those responsible for the standards.

Task 9: Monitoring of performance

The service shall include a process for monitoring and reporting on the nature of users and the purpose of the use they make of the service, and shall also react to feedback from users (see also section 1.7 "Performance and Quality Requirements").

1.4.2. Transition and Handover details at the end of the contract

The contractor must provide an adequate overview of the state of play at the end of the contract and must guarantee its cooperation for transition meetings and handing over the products and services developed under this contract to the contracting authority or any party designated by the contracting authority.

The purpose of the handover will be to hand over the products and services and their management in a progressive, secured and orderly manner, to the contracting authority or any party designated by the contracting authority.

To this end, the contractor will undertake the necessary actions to safeguard the continuity of the products and services developed. The contractor will be responsible to hand the management of the products and services over to EASME or a party designated by EASME at the end of the contract. In addition, the contractor will provide the full list of pre-existing rights, if any, within the result of the contract and provide evidence on the transfer of pre-existing rights as itemised in the list.

In their offer, tenderers shall include a Legacy Strategy explaining how they will enable a smooth transition to EASME or a party to be designated by EASME. This strategy must ensure that IT tools

¹⁵ <http://www.atlanticresource.org/aora/>

and databases are compatible with the EC's IT architecture and guidelines¹⁶ and also refer to the transfer of Intellectual Property Rights (see Articles II.13 of the draft service contract).

1.4.3. Geographical scope

The contract shall cover data from:

- 1) Surveys** – All seas and oceans
- 2) Digital Terrain Model**
 - Complete coverage of the Baltic, Barents, Black, Mediterranean, and North Seas
 - Coverage of jurisdictional waters, (including continental shelf and claimed extended continental shelf) of EU Member States and Norway for the North East Atlantic (Celtic Seas, Iberian Coast and Bay of Biscay, Macaronesia and Norwegian Sea)
 - Coverage of international waters of the Atlantic north of the equator
- 3) Digital coastline** – Coastline of EU Member States + Norway and all Baltic countries

1.5. INPUT BY THE CONTRACTING AUTHORITY

Once the contract is signed, EASME will facilitate the contact with the previous contractor responsible for the EMODnet Bathymetry - High resolution seabed mapping EMODnet thematic group, so that the handover of the products and services takes place.

During the period of contract execution and upon request of the contractor, EASME will provide letters of introduction to potential sources of data explaining the context of requests for access and distribution.

1.6. GENERAL GUIDANCE ON METHODOLOGY

In implementing this service, the following principles must be respected:

- (1) Data must be free of charge and free of restrictions of use including in relation to pre-existing rights¹⁷
- (2) Data and data products shall be accompanied by metadata covering:
 - (a) ownership
 - (b) assessment of accuracy and precision
 - (c) for the digital terrain model:
 - indicator of method used (e.g. from survey, from higher resolution donor digital terrain model, from GEBCO¹⁸, etc.)

¹⁶ See http://ec.europa.eu/dgs/informatics/index_en.htm

¹⁷ Those responsible of making nautical charts may use the data and data products, but the products themselves cannot be used for navigational purposes.

¹⁸ <http://www.gebco.net/>

- status
 - surveyed and data available
 - surveyed and metadata available
 - surveyed but no data or metadata available
 - no known survey
 - links to data and metadata of surveys used
- (3) Open Geospatial Consortium (OGC)¹⁹-based standards shall be used that:
- are common to all EMODnet themes. These can be progressively developed through decisions of the EMODnet Steering Committee²⁰ in which the contractor for this service will be represented
 - respect INSPIRE rules
- (4) The web portal must be operating within 3 months of the start date of the contract. To begin with it will offer products and services developed by previous EMODnet bathymetric projects and will progressively offer products and services developed under this contract as they become available.

The EMODnet Secretariat²¹ shall be the primary point of contact for any request for technical information from the contractor. Questions on specific strategies for reaching the action's objectives shall normally be discussed and answered in EMODnet Steering Committee meetings (which are usually held in Brussels or Ostend). EASME and the European Commission (DG MARE) participate in that Steering Committee. In case of discrepant information, the contractor shall follow the instructions received from EASME as the contracting authority.

The contractor shall ensure methodological and visual consistency with the rest of EMODnet projects. Guidance in these regards is provided by the EMODnet Secretariat and discussed in the context of the EMODnet Steering Committee meetings.

1.7. PERFORMANCE AND QUALITY REQUIREMENTS

The project will deliver a Web service providing bathymetric surveys, a digital terrain model and coastline data.

Performance will be measured by usage and user satisfaction. Typical measures include:

- (1) monthly page views
- (2) most popular page in past month and past year
- (3) number of data, and data products downloaded
- (4) types of user downloading data (where known) – public, private, research, etc.
- (5) databases connected to system

¹⁹ <http://www.opengeospatial.org/>

²⁰ The EMODnet Steering Committee currently consists of representatives from each of the following EMODnet partners: thematic groups, sea basin checkpoints, the data ingestion service, the Flanders Marine Institute, the EMODnet Secretariat, DG MARE and EASME. The Contracting Authority reserves the right to vary its composition based on the evolving nature of EMODnet. More information on the EMODnet partners and the EMODnet Steering Committee is available in the EMODnet Website: <http://www.emodnet.eu/>

²¹ <http://www.emodnet.eu/about-secretariat>

- (6) data records in total and available for download without restriction of re-use
- (7) providers

Efforts are ongoing to harmonise as far as possible the reporting of indicators between the different thematic groups of EMODnet, so these indicators may be adjusted. In any case the primary performance indicators are usage and user satisfaction.

1.8. STARTING DATE OF THE CONTRACT AND DURATION

It is expected that the contract is signed in the second half of 2018.

The contract shall enter into force on 20/12/2018 if both parties have signed it by that date. If that is not the case, the contract shall enter into force on the date on which the last contracting party signs it. The duration of the tasks shall not exceed 24 months from that date. The execution of the tasks shall not start before the contract has been signed or before the specific date specified in the contract. Work will follow the timetable detailed below.

The contract may be renewed once, for 24 additional months, depending on the future needs and on the budget availability.

1.9. VOLUME OF THE MARKET

The estimated maximum amount for the execution of all the tasks referred to in this call for tenders is **EUR 3.720.000,00** including all charges and expenses, and excluding any renewals. No contract offer above this amount will be considered.

The estimated maximum amount for the possible renewal is EUR 3.720.000,00 including all charges and expenses. No price quotation above this amount will be considered.

1.10. PLANNING, OUTPUTS AND DELIVERABLES

The contractor must provide the required reports and deliverables (as described below) in accordance with the conditions of the draft service contract. When requested in the contract, the reports will accompany the invoices for payments. The time limits for the contracting authority to approve the interim and final reports and pay the related invoices are also specified in the draft contract.

Documents will be submitted in electronic format only. Paper copies are not necessary.

1.10.1. Progress reports

Brief progress reports will be sent to EASME, DG MARE and the EMODnet Secretariat within 15 calendar days from the end of each quarter, as to coordinate with reports from the other thematic groups. These shall not exceed 15 pages. The aim is to identify main achievements and unexpected difficulties and to provide progress indicators.

EASME may comment on the progress reports submitted **within 45 calendar days** from reception. If EASME has not reacted within this period, the related reports shall be deemed to have been approved.

1.10.2. Interim and final outputs and deliverables

EMODnet technical reports (interim and final) follow a template, designed by the EMODnet Secretariat, which may be subject to modification. The basic principle is that they shall be brief but informative. The current structure is the following:

- (1) Executive summary (maximum 750 words)
- (2) Introduction
- (3) Highlights of the reporting period
- (4) Summary of the work done
- (5) Challenges encountered during the reporting period
- (6) Allocation of project resources
- (7) Work package updates
- (8) User feedback
- (9) Meetings held
- (10) Outreach and communication activities
- (11) Updates on Progress Indicators:
 - 1 - Volume of data made available through the portal
 - 2 - Organisations supplying each type of data based on (formal) sharing agreements and broken down into country and organisation type (e.g. government, industry, science)
 - 3 - Organisations that have been approached to supply data with no result, including type of data sought and reason why it has not been supplied
 - 4 - Organisations that have downloaded each data type
 - 5 - Volume of each type of data and of each data product downloaded from the portal
 - 6 - Using user statistics to determine the main pages utilised and to identify preferred user navigation routes
 - 7 - List of what the downloaded data has been used for (divided into categories e.g. Government planning, pollution assessment and (commercial) environmental assessment, etc.)
 - 8 - List of web-services made available and user organisations connected through these web-services
- (12) Recommendations for follow-up actions by the EU

Annex: Other documentation attached

List of abbreviations and acronyms

1.10.3. *Timetable*

Timetable (months/weeks/days)	Actions/Deliverables
Reference date (T0)	Start date of the contract
Quarterly (1 to 15 January, April, July and October)	Progress reports to EASME, DG MARE and EMODnet Secretariat
T0 + 3 months	Web portal operational
T0 + 12 months	Interim report
T0 + 12 months	Report on international interoperability (task 7 under section 1.4.1)
T0 + 24 months	Final report

2. CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE DELIVERABLES

The contractor must deliver the reports and the web portal as indicated below, as to make them suitable for publication.

2.1. CONTENT

2.1.1. *Interim and final reports*

The interim and final reports must follow the structure specified in section 1.10.2, and shall also include:

- ✓ specific identifiers which must be incorporated on the cover page provided by the contracting authority;
- ✓ the following disclaimer:

“The information and views set out in this report are those of the author(s) and do not necessarily reflect the official opinion of EASME or of the Commission. Neither EASME, nor the Commission can guarantee the accuracy of the data included in this study. Neither EASME, nor the Commission or any person acting on their behalf may be held responsible for the use which may be made of the information contained therein.”

2.1.2. *Requirements for publication on Internet*

EASME is committed to making online information as accessible as possible to the largest possible number of users including those with visual, auditory, cognitive or physical disabilities, and those not having the latest technologies. EASME supports the Web Content Accessibility Guidelines 2.0 of the World Wide Web Consortium (W3C).

For full details on the Commission policy on accessibility for information providers, see: http://ec.europa.eu/ipg/standards/accessibility/index_en.htm

The contractor must respect the W3C guidelines for accessible pdf documents as provided at: <http://www.w3.org/WAI/>.

2.1.3. *Web portal features*

The web portal shall respect the guidelines and policy mentioned under section 2.1.2 above. As mentioned in sections 1.2 and 1.3, the work shall build on that of the current Bathymetry²² thematic group. Coordination with both the EMODnet Secretariat and the contractors responsible for other EMODnet web portals is required, as to ensure maximum consistency amongst them.

Necessary features of the portal are listed below:

2.1.3.1. *Signing in*

The objective is to achieve the minimum of formality when downloading data. Anonymous users shall be allowed maximum access. Where identification is required, the EMODnet user identification scheme, currently under development, must be used. Other identifications may be used only until the EMODnet identifier is finalised.

²² <http://www.emodnet.eu/bathymetry>

2.1.3.2. Search

It must allow the search of a time and space window (the space may be chosen through the digital map, through coordinates or by a sea-area).

2.1.3.3. Viewing

The dynamic map facility must allow the viewing within a specified time and space window of:

- (1) Measurement points
- (2) Values of data and data products within a specified time and space window
- (3) Quality of data

2.1.3.4. Data extraction

Data and data products must be extractable according to EMODnet and INSPIRE standards. They shall allow extraction of data for requested parameters from different data sources or surveys within one file.

2.1.3.5. Coastal data

The web portal must allow users to browse and download coastal data. This requires preparing a table where one of the columns is distance measured along the national baseline. A graphical representation should also be presented with labels indicating geographical features (e.g. towns, borders, river outlets). Small islands need not be covered.

2.1.3.6. Machine-to-machine

The web portal shall include instructions indicating how users can access data, meta-data and data products directly through machine-to-machine connections.

2.1.3.7. Avoidance of duplication

The web portal shall have a mechanism for signalling and avoiding duplicate data when extracting from multiple sources.

2.1.3.8. User feedback

The web portal shall incorporate a form for user feedback. User questions and the answers to the questions should be made visible on the portal and through RSS (Rich Site Summary) so that they can be listed on the EMODnet Central Portal.

2.1.3.9. Acceptance of further data

The web portal shall accept offer of data from stakeholders and provide facilities for them to upload it. A log shall be kept of data provided in this way and published through the portal.

2.1.3.10. Other facilities

The web portal shall be set up as to facilitate the input of data from the EMODnet Ingestion facility²³ as well as to facilitate Facebook users to add links to their pages.

²³ <https://www.emodnet-ingestion.eu/>

2.1.4. Graphic requirements

The contractor must deliver the web portal and all publishable deliverables in full compliance with the corporate visual identity of the European Commission, by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo. The graphic rules, the Manual and further information are available at:

http://ec.europa.eu/dgs/communication/services/visual_identity/index_en.htm

3. INFORMATION ON TENDERING

3.1. PARTICIPATION

Participation in this procurement procedure is open on equal terms to all natural and legal persons coming within the scope of the EU Treaties, as well as to international organisations.

It is also open to all natural and legal persons established in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement²⁴.

States covered by the Public Procurement Agreement concluded within the World Trade Organisation are not eligible to participate in this call for tenders, as the EU Executive Agencies are not signatories of the Agreement.

In the case of a joint tender (see section 3.4), each member of the group must have access to this procurement procedure.



For British candidates or tenderers:

Please be aware that after the UK's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries will apply to candidates or tenderers from the UK depending on the outcome of the negotiations. In case such access is not provided by legal provisions in force candidates or tenderers from the UK could be rejected from the procurement procedure.

3.2. CONTRACTUAL CONDITIONS

The tenderer shall bear in mind the provisions of the draft contract which specifies the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, and checks and audits.

3.3. COMPLIANCE WITH APPLICABLE LAW

The tender must comply with applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU²⁵.

²⁴ Third countries with a special agreement in the field of public procurement that have been given access to procurement procedures of the Union institutions, agencies and bodies regardless of the value of the purchase are: Albania, Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway, Liechtenstein and Serbia.

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

3.4. JOINT TENDERS

A joint tender is a situation where a tender is submitted by a group of economic operators (natural or legal persons). Joint tenders may include subcontractors in addition to the members of the group.

In case of joint tender, all members of the group assume joint and several liability towards the contracting authority for the performance of the contract as a whole, i.e. both financial and operational liability. Nevertheless, tenderers must designate one of the economic operators as a single point of contact (the leader) for the contracting authority for administrative and financial aspects as well as operational management of the contract.

After the award, the contracting authority will sign the contract either with all members of the group, or with the leader on behalf of all members of the group, authorised by the other members via powers of attorney (see section 3.8).

3.5. SUB-CONTRACTING

Subcontracting is the situation where a contract has been or is to be established between the contracting authority and a contractor only and where the contractor or tenderer, in order to carry out that contract, enters into legal commitments with other entities for performing parts of the contract. The contracting authority has no direct legal commitment with the subcontractor(s). In practice, any third party involved in the contract implementation which has no legal link with the contracting authority but with the contractor will be considered as subcontractor (e.g. any other company which does not participate in the contract execution but provides financial capacity).

Subcontracting is permitted but the contractor will retain full liability towards the contracting authority for performance of the contract as a whole.

The rules of access to EU public procurement (Section 3.1) do not apply to subcontractors.

Tenderers are required to identify all subcontractors and to indicate which parts of the work will be subcontracted.

3.6. COSTS

Tenderers themselves will bear the costs of drawing up their tenders and EASME will not be liable to pay any compensation if a tender is rejected or if it decides not to select any tender.

3.7. CONTENT OF THE TENDER

The tenders must be presented as follows:

- Part A: Identification of the tenderer (see Section 3.8)
- Part B: Non-exclusion (see Section 4.2)
- Part C: Selection (see Section 4.3)
- Part D: Technical offer (including Annex 6)

²⁵ 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).

The technical offer must cover all aspects and tasks required in the tender specifications and provide all the information needed to apply the award criteria. Offers deviating from the requirements or not covering all requirements may be rejected on the basis of non-compliance with the tender specifications and will not be evaluated.

For the appraisal, the written submission shall include a clear and detailed description of the organisation, human and technical resources and methodology proposed. The tenderers will provide a practical and detailed description of the human and technical resources and services proposed to achieve the objectives and results set out in Sections 1.3, 1.4, 1.6 and 1.7 above.

➤ Part E: Financial offer (Annex 7)

The price for the tender must be quoted in euro. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to bear the risks or the benefits deriving from any variation.

Prices must be quoted free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union. The amount of VAT may be shown separately.

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

A price must also be quoted to cover the tasks for the possible renewal (see above sections 1.8 and 1.9). The price quoted for the optional renewal of the contract will be taken into consideration when calculating the ranking of tenders (see Section 4.5).

3.8. IDENTIFICATION OF THE TENDERER

The tender must include a cover letter (letter of submission of tender - Annex 2) presenting the name of the tenderer (including all entities in case of joint offer) and identified subcontractors if applicable, and the name of the single point of contact (leader) in relation to this procedure.

In case of joint tender, the cover letter must be signed either by an authorised representative for each member, or by the leader authorised by the other members with powers of attorney (Annex 4). The signed powers of attorney must be included in the tender as well. Subcontractors that are identified in the tender must provide a letter of intent (Annex 5) signed by an authorised representative stating their willingness to provide the services presented in the tender and in line with the present tender specifications.

The tenderer (and each member of the group in case of joint tender) must declare whether it is a small or medium-sized enterprise in accordance with Commission Recommendation 2003/361/EC. This information is used for statistical purposes only.

In the course of this tender procedure the EU Validation Services may contact tenderers via the *Participant Register* and ask for supporting documents with respect to the legal existence and status. Please note that a request for supporting documents in no way implies that the tenderer has been successful.

Nevertheless, the Contracting Authority may ask, in the course of the procedure, for complementary supporting documents, other than those requested by the EU Validation Services. Such complementary documents may be asked so as to complete the checks on the compliance of successful entities with the selection criteria and/or to ensure that the entity is not in one of the exclusion situations referred to in this call for tenders.

4. EVALUATION AND AWARD

4.1. EVALUATION STEPS

The evaluation is based solely on the information provided in the submitted tender. It involves the following:

- ✓ Verification of non-exclusion of tenderers on the basis of the exclusion criteria
- ✓ Selection of tenderers on the basis of selection criteria
- ✓ Verification of compliance with the minimum requirements set out in these tender specifications
- ✓ Evaluation of tenders on the basis of the award criteria

The contracting authority may reject abnormally low tenders, in particular if it established that the tenderer or a subcontractor does not comply with applicable obligations in the fields of environmental, social and labour law.

The contracting authority will assess these criteria in no particular order. The successful tenderer must pass all criteria to be awarded the contract.

4.2. VERIFICATION OF NON-EXCLUSION

All tenderers must provide a declaration on honour (Annex 3), signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in that declaration on honour.

In case of joint tender, each member of the group must provide a declaration on honour signed by an authorised representative.

In case of subcontracting, all subcontractors whose share of the contract is above 10% of the value of the contract or whose capacity is necessary to fulfil the selection criteria must provide a declaration on honour signed by an authorised representative.

The contracting authority reserves the right to verify whether the successful tenderer is in one of the situations of exclusion by requiring the supporting documents listed in the declaration of honour.

The successful tenderer must provide the documents mentioned as supporting evidence in the declaration on honour before signature of the contract and within a deadline given by the contracting authority. This requirement applies to each member of the group in case of joint tender and to all subcontractors whose share of the contract is above 10% of the value of the contract or whose capacity is necessary to fulfil the selection criteria.

The obligation to submit supporting evidence does not apply to international organisations.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the contracting authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that there has been no change in its situation.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the contracting authority can access the document in question on a national database free of charge. In this case, only the details of the national database and the corresponding link must be provided to the contracting authority.

4.3. SELECTION CRITERIA

Tenderers must prove their economic, financial, technical and professional capacity to carry out the work subject to this procurement procedure.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the 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.

The tender must include the proportion of the contract that the tenderer intends to subcontract.

4.3.1. Declaration and evidence

The tenderers (and each member of the group in case of joint tender) and subcontractors whose capacity is necessary to fulfil the selection criteria must provide the declaration on honour (see Annex 3), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them. In case of joint tender or subcontracting, the criteria applicable to the tenderer as a whole will be verified by combining the various declarations for a consolidated assessment.

This declaration is part of the declaration used for exclusion criteria (see Section 4.2) so only one declaration covering both aspects shall be provided by each concerned entity.

The contracting authority will **evaluate selection criteria on the basis of the declarations on honour (Annex 3), the information included in the tables in Annex 2.1 and Annex 2.2, fully completed, and the evidence where requested.** Nevertheless, it **reserves the right to require (additional) evidence** of the financial and economic, and technical and professional capacity of the tenderers **at any time during the procurement procedure and contract performance.** In such case the tenderer must provide the requested evidence without delay. The contracting authority may reject the tender if the requested evidence is not provided in due time.

After contract award, the successful tenderer may be required to provide the necessary evidence before signature of the contract and within a deadline given by the contracting authority. This requirement applies to each member of the group in case of a joint tender and to subcontractors whose capacity is necessary to fulfil the selection criteria.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the contracting authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that there has been no change in its situation.

A tenderer (or a member of the group in case of joint tender or a subcontractor) is not required to submit a specific document if the contracting authority can access the document in question on a national database free of charge. In this case, only the details of the national database and the corresponding link must be provided to the contracting authority.

4.3.2. Legal and regulatory capacity

Not applicable.

4.3.3. Economic and financial capacity criteria

The tenderer must have the necessary economic and financial capacity to perform this contract until its end. In order to prove its capacity, the tenderer must comply with the following criterion:

Its average annual turnover for the last two years for which the accounts have been closed²⁶ shall amount to at least one and a half times the estimated total value as specified in point II.1.5 of the contract notice; this criterion applies to the tenderer as a whole, i.e. the combined capacity of all members of a group in case of a joint tender, and identified subcontractors.

To this effect **tenderers are requested to submit a statement of turnover in accordance with Annex 2.1** of these tender specifications completed with the information requested.

The following evidence (only in electronic version or link to website) will also be provided with the tender:

- ✓ Copy of the Profit and Loss accounts for the last two years for which the accounts have been closed from each concerned legal entity;
Failing that,
- ✓ Appropriate statements from banks;
or
- ✓ Evidence of professional risk indemnity insurance.

If, for some exceptional reason which the contracting authority 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 the contracting authority considers appropriate. In any case, the contracting authority must at least be notified of the exceptional reason and its justification. EASME reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

4.3.4. Technical and professional capacity criteria and evidence

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

The evidences mentioned below will be provided only on request, except evidences for criterion 6, that shall be part of the submitted offer.

Criteria relating to tenderers:

Tenderers (in case of a joint tender the combined capacity of all members of the group and identified subcontractors) must comply with the criteria listed below.

The project references indicated below consist in a list of relevant services provided in the past three years, with the sums, dates and clients, public or private, accompanied by statements issued by the clients.

²⁶ In the case of joint tender or identified sub-contractors, the turnover must be provided for the same two years for all the partners/subcontractors.

Criteria	Evidence
✓ <i>Criterion 1: Ability to create harmonised database of surveys.</i>	✓ Evidence 1: The tenderer must provide documentation evidencing experience in at least 2 projects entailing the creation of harmonised databases of surveys from at least three EU Member States.
✓ <i>Criterion 2: Capacity to develop digital terrain models using survey data and digital terrain models of different resolutions from at least five different organisations.</i>	✓ Evidence 2: The tenderer must provide a summary of work done in at least 2 relevant projects (maximum one page).
✓ <i>Criterion 3: Capacity to develop digital coastline including at least one across national borders.</i>	✓ Evidence 3: The tenderer must provide a summary of work done in at least 2 projects (maximum one page).
✓ <i>Criterion 4: Ability to develop machine-to-machine connections to data and data products.</i>	✓ Evidence 4: the tenderer must provide documentation evidencing that it has developed at least one operational service offering machine-to-machine connections between marine data and user.
✓ <i>Criterion 5: Capacity to construct web portals for marine data.</i>	✓ Evidence 5: the tenderer must provide the web link to at least one portal offering searching, viewing, zooming and downloading of geo-referenced data.
✓ <i>Criterion 6: Capacity to obtain access to data and permission of owners.</i>	✓ Evidence 6: the tenderer must provide signed authorisations to use data (those authorisations should correspond to the data that will be made available for the project – see table referred to in section 4.4 (award criterion 10) ²⁷ .

Any tenderer with a professional conflict of interest will be rejected on the basis not fulfilling selection criteria for professional capacity.

4.4. AWARD CRITERIA

The contract will be awarded based on the most economically advantageous tender, according to the 'best price-quality ratio' award method. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

Tenders that receive less than 65% of the maximum possible mark for the whole quality evaluation or less than 50% for one or more of the quality criteria will be eliminated and their final score will not be calculated. Tenders that do not reach the minimum quality levels will be rejected and will not be ranked.

The criteria for the assessment of the quality of the offers, and the maximum points for each criterion are outlined below.

²⁷ Unless data are available without any requirement to ask owner's permission; for instance on-line.

Criteria	Points	To be provided
1. <i>Appropriate approach for unrestricted and fast access to survey data.</i>	6 points	Breakdown of tasks into work packages. For each task and work package, clear description of: <ul style="list-style-type: none"> • inputs • objectives • method • risks, including potential impact, level of impact and mitigation measures • expected outcome • the effort involved expressed as fraction of total project • the profiles (team members) involved
2. <i>Anticipation of risks.</i>	6 points	
3. <i>Degree of facilitation of machine-to-machine communication.</i>	6 points	
4. <i>Quality of the method of preparing digital terrain model.</i>	6 points	
5. <i>Degree to which contract builds on existing EMODnet structure.</i>	6 points	
6. <i>Quality of the method for establishing baselines and standards.</i>	6 points	
7. <i>User-friendliness of web portal.</i>	6 points	
8. <i>Soundness of project management proposed to meet project deadlines and ensure quality of output.</i>	8 points	<ul style="list-style-type: none"> • Gantt Chart showing the progress of each work package including timetable of deliverables • Description of project responsibilities
9. <i>Strength of guarantee of the continuity of the service.</i>	8 points	Legacy Strategy explaining how the tenderer will enable a smooth transition to EASME or a party to be designated by EASME (see section 1.4.2).
10. <i>Quantity of primary data contributed to the project.</i>	42 points	Table indicating the quantity of primary data available to the project. The columns of the table shall be as follows: <ul style="list-style-type: none"> • description of data set (survey, digital terrain model etc.) • area covered (NM²) • data owner • reference number sea basin The table shall be prepared in digital format (e.g. Excel or Access) and delivered in electronic form – it shall also be delivered on paper as an annex to the technical offer.
TOTAL	100 points	

4.5. RANKING OF TENDERS

The contract will be awarded to the most economically advantageous tender, i.e. the tender offering the best price-quality ratio determined in accordance with the formula below. A weight of 70/30 is given to quality and price.

The price used for the ranking of the tenders is the total price quoted under "C- Total price used for the assessment of the financial offer" in Annex 7 Price and breakdown of costs.

score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}}$	*	100	*	price weighting (30%)	+	total quality score (out of 100) for all award criteria of tender X	*	quality criteria weighting (70%)
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The tender ranked first after applying the formula will be awarded the contract.

4.6. INFORMATION TO TENDERERS ON THE FINAL EVALUATION

EASME will inform tenderers of decisions reached concerning the award of the contract, including the grounds for any decision not to award a contract or to recommence the procedure.

EASME will inform all rejected tenderers of the reasons for their rejection and all tenderers submitting an admissible tender of the characteristics and relative advantages of the selected tender and the name of the successful tenderer.

However, certain information may be withheld where its release would impede law enforcement or otherwise be contrary to the public interest, or would prejudice the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

5. ANNEXES

The following documents are annexed to these specifications and form an integral part of them:

Annex 1: Draft contract (for information)

Annex 2: Letter of submission of tender (to be filled in and signed by the tenderer)

- Annex 2.1. – Statement of turnover
- Annex 2.2. – Technical capacity

Annex 3: Declaration on honour (exclusion and selection criteria)

Annex 4: Power of attorney

Annex 5: Letter of intent for sub-contractors

Annex 6: Technical tender form

Annex 7: Financial offer (price and breakdown of costs)

Annex 8: Checklist for submission

Annex 9: EASME's Environmental Policy