

DIRECTORATE-GENERAL FOR COMMUNICATION

DIRECTORATE FOR CAMPAIGNS

SPECIFICATIONS

INVITATION TO TENDER

Open procedure

Provision for image-related services, including organisation of photo shoots

Contract reference: COMM/AWD/2023/701

1. INTRODUCTION

These specifications are an integral part of the documents drawn up for the invitation to tender for the contract referred to. The documents relating to the invitation to tender comprise:

- the contract notice;
- a letter of invitation to tender;
- conditions for submitting a tender ;
- specifications and the annexes thereto;
- and a model contract and the annexes thereto.

These specifications are supplemented by the following annexes, which are an integral part thereof:

- Annex I: Technical specifications
- Annex II: The European Parliament's environmental policy
- Annex III: Declaration on the tenderer's honour concerning the exclusion and the selection criteria
- Annex IV: Financial identification form - supplier
- Annex V: Information sheet concerning groups of economic operators
- Annex VI: Declaration concerning subcontractors
- Annex VII: Financial data sheet
- Annex VIII: Price list
- Annex IX: Case studies
- Annex X: Brand Book guidelines
- Annex XI: Travel and accommodation costs
- Annex XII: Table of daily allowances

PART I – GENERAL INFORMATION

2. SUBJECT OF THE CONTRACT

In accordance with the provisions of Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the European Union, the European Parliament has decided to issue this invitation to tender for the provision of the organisation of photo shoots for the European Parliament.

3. DESCRIPTION, PURPOSE AND ESTIMATED VALUE OF THE CONTRACT

3.1 Introduction

DG Communication (DG COMM) helps build the reputation of the European Union by showcasing its democratic legitimacy, embodied in the European Parliament.

The ultimate goal of DG COMM's communication efforts is to ensure that people understand the importance of the European Parliament well enough to engage in the European democratic process.

DG COMM conceptualises and designs pan-European communication campaigns, amongst which the European elections campaign every five years, and products that are relevant, emotional and engaging.

DG COMM has taken a strategic decision to largely internalise the functions of a communication agency.

It produces the largest part of graphic products in house. For its campaign work, it directly employs a creative director, copywriters and a pool of graphic designers who also assume the role of art directors.

Yet, DG COMM continues to require assistance from external service providers, either to relieve capacity bottlenecks or to fulfil services that cannot be completed internally.

3.2 Services required

The purpose of this contract is the provision of image-related services, including the organisation of photo shoots for the European Parliament.

For details, please refer to Annex I - Technical specifications.

3.3 Duration of the contract

The total duration of the contract shall be 4 years. Performance of the contract shall not begin until the framework contract is signed. Any renewal of the contract shall take place in accordance with the terms laid down in the contract.

3.4 Value of the contract

The maximum total value of the contract will be € 2 000 000 over four years.

4. PARTICIPATION IN THE TENDER PROCEDURE

Participation in this invitation-to-tender procedure is open on the same terms to all natural or legal persons and public entities in a European Union Member State and to all natural and legal persons and public entities of a third country which has concluded a specific public-procurement agreement with the European Union giving them access to the contract which is the subject of this invitation to tender and on the terms laid down by that agreement.

In order to ascertain the eligibility of tenderers, they must indicate in their tenders the country in which they have their registered office or in which they are domiciled. They must also submit the evidence required under their national law or other, equivalent proof enabling the European Parliament to check where they come from.

5. GROUPS OF ECONOMIC OPERATORS

If the tender is submitted by a group of economic operators, Annex V must be completed and included with it.

Groups of economic operators may submit a tender. The European Parliament reserves the right to require the group selected to have a given legal form if this is necessary for the proper performance of the contract. This requirement may be communicated by the European Parliament at any time during the contract award procedure, but at all events before the contract is signed.

The group of economic operators shall provide proof of its legal form by the time the contract - if awarded to it - is signed. This may take one of the following forms:

- an entity with legal personality recognised by a Member State;
- an entity without legal personality but offering sufficient protection of the European Parliament's contractual interests (depending on the Member State concerned, this may be, for example, a consortium or a temporary partnership);
- the signature by all the partners of a type of 'power of attorney' or equivalent document confirming a form of cooperation.

The group's actual status shall be established by any document or agreement signed by the members of the group, which shall be appended to the tender.

Those documents or agreements may exceptionally be modified and/or submitted after the time limit for submission of a tender, but under no circumstances after the outcome of the invitation to tender has been communicated to the tenderers concerned. The European Parliament reserves the right to reject a tender if the terms of agreements between the members of a group are modified during the procedure, if those terms make no provision for the joint and several liability of the group's members or if no agreement with legal force has been submitted with the tender.

The European Parliament may accept other legal forms not referred to above, provided that they ensure the parties' joint and several liability and are compatible with performance of the contract. At all events, it should be noted that, in the contract to be signed with the group, the European Parliament will refer expressly to the existence of such joint and several liability. In addition, it reserves the right to require, contractually, the appointment of an authorised representative who may represent the members and who is empowered, inter alia, to issue invoices on behalf of the other members.

Tenders from groups of economic operators must specify the role, qualifications and experience of each of the members of the group. The tender shall be submitted jointly by the economic operators, who shall also assume joint and several liability for the tender submission.

In the case of a group of economic operators, each member shall furnish proof of right of access to the contract (eligibility), as well as proof concerning compliance with the exclusion and selection criteria. With regard to the selection criteria, the European Parliament may rely on the capacity of the other members of the group in order to establish whether the tenderer will have the resources needed to perform the contract. In this case an undertaking shall be required from those members stating that they will make available to the other members the resources needed to perform the contract.

6. COUNTRY OF THE TENDERER

The tenderers must indicate in which country are they established and to present the supporting evidence normally acceptable under the law of that country.

7. SUBCONTRACTING

Subcontracting is permitted.

If the tenderer uses subcontractors, Annex VI must be completed and included with the tender.

The tender shall give details, as far as possible, of that part of the contract which the tenderer proposes to subcontract and the identity of the subcontractors. During the contract award procedure or performance of the contract the European Parliament reserves the right to require tenderers to supply information about the financial, economic, technical and professional capacity of the proposed subcontractor(s). Likewise, the European Parliament may demand the requisite proof to establish whether the subcontractors comply with the requisite exclusion criteria. Tenderers are hereby informed that proposed subcontractors may not be in one of the situations described in Articles 136 to 141 of the Financial Regulation, which entail exclusion from participation in a contract issued by the European Union.

The European Parliament shall verify whether the envisaged subcontractors, when subcontracting represents a significant part of the contract, fulfil the relevant selection criteria.

The European Parliament is entitled to reject any subcontractor who does not comply with the exclusion and/or selection criteria (see points 14. and 15. respectively).

Furthermore, the European Parliament must be informed by the Contractor of any subsequent use of subcontracting not provided for in the tender. The authorising officer responsible reserves the right to accept or reject the proposed subcontractor. In order to do so he may demand the requisite proof to establish whether the subcontractor(s) complies/comply with the requisite criteria. The European Parliament's authorisation will always be granted in writing.

If the contract is awarded to a tenderer who proposes a subcontractor in his tender, this equates to giving consent for the subcontracting.

8. VARIANTS

Variants are not permitted.

9. PRICES

Prices shall be revised in accordance with the terms set out in the contract.

Pursuant to Article 3 of the Protocol on the privileges and immunities of the European Union, the price quotation shall be submitted excluding VAT and other equivalent indirect taxes.

The price quoted must be all-inclusive and expressed in euros, including for countries which are not part of the euro zone. For tenderers in those countries, the amount of the tender may not be revised in line with exchange rate movements. It is for the tenderer to select an exchange rate and accept the risks or the benefits deriving from any variation.

The authentic prices, for the purposes of the framework contract, are the unit prices, specified in the pricelist contained in the offers of the tenderers. Those prices are legally binding and cover most of the tasks to be performed by the Contractor.

Nevertheless, these lists of unit prices are not exhaustive and the European Parliament may ask the Contractor to provide similar or complementary services/items with a view to performing the tasks mentioned above. The assessment of prices of the complementary services/items will be based on the market prices of that specific service/item at the moment of the request, as best value for money.

The price list must be duly signed by the tenderers.

Travel and accommodation costs (Annex XI)

If required for the photo shoots, the photographer(s) shall travel to other EU Member States than their Member State of residence. Travel and accommodation costs shall be reimbursed, where appropriate, on the basis of the shortest itinerary and the minimum number of nights necessary for overnight stay at the destination, following the presentation of original supporting documents or, failing that, on production of copies or scanned originals.

Per diems cover accommodation, meals, local travel within the place of mission and sundry expenses. They will be payable in accordance with the per diem rates published in the framework of EC-funded external aid contracts (see Annex XII and https://ec.europa.eu/international-partnerships/system/files/per-diem-rates-20200201_en.pdf).

Reimbursable costs

The unit price offers are to be understood as "all in".

Third party costs elements can only be reimbursed when they are:

- essential for the service provision but cannot be assessed with accuracy in advance due to their variable character, e.g. purchase of photo rights.
- due to specific circumstances related to a specific assignment and when they cannot be anticipated with regard to occurrence and cost due to their variable cost character, e.g. permits to shoot photos in specific locations.

In any case, the contractor is obliged to seek written prior authorisation with the contracting authority for contracting third party services. The extra costs will be reimbursed based on the presentation of invoices.

10. FINANCIAL GUARANTEES

N.A.

11. ENVIRONMENTAL ASPECTS

The European Parliament's environmental policy

Tenderers shall undertake to comply with the environmental legislation in force in the field of the contract, should it be awarded to them. It should be noted in this connection that the European Parliament applies the EMAS environmental management system in accordance with Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009. Information about EMAS is provided by the authorising department in Annex

It to these specifications. The successful tenderer will be required to ensure that the information provided by the European Parliament on the EMAS programme in general, and more specifically on the implementation of environmental measures in practice, is known by all his staff working for the European Parliament. At the European Parliament's request the successful tenderer may be required to certify that anyone assigned to work under the contract has received the appropriate professional training required (technical, safety and environmental training) concerning compliance with safety rules and correct handling of the equipment and products to be used, including action to be taken in the event of incorrect handling or any other incidents.

12. POLICY ON THE PROMOTION OF EQUAL OPPORTUNITIES

Tenderers shall undertake to observe a policy on the promotion of equality and diversity in the performance of the contract, should it be awarded to them, by applying the principles of non-discrimination and equality set out in the Community Treaties in full and in their entirety. More particularly, the tenderer awarded the contract shall undertake to establish, maintain and promote an open and inclusive working environment which respects human dignity and the principles of equal opportunities, based on three main elements:

- equality between men and women;
- employment and integration of disabled persons;
- the removal of all obstacles to recruitment and all potential discrimination based on sex, race or ethnic origin, religion or convictions, disability, age or sexual orientation.

13. PERFORMANCE OF FRAMEWORK CONTRACTS

The framework contracts will be performed on the basis of specific contracts / order forms, to be signed following the application of a system whereby orders are placed without competition being reopened.

The establishment of this system will entail a maximum of three framework contracts being signed with the first three economic operators, ranked in descending order upon completion of the evaluation of the tenders submitted.

When an order is placed, and before the corresponding specific contract / order form is issued, the European Parliament will contact the economic operator ranked first and, if he is unavailable, the second, and then, on the same terms, possibly the third contractor.

Where an economic operator refuses to perform a specific order, he may not cite any reasons other than those laid down in the contract.

PART II – EXCLUSION, SELECTION AND AWARD CRITERIA

14. EXCLUSION CRITERIA

The full texts of Articles 136 to 141 FR on exclusion criteria and their application are available in the Official Journal of the European Union, N° L-193 published on 30 July 2018, pages 1-222.

Article 136 of the Financial Regulation (extracts): only paragraphs 1, 4, 6 and 7 are reproduced hereafter.

1. The authorising officer responsible shall exclude a person or entity referred to in Article 135 (2) from participating in award procedures governed by this Regulation or from being selected for implementing Union funds where that person or entity is in one or more of the following exclusion situations:

a) the person or entity is bankrupt, subject to insolvency or winding up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended, or it is in any analogous situation arising from a similar procedure provided for under Union or national law;

b) it has been established by a final judgment or a final administrative decision that the person or entity is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;

c) it has been established by a final judgment or a final administrative decision that the person or entity is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person or entity belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:

i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the implementation of the legal commitment;

ii) entering into agreement with other person or entities with the aim of distorting competition;

iii) violating intellectual property rights;

iv) attempting to influence the decision-making of the authorising officer responsible during the award procedure;

v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;

d) it has been established by a final judgment that the person or entity is guilty of any of the following:

i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;

ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or active corruption within the meaning of Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union,

drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in other applicable laws;

iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;

iv) money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;

v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;

vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;

e) the person or entity has shown significant deficiencies in complying with main obligations in the implementation of a legal commitment financed by the budget, which has

(i) led to the early termination of a legal commitment;

(ii) led to the application of liquidated damages or other contractual penalties, or

(iii) been discovered by an authorising officer, OLAF or the Court of Auditors following checks, audits or investigations;

f) it has been established by a final judgment or final administrative decision that the person or entity has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;

g) it has been established by a final judgement or final administrative decision that the person or entity has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business;

h) it has been established by a final judgement or final administrative decision that an entity has been created with the intent referred to in point (g).

(.....)

4. The authorising officer responsible shall exclude a person or entity referred to in Article 135(2), where:

(a) a natural or legal person who is a member of the administrative, management or supervisory body of the person or entity referred to in Article 135(2), or who has powers of representation, decision or control with regard to that person or entity, is in one or more of the situations referred to in points (c) to (h) of paragraph 1 of this Article.

(b) a natural or legal person that assumes unlimited liability for the debts of the person or entity referred to in Article 135(2) is in one or more of the situations referred to in point (a) or (b) of paragraph 1 of this Article.

(.....)

6. The authorising officer responsible, having regard, where applicable, to the recommendation of the panel referred to in Article 143, shall not exclude an person or entity referred to in Article

135(2) from participating in an award procedure or from being selected for implementing Union funds where:

- a) the person or entity has taken remedial measures as specified in paragraph 7 of this Article, to an extent that is sufficient to demonstrate its reliability. This point shall not apply in the case referred to in point (d) of paragraph 1 of this Article;
- b) it is indispensable to ensure the continuity of service, for a limited duration and pending the adoption of remedial measures specified in paragraph 7 of this Article ;
- c) such an exclusion would be disproportionate on the basis of the criteria referred to in paragraph 3 of this Article.

In addition, point (a) of paragraph 1 of this Article shall not apply in the case of the purchase of supplies on particularly advantageous terms from either a supplier which is definitively winding up its business activities or the liquidators in an insolvency procedure, an arrangement with creditors, or a similar procedure under Union or national law.

In the cases of non-exclusion referred to in the first and second subparagraphs of this paragraph, the authorising officer responsible shall specify the reasons for not excluding the person or entity referred to in Article 135(2) and inform the panel referred to in Article 143 of those reasons.

7. The remedial measures referred to in point (a) of the first subparagraph of paragraph 6, shall include, in particular:

- a) measures to identify the origin of the situations giving rise to exclusion and concrete technical, organisational and personnel measures within the relevant business or activity area of the person or entity referred to in Article 135(2), appropriate to correct the conduct and prevent its further occurrence;
- b) proof that the person or entity referred to in Article 135(2) has undertaken measures to compensate or redress the damage or harm caused to the financial interests of the Union by the underlying facts giving rise to the exclusion situation;
- c) proof that the person or entity referred to in Article 135(2) has paid or secured the payment of any fine imposed by the competent authority or of any taxes or social security contributions referred to in point (b) of paragraph 1 of this Article.

The candidate/tenderer is invited to complete the Annex III where the exclusion criteria are mentioned.

Article 141 of the Financial Regulation (extracts): only paragraph 1 of Article 141 has been reproduced.

Rejection from an award procedure

The authorising officer responsible shall reject from an award procedure a participant who:

- (a) is in an exclusion situation established in accordance with Article 136;
- (b) has misrepresented the information required as a condition for participating in the procedure or has failed to supply that information;
- (c) was previously involved in the preparation of documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition, that cannot be remedied otherwise.

The authorising officer responsible shall communicate to the other participants in the award procedure the relevant information exchanged in the context of or resulting from the

involvement of the participant in the preparation of the award procedure as referred to in point (c) of the first subparagraph. Prior to any such rejection the participant shall be given the opportunity to prove that its involvement in preparing the award procedure does not breach the principle of equality of treatment.

Evaluation of the exclusion criteria

1. Tenderers shall furnish the following documentary evidence:

- (a) appropriate evidence that it is not in one of the exclusion situations referred to in Article 136(1);
 - (b) information on natural or legal persons that are members of the administrative, management or supervisory body of the participant or that have powers of representation, decision or control with regard to that participant, including persons and entities within the ownership and control structure and beneficial owners, and appropriate evidence that none of those persons are in one of the exclusion situations referred to in points (c) to (f) of Article 136(1).
 - (c) appropriate evidence that natural or legal persons that assume unlimited liability for the debts of that participant are not in an exclusion situation referred to in point (a) or (b) of Article 136(1).
- o Where applicable and in accordance with national law, the authorising officer responsible may accept as appropriate evidence that a participant or an entity referred to in paragraph 2 is not in one of the exclusion situations referred to in:
 - o points (a), (c), (d), (f), (g) and (h) of Article 136(1), a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in its country of establishment showing that those requirements are satisfied.
 - o The authorising officer responsible may accept as appropriate evidence that a participant or an entity referred to in paragraph 2 is not in one of the exclusion situations referred to in points (a) and (b) of Article 136(1), a recent certificate issued by the competent authority of the country of establishment. Where such types of certificates are not issued in the country of establishment, the participant may provide a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.
2. Tenderers shall be exempt from the requirement to submit the documentary evidence referred to in paragraph 1 in case of international organisations, if the contracting authority can access it on a national database free of charge or if such evidence has already been submitted to it for the purposes of another European Parliament procurement procedure and provided that the issuing date of the documents in question were not issued does not exceed more than one year previously and they are still valid. In such cases, the tenderer shall attest on his honour that the supporting documents have already been provided in a previous procurement procedure, which he shall identify, and that no changes in his situation have occurred.

15. SELECTION CRITERIA

15.1. Legal and regulatory capacity

The tenderer is required to be enrolled in a relevant professional or trade register, except for international organisations.

In the case of groups of economic operators, each member will furnish proof of authorisation to perform the contract.

15.2. Financial and economic capacity

Tenderers shall have sufficient economic and financial resources to enable them to perform the contract in compliance with the contractual provisions, given the value and scope thereof. If, on the basis of the information supplied by the tenderer, the European Parliament has doubts about a tenderer's financial resources, or if these are insufficient for performance of the contract, the tender may be rejected without the tenderer being entitled to claim any financial compensation.

In respect of the contract which is the subject of this invitation to tender, the European Parliament furthermore requires tenderers to have a minimum financial and economic capacity, which will be assessed on the basis of the following information:

- minimum annual turnover of 250 000 EUR ;

Financial and economic capacity will be assessed on the basis of the information included in the following documents, to be supplied by tenderers:

- proof of professional risk indemnity insurance;
- financial statements (balance sheets, profit and loss accounts and any other related financial information) or their extracts for a period equal or less than the last three years for which accounts have been closed;
- a statement of overall turnover and turnover in the area covered by the contract during a period which may be no more than the last three financial years available.

If the tenderer is unable to provide the references requested, he may prove his economic and financial capacity by any other document which the European Parliament considers appropriate.

The tenderer may also rely on the capacity of other entities, irrespective of the legal nature of the links between him and those entities. In that case, he must prove to the European Parliament that he will have the resources needed to perform the contract, for instance by providing an assurance of the undertaking by those entities to make them available to him. In that case, the European Parliament is entitled to refuse the application or the tender submitted if it has doubts about the undertaking by the third party or about that party's financial capacity. Parliament may require the tenderer and those other entities to be jointly liable for performance of the contract.

On the same basis, a consortium of economic operators may rely on the capacity of members of the group or of other entities.

Tenderers may also rely on the economic capacities of one or more subcontractors in so far as they undertake to take part in the process of performing the contract. In such instances, the European Parliament will assess the capacities of the subcontractor(s) in the light of the extent to which the latter is/are involved in performing the contract.

15.3 Technical and professional capacity

Tenderers must have sufficient technical and professional capacity to enable them to perform the contract in compliance with the contractual provisions, taking into account its value and scale. If, in the light of the information supplied by the tenderer, the European Parliament has doubts about a tenderer's technical and professional capacity, or if it is clearly insufficient for performance of the contract, the tender may be rejected without the tenderer being able to claim any financial compensation.

In respect of the contract which is the subject of this invitation to tender the European Parliament requires tenderers to have the following technical and professional capacity:

- at least 3 years experience in services/deliveries similar to those required by the contract concerned. In the case of groups of economic operators, this applies to the leading partner only. The other members must have at least 2 years experience in similar services/deliveries;
- a core team of experts in the field of professional photo shoots, comprising at least 7 persons, among whom:
 - o a project leader, who will also be appointed as contact point for the Contracting Authority, must have at least 7 years relevant experience in project management.
 - o at least 3 photographers,
 - o an art director,
 - o a photoshoot director/producer,
 - o a casting director,

who must all have at least 5 years relevant experience in their field of work

The tenderer should demonstrate that it has an extensive knowledge and experience in the organisation of photo shoots.

The technical and professional capacity of economic operators will be substantiated by the following documents:

- a) CVs including the educational and professional qualifications, skills, experience and expertise of the members of the core team;
- b) a list of the principal services provided in the past three years, with the sums, dates and clients, public or private, accompanied upon request by statements issued by the clients.
- c) the portfolio of the photographers
- d) a detailed description of the equipment available for performance of the services

The tenderer or candidate may also rely on the capacity of other entities, irrespective of the legal nature of the links between the tenderer and those entities. In that case, the tenderer must prove to the European Parliament that the tenderer will have the resources needed to perform the contract, for instance by providing a commitment by those entities to that effect. In that case the European Parliament is entitled to refuse the application or the tender submitted if it has doubts about the undertaking by the third party or about that party's professional and/or technical capacity.

On the same basis, a consortium of economic operators may rely on the capacity of members of the group or of other entities.

At all events, tenderers may always rely on the technical and professional capacities of one or more subcontractors insofar as they undertake to take part in the process of performing the contract. In such instances, the European Parliament will assess the capacities of the

subcontractor(s) in the light of the extent to which the latter is/are involved in performing the contract.

If it establishes that a tenderer faces a conflict of interest which could affect the performance of the contract, the European Parliament may conclude that the tenderer is not of the calibre required to perform the contract.

16. AWARD CRITERIA

The contract will be awarded to the tender offering the best price-quality ratio.

To determine the tender offering the best price quality/ratio, tenders will be evaluated on the basis of the following criteria:

Qualitative criteria (max 80 points)

1. Quality of the overall methodology to conduct a photoshoot (Points: 10/80 - Min.5)

The tenderer is asked to describe in detail the steps of a photoshoot from concept definition to post-production as indicated under points 4.1 to 4.5 of the technical specifications and to indicate for each step:

- the work organisation (who is doing what)
- the chronology (what is done when)
- the key challenges (what are the potential problems and the measures to mitigate them)

2. Quality of the organisation put in place to manage complex assignments (Points: 20/80 - Min.10)

2.1. As explained under point 2.1 of the technical specifications, for some projects, the tenderer will be asked to make **photos of real people** (as opposed to talents chosen through an agency) with a specific socio-professional background or other specific features, and this on a Europe wide scale (a real fisherman, a real surgeon, a real taxi-driver, a real student taking part in the Erasmus programme...) The Parliament will provide a detailed brief about the profiles needed but will only offer limited help to identify these personalities.

The tenderer is asked to describe the methodology put in place to scout "real life" citizens with specific socio-professional background or other specific features throughout Europe as well as the challenges posed in conducting such a photo shoot abroad with real life citizens.

(Points: 10/80 - Min. 5)

2.2. As explained under point 2.3 of the technical specifications, photo shoots will sometimes have to take place in **several EU countries**, either simultaneously or one country after the other.

The tenderer is asked to describe the methodology applied to organize photo shoots in several or all EU Member States for one and the same project, and in particular

- the work organisation put in place to obtain results rapidly and in a cost effective way

- the coordination and quality control mechanisms put in place to ensure that all the photographs are in line with the initial brief and to achieve a consistent quality and visual language across the board.

(Points: 10/80 - Min. 5).

3. Budget management (Points: 10/80 - Min. 5)

The tenderer is asked to describe

- how the contracting authority will be advised on the most cost effective solutions;
- how the tenderer will avoid cost increases in the course of the project implementation

4. Case studies (Points: 40/80 - Min. 20)

Case study 1

- Outline the approach and methodology they propose in order to achieve the objective.
- Explain the work organization and the distribution of tasks.
- Fill in the attached Price list. Travel costs, studio rental costs and logistics costs should not be included.
- Provide the requested photographs in .tiff format.

(Points: 20/40 - Min. 10)

Case study 2

- Explain the work organisation and the distribution of tasks they propose in order to achieve the objective.
- Provide a detailed planning for the delivery of the photos.
- Explain the strategies put in place to ensure a swift implementation of the project and be faster than their competitors.

(Points: 20/40 - Min. 10)

The weighting factors for the various criteria are as follows:

- | | |
|---------------------------|-------------------|
| - qualitative criterion 1 | 10 points maximum |
| - qualitative criterion 2 | 20 points maximum |
| - qualitative criterion 3 | 10 points maximum |
| - qualitative criterion 4 | 40 points maximum |

To be selected for the stage of calculation of the best quality-price ratio, tenders will be required to obtain:

- at least 5 points for criterion 1
- at least 10 points for criterion 2

- at least 5 points for criterion 3
- at least 20 points for criterion 4

Price criterion (maximum 20 points)

The price to be taken into account for the evaluation is the total of all the weighted unit prices in the Price list (Annex VIII).

A maximum of 20 points will be awarded for the price criterion. The lowest-priced tender (which has obtained the minimum score laid down for the qualitative evaluation) will be given the maximum points. The other tenders will be awarded points in proportion to their divergence from the lowest-priced tender. The formula to be used for awarding points under the price criterion will be as follows:

$$(Pm / Po) * \text{maximum number of points to be awarded}$$

Pm: price of lowest-priced tender

Po: price of tender being evaluated

Quality is then linked to price in the following manner:

the number of points obtained for the price criterion [(Pm / Po) * maximum number of points to be awarded] is added to the number of points obtained in the evaluation of the qualitative criteria.

The tender which obtains the highest number of points following the application of the above formula will be ranked first. The tender which obtains the second highest number of points following the application of the above formula will be ranked second. The tender which obtains the third highest number of points following the application of the above formula will be ranked third.

17. INFORMATION ABOUT TENDERERS

The tenderer (or member of a joint tender) must declare in annex III (Declaration on the tenderer's honour concerning the exclusion and selection criteria) if the entity is a Small and medium-sized enterprise (SME).

According to the Commission's Recommendation 2003/361/EC,

Small and Medium-sized Enterprises, are defined as enterprises which:

- employ fewer than 250 persons and
- have an annual turnover not exceeding EUR 50 million or
- an annual balance sheet total not exceeding EUR 43 million.