



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL EDUCATION AND CULTURE  
**Directorate Culture and Creativity**  
**Unit Cultural Diversity and Innovation**

## **CALL FOR TENDERS**

**Open procedure N° EAC/53/2014**

Subject: European Expert Network on Culture and  
Audiovisual (EENCA)

# **TENDER SPECIFICATIONS**

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## **1. INFORMATION ON TENDERING**

### **Participation**

Participation in this tender procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons 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 agreement. Where the Multilateral Agreement on Government Procurement<sup>1</sup> concluded within the WTO applies, the participation to the call for tender is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down.

### **Contractual conditions**

The tenderer should 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.

### **Joint tenders**

A joint tender is a situation where a tender is submitted by a group of economic operators (consortium). Joint tenders may include subcontractors in addition to the joint tenderers.

In case of joint tender, all economic operators in a joint tender assume joint and several liability towards the Contracting Authority for the performance of the contract as a whole. Nevertheless, tenderers must designate a single point of contact for the Contracting Authority.

After the award, the Contracting Authority will sign the contract either with all members of the group, or with the member duly authorised by the other members via a power of attorney.

### **Subcontracting**

Subcontracting is permitted in the tender but the contractor will retain full liability towards the Contracting Authority for performance of the contract as a whole.

Tenderers must give an indication of the proportion of the contract that they intend to subcontract.

Tenderers are required to identify all subcontractors whose share of the contract is above 10%.

During contract execution, the change of any subcontractor identified in the tender will be subject to prior written approval of the Contracting Authority.

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<sup>1</sup> See [http://www.wto.org/english/tratop\\_E/gproc\\_e/gp\\_gpa\\_e.htm](http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm)

## **Content of the tender**

The tenders must be presented as follows:

Identification of the tenderer (see below)

Evidence for exclusion criteria (see section 3.2)

Evidence for selection criteria (see section 3.3)

Technical offer (see section 3.5)

Financial offer (see section 3.6)

## **Identification of the tenderer: legal capacity and status**

The tender must include Annex 1 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 contact person in relation to this tender.

If applicable, **Annex 1** must indicate the proportion of the contract to be subcontracted.

In case of joint tender, Annex 1 must be signed by a duly authorised representative for each tenderer, or by a single tenderer duly authorised by other tenderers (with power of attorney).

Subcontractors must provide a letter of intent stating their willingness to provide the service foreseen in the offer and in line with the present tender specification.

In order to prove their legal capacity and their status, all tenderers must provide a signed Legal Entity Form with its supporting evidence. The form is available on:

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

Tenderers that are already registered in the Contracting Authority's accounting system (i.e. they have already been direct contractors) must provide the form but are not obliged to provide the supporting evidence where such evidence has already been submitted to it for the purposes of another procurement procedure and provided that the issuing date of the documents does not exceed one year and that they are still valid.

The tenderer (or the single point of contact in case of joint tender) must provide a Financial Identification Form and supporting documents. Only one form per offer should be submitted (no form is needed for subcontractors and other joint tenderers). The form is available on: [http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/index\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm)

Tenderers must provide the following information if it has not been included with the Legal Entity Form:

- For legal persons, a legible copy of the notice of appointment of the persons authorised to represent the tenderer in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation which applies to the legal entity concerned requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.

- For natural persons, where applicable, a proof of registration on a professional or trade register or any other official document showing the registration number.

## **2. TECHNICAL SPECIFICATIONS**

### **2.1. CONTEXT**

#### **The European Agenda for Culture**

The 2007 Commission Communication on a "European Agenda for Culture in a globalizing world"<sup>2</sup> triggered a wider reflection on the role of culture as a key element of the European integration process, based on common values and a common heritage as well as on cultural diversity. The Agenda was endorsed by the cultural sector in September 2007 ("European Culture Forum") and by the Council in November 2007.

The European Agenda for Culture remains the framework for continuing and developing European cooperation in the cultural field and for increasing the coherence and visibility of European action in it, while at the same time strengthening the transversal role of culture.

The Agenda is built on three interrelated sets of objectives: promotion of cultural diversity and intercultural dialogue; promotion of culture as a catalyst for creativity, growth and jobs and the promotion of culture as a vital element in the Union's international relations.

The European Agenda for Culture introduced new ways of working in the field of culture, namely an Open Method of Coordination (OMC) with the EU Member States and a Structured Dialogue with civil society. OMC working groups, gathering experts from EU Ministries, share policy experiences and good practices and develop policy recommendations on the themes identified in multi-annual Council Work plans for Culture.

The last Work Plan for Culture covered the years 2011-2014 and included 6 priority areas: (1) cultural diversity and intercultural dialogue; (2) cultural and creative industries; (3) skills and mobility; (4) cultural heritage; (5) culture in external relations; and (6) culture statistics. These priorities contributed towards achieving the objectives set in the European Agenda for Culture and the Europe 2020 strategy for smart, inclusive and sustainable growth.<sup>3</sup>

In November 2014, the Council adopted a new Work Plan for Culture covering the years 2015-2018. It focuses on 4 priorities, as follows: accessible and inclusive culture; cultural heritage; cultural and creative sectors: creative economy and innovation, and the promotion of cultural diversity, culture in EU external relations and mobility.

Building on the foundations of the European Agenda for Culture, this new Work Plan addresses the challenges faced by cultural organisations and creative SMEs at national and European levels, in the context of globalisation and digitisation, and against the background of the persistent economic crisis.

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<sup>2</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32007G1129%2801%29>

<sup>3</sup> <http://ec.europa.eu/transparency/regdoc/rep/1/2014/EN/1-2014-535-EN-F1-1.Pdf>

In parallel to its work in support of the implementation of the Work Plans for Culture, the Commission has published a number of communications in the field of culture.

### **Promoting the Cultural and Creative Sectors for growth and jobs**

In 2012, recognising the contribution of the cultural and creative sectors to the objectives of EU 2020 of smart, sustainable and inclusive growth, the Commission adopted a Communication on promoting the cultural and creative sectors for growth and job in the EU.<sup>4</sup> This Communication set out a multi-layered strategy to help CCSs unleash their potential, inviting all levels of policy governance – from the local, the regional, the national up to the EU level – to develop integrated strategies in support of these sectors.

Building on the strategic vision of the 2012 Communication, the Commission will continue expanding this reflection in order to address the challenges that culture and the cultural and creative sectors face in the digital age. Exploiting the full potential of digital technology while maintaining long-term incentives to create new content and access to knowledge, and promote cultural diversity are key issues for the new European Commission.

### **European film and audiovisual industry**

In May 2014, the European Commission adopted a *Communication on European film in the digital era - Bridging cultural diversity and competitiveness*.<sup>5</sup> The Communication complements the Creative Europe programme with a policy debate between the Commission, interested parties in the Member States, film funds and other policy makers and the film professionals.

The objective is to increase the complementarity between the support activities carried out at EU and national levels and to maximise their overall added value for the European films and for their public. The new European film strategy highlights the need to make the most of new methods of distribution to enhance cultural diversity and competitiveness.

The strategy will encourage a new process of dialogue – called European Film Forum – to encourage an exchange of ideas on how national, regional and EU audiovisual policies can better complement each other and respond to challenges such as digitisation, access to funding, circulation across borders and beyond the EU. The EU Film Forum will involve all interested parties at European, national and regional level in reviewing film policies in the EU to maximise their contribution to the competitiveness and the diversity of European Cinema.

### **Cultural Heritage**

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<sup>4</sup><http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52012DC0537&qid=1418037713145&from=EN>

<sup>5</sup> [http://ec.europa.eu/culture/library/reports/com272\\_en.pdf](http://ec.europa.eu/culture/library/reports/com272_en.pdf)

In July 2014, the European Commission adopted another Communication entitled "towards an integrated approach to cultural heritage for Europe".<sup>6</sup> The Communication invites the EU Member States and all other stakeholders to work together in order to maximise the intrinsic and societal value of cultural heritage, and its contribution to jobs and growth.

The Communication on heritage is a natural continuation, at sectorial level, of the 2012 Communication on the cultural and creative sectors. It describes the challenges facing the heritage sector, and highlights the opportunities for Member States and stakeholders to work more closely across borders, making the most of EU policies and programmes. It also calls for stronger cooperation at EU level to share ideas and best practice, which can feed into national heritage policies and governance. A mapping report, published in parallel, gives information about EU policies, legislation, programmes and funding opportunities relevant to cultural heritage.

To support the continued development of cultural and audiovisual policies, the European Commission intends to establish an Expert Network capable of providing high-quality advice and analysis to the European Commission in order to enhance its understanding of the challenges faced by culture and the cultural and creative sectors and to promote decision-making based on solid research knowledge and analysis.

Through this expert network, the research community will be called upon to contribute to policy-making in the fields of culture and audiovisual.

#### **Reference documents - Useful links**

##### **European Agenda for Culture:**

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32007G1129%2801%29>

##### **Council Conclusions Work Plan for Culture 2011-2014:**

[http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:42010Y1202\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:42010Y1202(01)&from=EN)

##### **Report from the Commission on the implementation and relevance of the Work Plan for Culture 2011-2014:**

<http://ec.europa.eu/transparency/regdoc/rep/1/2014/EN/1-2014-535-EN-F1-1.Pdf>

##### **Open Method of Coordination (OMC) working groups reports (Work Plan for Culture 2011-2014):**

A report on policies and good practices in the public arts and in cultural institutions to promote better access to and wider participation in culture (2012):

[http://ec.europa.eu/culture/policy/strategic-framework/documents/omc-report-access-to-culture\\_en.pdf](http://ec.europa.eu/culture/policy/strategic-framework/documents/omc-report-access-to-culture_en.pdf)

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<sup>6</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2014:477:FIN>

A report on the role of public arts and cultural institutions in the promotion of cultural diversity and intercultural dialogue (2014):

[http://ec.europa.eu/culture/library/reports/201405-omc-diversity-dialogue\\_en.pdf](http://ec.europa.eu/culture/library/reports/201405-omc-diversity-dialogue_en.pdf)

A Policy Handbook on How to strategically use the EU support programmes, including Structural Funds, to foster the potential of culture for local, regional and national development and the spill-over effects on the wider economy? (2012):

[http://ec.europa.eu/culture/policy/strategic-framework/documents/structural-funds-handbook\\_en.pdf](http://ec.europa.eu/culture/policy/strategic-framework/documents/structural-funds-handbook_en.pdf)

Good practice report on the cultural and creative sectors' export and internationalisation support strategies (2014):

[http://ec.europa.eu/culture/library/reports/eac-omc-report-ccs-strategies\\_en.pdf](http://ec.europa.eu/culture/library/reports/eac-omc-report-ccs-strategies_en.pdf)

Report on building a strong framework for artists' mobility: five key principles (2012):

[http://ec.europa.eu/culture/policy/strategic-framework/documents/omc-report-mobility-of-artists\\_en.pdf](http://ec.europa.eu/culture/policy/strategic-framework/documents/omc-report-mobility-of-artists_en.pdf)

Policy Handbook on promotion of creative partnerships (2014):

[http://ec.europa.eu/culture/library/reports/creative-partnerships\\_en.pdf](http://ec.europa.eu/culture/library/reports/creative-partnerships_en.pdf)

Ways to simplify the process of lending and borrowing cultural objects between EU Member States (not available on EAC website)

**Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on a Work Plan for Culture (2015 - 2018)**

[http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1421073089313&uri=CELEX:52014XG1223\(02\)](http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1421073089313&uri=CELEX:52014XG1223(02))

**Regulation (EU) No 1295/2013 of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020)**

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32013R1295>

**Communication European film in the digital era Bridging cultural diversity and competitiveness**

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52014DC0272>



## **2.2. CONTRACT OBJECTIVES AND RESULTS TO BE ACHIEVED**

### *2.2.1 General objectives*

This expert network will be the successor of the European Expert Network on Culture (EENC) set up at the initiative of the European Commission, Directorate General for Education and Culture following an open call of tender launched in 2010.<sup>7</sup> The EENC comprised a group of high-level experts in the field of cultural policy that provided analytical reports and studies on a range of topics following the requests of the European Commission.<sup>8</sup>

The overall objectives of this contract is to contribute, on the one hand, to the improvement of cultural policy development in Europe and on the other hand to audiovisual policy development, through the setting up of an effective network of leading European centres and experts on culture and of the audiovisual industry.

This network will be called to advise and support the European Commission in the analysis of cultural and audiovisual policies, as well as policies pertaining to the cultural and creative sectors (CCS), including the analysis of audiovisual markets, policies and instruments. The network should be able to examine the implications of these policies at national, regional and European levels.

### *2.2.2 Scope*

In the context of this call, the cultural and creative sectors covered are defined as : architecture, archives, libraries and museums, artistic crafts, cinema, television, video games, multimedia, online services, tangible and intangible cultural heritage, design, festivals, music, literature, performing arts, publishing, radio and visual arts

All these sectors are, to some extent, facing the challenges of digitisation, which is a full part of the sectorial and thematic scope to be covered in this contract.

Although the scope is mainly focused on the EU 28 Member States, the network should also be able to screen upon request the most interesting initiatives taking place outside the EU in the field of audiovisual policy.

### *2.2.3 Specific objectives*

The European Expert Network on Culture and Audiovisual (EENCA) is expected to provide:

1. Independent, rigorous, and expert advice to European Commission policy makers, synthesizing current research and main issues in a way useful for policy development. The network should be able to provide high-quality advice and support in relation to a wide range of cultural and audiovisual policy issues in relation to the sectors listed in the previous point (2.2.2).

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<sup>7</sup> <http://www.eenc.info/>

<sup>8</sup>The coordination of the EENC 2011-2014 (<http://www.eenc.info/>) was entrusted to a consortium led by Interarts and Culture Action Europe following an open call of tender launched in 2010.

2. Research analysis, mapping of legislations, funding programmes and schemes, practices and policies in the 28 EU Member States, literature reviews and/or policy-relevant advice that is clear, specific, constructive, concrete, relevant to the work of the European Commission, and formulated in a plain, non-academic language that can be understood and acted upon by non-specialists.
3. Analysis of challenges and policies associated with *inter alia* the digital shift, access to finance, the need for innovation and new business models, the new audience behaviours, access to domestic and foreign markets, training needs.

**Topics to be covered may include, but are not limited to:**

### **I. Culture**

- culture as a vector of European integration and identity.
- creative economy (including cultural and creative industries and their spill-over effects, new business models in the cultural and creative sectors, digital economy, cross-sectorial innovation, etc.);
- cultural diversity (including the 2005 UNESCO Convention; cultural diversity and trade issues, etc.);
- culture and education (including culture as a key competence, artistic education, cultural awareness, etc.);
- culture as a provider of social capital (links between culture and social inclusion, intercultural dialogue, etc.);
- cultural heritage;
- culture in EU external relations;
- audience development (access, participation, engagement);
- mobility of artists and culture professionals;
- cultural governance (including statistics);

### **II. Audiovisual:**

- the audiovisual sector: structures, participants, relations between the actors along the value chains (authors, producers, sales agents, distributors, exhibitors, TV channels, VOD platforms, festivals, etc.)
- the economy of audiovisual; investments and returns, financial flows, tax regimes, access to data and transparency
- audiovisual policies and funding mechanisms
- audience behaviours, access and consumption patterns
- innovation in the audiovisual sector in the creation and/or distribution ends
- dynamics and synergies between the audiovisual sector, other cultural sectors and/or other industries
- impact of new technologies on the economy of the sector
- film and media literacy policies and practices

Tasks related to the above topics may concern European, national and/or regional perspectives.

#### *2.2.4 Description of the Network and expected results*

The network should consist of at least ten (10) experts plus a scientific coordinator and a logistical coordinator who will constitute the coordination team. There is no upper ceiling for the number of experts in the network. A core group of around ten experts, combined with a number of more loosely associated experts who contribute expertise on an ad-hoc basis, may be a pragmatic and flexible arrangement which can provide a good result while being easier to manage.

The composition of the network should reflect a good gender and geographic balance. The network may include experts from outside the EU. A broad range of complementary sub-disciplinary expertise should be present in the network so as to deliver research and policy advice on all topics listed above.

Changes in the composition of the network may be possible later either at the initiative of the contractor and subject to written approval by the Commission, or upon request of the Commission. This may be the case, for example, if new topics are to be covered by the network.

### **2.3 SCOPE OF THE WORK**

The main tasks of the network will be: 1) Guidance and advice to the European Commission, 2) Analytical reports and/or studies, 3) Mapping studies 4) EENCA website, 5) Communication and meetings with the European Commission.

The order and numbering of the tasks is by no means an indication of importance, priority or completion order; work on most of the tasks will go on in parallel.

#### **Task 1: Guidance and advice to the European Commission**

The European Expert Network on Culture and Audiovisual will provide guidance and advice on a range of topics through a series of **up to twelve (12) ad-hoc questions or policy briefings/papers per year requested** by the European Commission. Examples of possible topics are given in section 2.2.3 above. Such requests may emerge while the Commission is preparing important policy documents (such as Communications, Staff Working Documents, studies or consultation documents), initiatives or papers for meetings or to support activities taking place in the context of, for instance, implementing the Commission's initiatives in the field of culture, the Council Work Plan for Culture 2015-2018 and the work of the Open Method of Coordination Working Groups.

The requests for guidance may also include requests for the participation of network members in meetings, including meetings of OMC working groups, conferences or other events. Participation of one member in **6 (six) such events per year** should be budgeted for.

#### **Task 2: Short analytical reports and/or studies**

The Network may be requested to prepare short analytical reports. The main aim of these reports will be to enhance the Commission's knowledge base on particular topics, and/or to collect data about the cultural sectors and/or to support the preparation of important initiatives and policy cooperation activities.

The network may be asked to prepare **four (4) short analytical reports** (of approximately 20 pages each, single-spaced, 12 Times New Roman) per year on topics to be decided by the Commission. Alternatively, the network may be requested to prepare two **(2) longer studies** (40-50 pages) per year.

An analytical report will highlight key conclusions for policy development and implementation. Such a report should aim to present clear messages and concrete, policy-able recommendations (supported by evidence) both for policy directions and for specific policy measures. If necessary, the Commission may disseminate them widely.

To maximize their potential, the reports must be clear, concise, and concrete, written in a simple, non-academic language that can be understood and acted upon by non-specialists. They should be constructive, even when critical, and provide references to relevant evidence from research, including figures and statistics as appropriate. In addition to language, the presentation and layout of the reports should make them easy to read and user-friendly for policy-makers and their advisers, and include Executive Summaries. Analytical reports should, where possible, involve several members of the network. While the quality of these reports is a collective responsibility of the network, the network's scientific coordinator will have the final role in quality control. Analytical reports and studies will be requested in English or French.

### **Task 3: Mapping studies<sup>9</sup>**

The purpose of the mapping studies is to survey, examine and document policies, schemes, programmes, initiatives, obstacles, etc. across the 28 EU Member States on one of the topics described under 3.2.2. Mapping studies should have a strong empirical focus, summarising existing data and other relevant information drawn from bibliographic and database research and complemented, where appropriate, with questionnaires and small-scale surveys to collect first-hand information and data as appropriate. Identifying and presenting relevant case studies, innovative practices, as well as best practice examples may be part of the mapping. An appendix with relevant data may be added when relevant.

Mapping studies can be requested to support activities carried out in the context of, for instance, the implementation of the Council Work Plan for Culture 2015-2018 and the work of the Open Method of Coordination Working Groups.

For all of the above three (3) Tasks, the Commission will forward its requests to the Network via its scientific coordinator. The network itself will be responsible for the allocation of tasks to specific experts. Upon receiving such a request, the scientific coordinator will contact the Commission within five (5) working days to confirm that the necessary expertise is available within the network and that the deadline proposed by the Commission can be met.

All deliverables should be clear, concise and concrete, written in simple, non-academic language that can be understood and acted upon by non-specialists. They should be constructive, even when critical, and provide references to relevant evidence from research, including figures and statistics as appropriate. In addition to language, the presentation and layout of the deliverables should make them easy to read. They should be user-friendly for policy makers and their advisers. Short analytical reports and studies should also include Executive Summaries.

The network will send to the Commission only the complete and finalised replies to questions rather than successive rounds or unfinished drafts. In many cases, an answer with a length of 5-10 pages may be needed within two working weeks. While it is difficult

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<sup>9</sup> For relevant examples see: <http://www.eenc.info/category/eencdocs/reports-documents-and-links/>

to estimate the frequency of questions emerging, it is expected that questions will, on average, arise once every four weeks. Replies will be requested in English or French.

Ideally, the reply to ad hoc questions should reflect the collective view of the Network rather than that of a single expert. Every response should be peer reviewed by at least two (2) members of the core experts group, who should be identified in the reply.

Short analytical reports should, where possible, involve several members of the network. While the quality of these reports is a collective responsibility of the network, the network's scientific coordinator will have the final role in quality control. Short analytical reports and studies will be requested in English or French.

#### **Task 4: European Expert Network on Culture and Audiovisual website**

The network will set up and regularly update a quality website with comprehensive, easy to read and understand information on all the activities carried out in pursuit of the outcomes set up in the scope of this contract. The website will build upon the existing EENC website (currently hosted at <http://www.eenc.info/>), but improvements will be made to make it more user friendly, and to allow it to store more information. The architecture of the website and some content should be in place by month 6 or earlier.

The website will be a user friendly resource for the European culture community (policy makers, researchers, administrators, students, journalists, and other actors in the wider field). It will support primarily the work of policy and decision makers. Given, however, that cultural and creative sectors are strongly interconnected with several other fields of public policy, this website will potentially be of interest and relevance to a large number of policy makers and other actors beyond the field of culture policies.

The website should include the following elements:

- brief information on EENCA mission and tasks;
- website target groups;
- information on EENCA members;
- the key issues on which EENCA has been asked to provide support organised by themes, with a text summarising key conclusions from research on the particular theme, implications for policy development and implementation, and concrete recommendations for policy, if relevant;
- policy briefs and/or reports provided by the EENCA to the Commission will be published on the website if agreed by the Commission on a case by case basis;
- links to the Open Method of Coordination (OMC) reports, policy handbooks, and good practice manuals, as well as other outputs produced in the context of the Work Plan for Culture 2015-2018;
- information on (and where possible links to) the most important journals, books, studies, important news, and other material relevant to the tender topics;
- information on relevant conferences and other major events;
- information on the most relevant, recently-finalised and ongoing major research projects, in particular projects financed by FP7 and Horizon 2020 and studies in this field;
- links with relevant work in related fields of public policy;
- links with relevant Commission services.

By the end of the first year, all the contents of the website should be available in English, French and German. The website will be updated at least once a month, and maintained throughout the duration of the contract by the contractor, and archived in such a way that it can subsequently be hosted and operated by the Commission or another contractor without payment of royalties or other charges.

The EU logo should be visible on every page.

The contractor will monitor the frequency of visits on the web site and regularly share this information with the Commission in the interim and final reports.

#### **Task 5: Communication and meetings with the Commission**

Representatives of the network may be requested to come to Brussels to present the results of their work (for example, a seminar to present an analytical report to Commission staff or to members of an OMC working group) and/or to discuss planning and coordination issues with the Commission.

On average, three (3) such meetings per year must be foreseen and budgeted for: One meeting with the coordinators and the whole core group per year should be budgeted for, as well as three meetings per year with two experts.

Travel and subsistence expenses related to these meetings will be covered by the EENCA budget.

In addition to the tasks outlined above, the EENCA will also be expected to inform the Commission about important developments in the cultural field and new findings from research that are important for policy makers at a European and national level.

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#### ***2.4. INDICATIVE TIME SCHEDULE OF EXECUTION OF THE CONTRACT***

The period of execution of the tasks will be 24 months. Actual commencement will take place after signature of the contract by the last of the two parties.

T0	Contract start
T0 + 3 weeks	Submission of inception report
T0 + 5 weeks	Kick off meeting with the Commission
T0 + 8 months	Submission of 1 <sup>st</sup> Interim Report
T0 + 16 months	Submission of 2 <sup>nd</sup> Interim Report
T0 + 23 months	Submission of draft final report
T0 + 24 months	Submission of final report

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#### ***2.5. INCEPTION AND INTERIM REPORTS REQUIREMENTS***

The contractor will produce an inception report at the beginning of the contract, two interim reports and a final report at the end of the contract.

Reports will be submitted in English in printed form (one copy) and by e-mail. Electronic files must be in Microsoft ® Word for Windows format or equivalent.

### **Inception report**

Inception report (at least 10 pages of text + annexes) to be provided within three (3) weeks from the signature of the contract by the last of the two parties.

The inception report will include information (short text + annexes) on:

- the list of the experts that will be part of the network;
- the structure and content of the website to set up or the improvements to be brought to the existing website;
- the detailed organisation of the network.

The Commission will comment on the inception report within 20 calendar days. In the absence of observations from the Commission within the deadline, the report will be considered as being approved.

Within 20 calendar days of receiving the Commission's observations, the Contractor will submit the report in definitive form, taking full account of these observations, either by following them precisely, or by explaining clearly why not. Should the Commission still not consider the report acceptable, the Contractor will be invited to amend the report until the Commission is satisfied.

### **Interim reports**

Interim reports (at least 20 pages of text + annexes) to be provided within eight (8) and sixteen (16) months from the signature of the contract, accompanied by the relevant invoices. The interim reports will include information on:

- the work carried out so far (including list of deliverables submitted and names of experts);
- analysis of the functioning of the network and suggestions for improvement, if necessary;
- the structure and content of the website; the frequency of visits on the web site and suggestions for improvement of the website, if necessary;
- the updated calendar on how to proceed with the contract and to approach outstanding issues.

The Commission will comment on the reports within 60 calendar days. In the absence of observations from the Commission within the deadline, the reports will be considered as being approved.

Within 20 calendar days of receiving the Commission's observations, the Contractor will submit the reports in definitive form, taking full account of these observations, either by following them precisely, or by explaining clearly why not. Should the Commission still not consider the reports acceptable, the Contractor will be invited to amend the reports until the Commission is satisfied.

## ***2.6. FINAL REPORT REQUIREMENTS***

The final report shall include:

A final report (30-50 pages + annexes) will be produced within 24 months of the signature of the contract for the last of the two parties. The final report will include a 3 to 5-page summary in English, French and German and Annexes, in addition to the main text.

The final report should describe the activities carried out and include all the elements covered by the interim reports and by the website (including list of publications and important studies in the field of cultural and creative industries and other cultural issues).

The final report must include at least:

- Comprehensive information on all the activities and approaches carried out in pursuit of the results set out in the technical specifications, including a summary table of these activities;
- Problems encountered, solutions found and their impact on the outcomes achieved;
- An evaluation of outcomes, conclusions and recommendations to the European Commission.

A draft version of the final report will be submitted within 23 months after the entry into force of the Contract. The Commission will comment on the draft final report within 30 days.

The final report must be submitted to the Commission at the end of the contract and will be accompanied by the invoice for payment for balance. The Commission will comment on the final report within 60 calendar days. In the absence of observations from the Commission within the deadline, the final report will be considered as being approved. The contractor shall have 20 days in which to submit additional information or corrections, a new final report or other documents if it is required by the contracting authority.

Should the Commission still not consider the final report acceptable, the Contractor will be invited to amend the reports until the Commission is satisfied.

### **3. CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE FINAL DELIVERABLES**

All final deliverables produced for the European Commission and Executive Agencies shall conform to 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<sup>10</sup>.

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<sup>10</sup> The Visual Identity Manual of the European Commission is available upon request. Requests should be made to the following e-mail address: [comm-visual-identity@ec.europa.eu](mailto:comm-visual-identity@ec.europa.eu)



## **4. EVALUATION AND AWARD**

### **4.1. Evaluation steps**

The evaluation is based on the information provided in the submitted tender. It takes place in three steps:

- (1) Verification of non-exclusion of tenderers on the basis of the exclusion criteria
- (2) Selection of tenderers on the basis of selection criteria
- (3) Evaluation of tenders on the basis of the award criteria

Only tenders meeting the requirements of one step will pass on to the next step.

### **4.2. Exclusion criteria**

All tenderers shall provide a declaration on their honour (see Annex 2), duly signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in the Annex 2.

The declaration on honour is also required for identified subcontractors whose intended share of the contract is above 10%.

The successful tenderer shall provide the documents mentioned as supporting evidence in Annex 2 before signature of the contract and within the standstill period.

The standstill period is a period of 10 days during which the contract cannot be signed by the contracting authority. This period counts from the day after simultaneous dispatch of the notification by fax or electronic means to all tenderers (successful and unsuccessful).

If, due to technical reasons, the dispatch is made on paper, the standstill period is 14 days (Article 171 RAP). If the requested evidence is not submitted in due time, the Contracting Authority can award the Contract to the tender evaluated as the next-best. This requirement applies to all members of the consortium in case of joint tender and to identified subcontractors whose intended share of the contract is above 10%.

### **4.3. Selection criteria**

Tenderers must prove their economic, financial, technical and professional capacity to carry out the work subject to this call for tender.

The evidence requested should be provided by each member of the group in case of joint tender and identified subcontractor whose intended share of the contract is above 10%. However a consolidated assessment will be made to verify compliance with the minimum capacity levels.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. They 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.

#### 4.3.1 Economic and financial capacity criteria and evidence

In order to prove their economic and financial capacity, tenderers (i.e. in case of joint tender, the combined capacity of all members of the consortium and identified subcontractors) must comply with the following criteria:

- Turnover of the last two financial years above € 150 000 (per annum).

The analysis of the financial capacity will be performed by the Contracting Authority based on the following methodology: [http://ec.europa.eu/dgs/education\\_culture/calls/evaluation-procurements\\_en.htm](http://ec.europa.eu/dgs/education_culture/calls/evaluation-procurements_en.htm).

The following evidence should be provided:

- annex 3 " Economic and financial capacity analysis form" filled in with the relevant statutory accounting figures, in order to calculate the financial ratios
- for economic operators required under national law to keep a complete set of accounts: the balance sheet, profit and loss account and annexes of the last two years for which accounts have been closed;
- for economic operators required under national law to keep a simplified set of accounts: the statement of expenditure and revenue and the annex showing assets and liabilities for the last two financial years for which accounts have been closed;
- in all cases, a statement of overall turnover and turnover concerning the supplies or services covered by the contract, provided over the last two financial years for which accounts have been closed.

If, for some exceptional reason which the Contracting Authority considers justified, a tenderer is unable to provide one or other of the above documents, he or she may prove his or her 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 in the tender. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

#### 4.3.2 Technical and professional capacity criteria and evidence

##### **a. Criteria relating to tenderers**

Tenderers (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

The tenderer must have proven experience in the field of policy advice and research on cultural and audiovisual policies, while demonstrating the capacity to work at a broad European level. This experience will be demonstrated by projects managed by the tenderer that have resulted in minimum ten (10) publications on at least five (5) of the themes listed under section 2.2.3 in the past five (5) years. At least five (5) of these publications must, content-wise, cover several EU countries.

The tenderer must also have a proven capacity of logistic organisation, as demonstrated by the coordination of a network of experts or of collaborators from a minimum of 6 EU countries.

The tenderer must also have proven capacity to manage a multi-lingual web site, as demonstrated by relevant projects carried out by the tenderer in the last five (5) years.

**b. Criteria relating to the team delivering the service:**

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

(1) a **scientific coordinator**, (2) a **logistical coordinator**, (3) a minimum of 10 core experts. The scientific and logistical coordinator constitute the coordination team. Moreover, the tenderer should have access to a wide pool of experts able to cover the topics listed under section 3.2.2, having expertise and access to relevant information in the 28 EU Member States.

The composition of the network should reflect a good gender and geographic balance, as the network will be regularly called upon to deliver advice and to map good practice in all 28 EU Member states. The network may also include experts from outside the EU.

A broad range of complementary sub-disciplinary expertise should be present in the network so as to deliver the required research and policy advice. All experts should have substantial and up-to-date knowledge and understanding of culture policies and practices in Europe and at the European level. Experience working with and advising decision-makers in culture and other public policy areas is desirable.

The **scientific coordinator** should have at least eight (8) years professional experience managing projects related to cultural policy, including overseeing project delivery and quality control of deliverables. The scientific coordinator should have experience in team management of at least five people, strong editorial and clear writing skills, excellent communication and organisational skills; proficient-level knowledge of English, as guaranteed by a certificate or past relevant experience. Knowledge of other languages of the EU will be a plus. The scientific coordinator should also have substantial experience from active participation in comparative analyses of culture policy and practice in the context of European and/or major international multi-disciplinary collaborative research activities.

The scientific coordinator will be responsible for final content work. S/he will ensure overall coordination and lead the network to perform its various tasks at the highest professional standards providing strong and proactive steering. S/he will exercise adequate quality control of all output and will handle key matters efficiently and within deadlines with the support of the logistical coordinator. In addition, the scientific coordinator will continuously promote actively a better understanding within the network of the European Commission's expectations, of the role of the Network and the nature of output required.

The **logistical coordinator** will be responsible for practical and contractual matters and should have at least eight (8) years professional in administrative and financial management, good organisational skills, proficient-level knowledge of English, as guaranteed by a certificate or past relevant experience.

The scientific and the logistical coordinators will be the main contact points for the Commission. They will be responsible for distributing work to network members, for

collecting and consolidating contributions from individual experts and for sending the results to the Commission on time and after adequate quality control.

**Core experts:** they should each have a track record of expertise and publications on at least one (1) of the themes listed under section 3.2.2 in the past 5 years. There should be at least two experts who have a strong track record of expertise and publication on the creative economy (including cultural and creative industries and their spill-over effects, new business models in the cultural and creative sectors, digital economy, cross-sectorial innovation, etc.). The tenderer must demonstrate that the core experts, in addition to thematic expertise, can provide country expertise from at least 10 EU Member States.

**Wider pool of experts:** the tenderer should demonstrate that it can have access to a wider pool of more loosely associated experts who can contribute expertise on an ad-hoc basis so as to complement the thematic and geographic expertise provided by the core experts, when needed.

There is no upper ceiling for the number of experts in the Network.

The Tenderer should prove that the coordinators and core experts will be available throughout the duration of the contract to perform the tasks for which they are proposed, and have been committed to devote the necessary time to the tasks they will be assigned.

Changes in the composition of the network may be possible at a later stage, either at the initiative of the contractor and subject to written approval by the Commission, or upon request of the Commission. This may be the case, for example, if new topics are to be covered by the network.

### **c. Evidence:**

The following evidence should be provided to fulfil the above criteria:

- List of relevant services, including studies, reports or research in the field of culture policies, carried out in the past five (5) years, with sums, dates and recipients, public or private.

The most important services shall be accompanied by certificates of satisfactory execution, specifying that they have been carried out in a professional manner and have been fully completed.

- The educational and professional qualifications (CVs) of the persons who will provide the services for this tender. Each CV should detail the person's educational background, degrees and diplomas, professional experience, research work, publications and linguistic skills. Each CV provided should indicate the intended function in the delivery of the service. A Table containing the list of proposed experts, together with a summary of their qualifications and years of experiences should accompany the CVs.

CVs should preferably be presented in accordance with the common European "Europass" format.<sup>11</sup>

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<sup>11</sup> [www.europass.cedefop.europa.eu](http://www.europass.cedefop.europa.eu)

#### **4.4 Award criteria**

The purpose of these criteria is to choose between the best offers out of those submitted by tenderers which are not excluded and which meet the selection criteria.

The tenderers are invited to carefully study the Tender Specifications and its annexes and to address all information requested in their offer. It must be noted that any total or partial omission of information or non-conformity with requirements described in the Tender Specifications and its annexes may lead the Commission to exclude the offer from the award procedure.

The tender will be awarded according to the best-value-for-money procedure.

The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is **100** points.

##### **1. Quality of the proposed methodology (50 points – minimum threshold 50%)**

This criterion will assess the quality of the methodology. The methodology will set out how it is intended to achieve the objectives and results set out in the Technical Specifications *in general*, as well as for each single task detailed in the Technical specifications (Section 2 of this document). It will also explain how the purpose and nature of the tasks to be undertaken have been understood.

##### **2. Organisation of the work (40 points – minimum threshold 50%)**

This criterion will assess how the roles and responsibilities of the proposed coordination team are distributed for each task, including for example the management of the network, the organisation of work, including the website, the allocation of staff to different tasks, the communication between coordinators and experts and the European Commission.

##### **3. Quality control measures (10 points – minimum threshold 50%)**

This criterion will assess the quality control system applied to the service foreseen in this tender specification concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.

Tenders must score minimum 50% for each criterion and minimum 65% in total. Tenders that do not reach the minimum quality thresholds will be rejected and will not be ranked.

After evaluation of the quality of the tender, the tenders are ranked using the formula below to determine the tender offering best value for money.

##### **A weight of 60/40 is given to quality and price**

Score for tender X = cheapest price / price of tender X \* 40 + total quality score (out of 100) for all award criteria of tender X / 100 \* 60

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Score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}}$	*	<b>40</b>	+	$\frac{\text{total quality score (out of 100) for all award criteria of tender X}}{100}$	*	<b>60</b>
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#### 4.5. Technical offer

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

#### 4.6. Financial offer

The maximum budget available per contractual period of 24 months each is € 300,000.00

The renewal is further subject to the availability of the legal act and the corresponding budget.

Amendments may be made to the Contract only where the amendment is judged by the Contracting Authority to be necessary for the completion of the tasks, and where the reason for the amendment is beyond the control of the Contractor.

The Commission reserves the right to apply the Article 134.1.f of the rules of application applicable to the general budget of the European Union<sup>12</sup>.

The price for the tender must be quoted in euro (use Annex 4). 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 assume 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.

### 5. ANNEXES

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

Annex 1 : Tenderer Information

<sup>12</sup> Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union

Annex 2	:	Declaration on Honour
Annex 3	:	<a href="#"><u>Economic &amp; Financial Capacity</u></a>
Annex 4	:	Price
Annex 5	:	Draft Contract