

DIRECTORATE-GENERAL FOR COMMUNICATION

DIRECTORATE FOR VISITORS

SPECIFICATIONS

INVITATION TO TENDER

Open call for tender

Media production and software development services for the Europa Experiences and other visitors' facilities

COMM/AWD/2023/796

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, and the annexes thereof, notably:

Annex I.1: Europa Experience Technical Handbook

Annex I.2: Europa Experience Technical Handbook – APPENDICES

Annex I.3: Europa Experience Style Guide

Annex I.4: The European Parliament’s Brand Book

Annex I.5: Joint DG INLO - DG COMM Europa Experience Work Programme

Annex I.6: Europa Experience layout plans (organised by city)

Annex I.7: Glossary of Sensitive Language for Internal and External Communications

Annex I.8: Gender-Neutral Language in the European Parliament

Annex I.9: DG COMM’s Inclusive Communication Guidelines

Annex I.10: Subtitle guidelines

Annex I.11: IT architecture-CMS

Annex I.12: Daily Life Technical Description

Annex I.13: Description of typical Europa Experience content elements

Annex I.14. Example Ground of Stories film

Annex I.15. Technical description and typical installation instructions of media stations

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: Label to be affixed to the outer and inner envelopes when a tender is sent

Annex IX: Specifications relating to the preparation of the technical offer

Annex X: Declaration on the tenderer's honour concerning the restrictive measures established by Council Decision 2014/512/CFSP and Council Regulation 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

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 **media production and software development services for the Europa Experiences across Europe and for other visitors' facilities.**

In connection with this invitation to tender, Contract Notice *2023-094076* has been published in the Official Journal of the European Union.

3. DESCRIPTION, PURPOSE AND ESTIMATED VALUE OF THE CONTRACT

The purpose of this framework contract is to select a Contractor to provide audio-visual media production, software development, maintenance and support services to the European Parliament in order to support the roll-out and continuous running of the Europa Experience exhibitions in the Member States, as well as that of other visitor's facilities.

The contract therefore serves multiple objectives:

- **Install, adapt and update existing audio-visual and software content** in the new Europa Experience locations;
- **Produce and install additional audio-visual and software content** to be used in Europa Experiences in Member States,
- Produce, install and update other **software and audio-visual materials** used by other visitors' facilities, notably in Brussels.

3.1. Europa Experience Franchise & Rollout Programme

3.1.1.1 The Europa Experience - a joint window on Europe

For more than 20 years, the European Parliament's Liaison Offices (EPLOs) and the European Commission's Representations (ECReps) have been housed together under one roof in the capitals and certain major cities of the Member States (except in Athens). This cohabitation has brought, and continues to bring, considerable advantages not only in terms of logistical and financial synergies, but also as a way of presenting a single identifiable image of the EU.

In 2016, the European Parliament and the European Commission inaugurated together a pilot project in Berlin, the **Erlebnis Europa** interactive exhibition, as a high-tech joint undertaking to bridge the gap between citizens and the EU, and to stir European citizens' interest in European matters.

Each Europa Experience space is designed to introduce Europe to visitors in an interactive and stimulating way. Initially derived from a set of multimedia stations developed for the Brussels Parliamentarium, the Europa Experience has been further tailored through the Berlin and Helsinki projects to incorporate the European Commission's key communication responsibilities and priorities. Beyond each institution, the Europa Experience offers **a unique insight on Europe as a whole**. The visiting experience combines innovative design and fit-out with state-of-the-art media technology. Its interactive communication content available in 24 languages enables citizens to better understand the European integration, its achievements and challenges, and to discover EU politics, the functioning of the European democracy and its

institutions. Through interactive media stations, the exhibitions explain the role of the European actors, how the EU works in practice and its many impacts in our everyday lives.

The exhibitions relay the same constructive message that the European Parliament and the European Commission wish to channel to all Europeans, the conviction that Europeans **stand stronger together** to face the day's challenges. Furthermore, the same invitation to EU citizens to **engage** actively with their representatives and to **take part** in the common undertaking.

3.1.1.2 Perspective 2024: mainstreaming the Europa Experiences

Building on the success of the first pilot in Berlin (2016), Europa Experiences opened their doors to the public in Ljubljana, Strasbourg (2017), Helsinki (2018), Copenhagen (2019), Tallinn (2020), Paris (2022), Rome (2022) and Stockholm (2023). The exhibitions have attracted so far a combined 2.000.000 visitors.

Beyond this considerable public success, the Europa Experiences do translate a joint ambition to bring Europe closer to its citizens, in concrete, sizeable institutional initiatives. Building on the increased turnout in the last European Elections, the European Parliament defined an ambitious target to complete a full rollout of the Europa Experience in all 27 Member States by the end of 2024. As the lead institution for the initial establishment of the exhibitions, the European Parliament has established a **Work Programme** regrouping the milestones for implementation of each of the remaining projects in each EU Member States' Capitals. Although heavily depending on the successful selection of suitable locations and on the current sanitary restrictions, the European Parliament's objective is to complete the deployment of these new visitors' facilities before the expiry of the present tender. Further to the rollout in the EU Capitals, Parliament envisages to equip also its regional offices with the Europa Experience. Finally, the selected Contractor may also be invited to contribute to the progressive modernisation, over the duration of the framework contract, of the first Europa Experience pilot projects.

At the time of drafting, projects are being implemented in Dublin, Luxembourg, Warsaw, Vienna and Prague. Building market prospections should be conducted by the responsible services of the European Parliament to identify suitable venues in the remaining Member States' capitals in 2023.

The above list, dates and the indicative planning is in no way binding on the European Parliament. A peak of activity is foreseen from the second half of 2023 to ready new venues for the May 2024 European Elections and further on in the second half of 2024. The successful Contractor is, therefore, required to dispose of sufficient means to assist Parliament in the implementation of several parallel projects.

3.1.1.3 A streamlined Europa Experience toolbox

To smoothen the rollout of the exhibitions, the European Parliament already adopted a **franchised** approach: the different interactive stations and media installations of a Europa Experience space have been standardised and their technical specifications collected in the **Europa Experience Technical Handbook** (hereafter **the Technical Handbook**) that guides and facilitates the reproduction of the exhibitions. With the exception of the panoramic movie and locally edited focuses of the local station, the contents of the exhibitions are edited and updated centrally, in a tangible effort to reduce costs and complexity, while allowing the European Parliament and the European Commission's staff in the Member States to focus on the visitors and on their key tasks.

When it comes to the main scope of this tender, duplicating existing multimedia installations on a large scale, the successful tenderer will be expected to adjust the exhibition elements to local needs.

Depending on the space allocated in each location, Europa Experiences combine different communication elements:

- an immersive **cinema**, with a 360° or regular cinema movie that brings together the challenges and stakes of the European integration in an emotional and stunning way. Where a 15.2m or 13.6m diameter space cannot be found, a regular flat cinema wall (projection or LED) is envisaged (e.g. Helsinki or Rome);
- an **interactive exhibition** with a minimum set of core elements:
 - “United in Diversity” installations depict the challenges and achievements of the EU through a series of short topical movies, either via a 5 user integrated media table with top projection or via larger scale Augmented Reality mapped tablet applications (deployed first in Paris in 2022), the later also involving a navigation media station tailored to the needs of visitors with visual impairment;
 - “Daily Life” testimonies illustrate the concrete impact of EU decisions on EU Citizens' daily lives;
 - “Commissioners” and “Members of European Parliament” Wall stations present the EU’s democratic actors and their actions (social media, profiles, video statement);
 - “EU in real-time” stations give an accurate snapshot of the policy issues at hand, as well as the next key topics of the European public debate;
 - “Institutional Triangle” tables translate the key missions of the European Commission, Council and European Parliament, and the triggers Citizens can use to make their voice heard;
 - a photobooth installation, whereby visitors can take pictures as a souvenir or for a more active participation in the exhibitions and social media campaigns;
 - a local station combining comparative data among the different Member States, contents from EP’s web platform “What Europe Does for Me” and country-specific posts edited locally via a dedicated Content Management System interface.
 - “EU and You” tablets showcasing mostly pre-existing selected country-specific audiovisual materials;
 - Screens and LED façade installation, to reinforce the outside visibility of the space.
- a **role play game**, an extremely successful 2-hour interactive game developed for school groups aged between 14 and 18.

These interactive elements are based on the same content and software set in all exhibitions, available in 24 languages and designed with particular attention to constantly improving the experience of visitors with special needs; however, they have been reproduced into different

sizes and formats to adjust to the different locations, which ensures flexibility in the conception of the exhibition layouts.

New developments, especially regarding specific target groups or new technologies, including Virtual Reality, may be developed over the duration of the contract to adapt to visitor's offer and state of the art benchmarks in the field of visitor centres and public exhibitions.

The total duration of the contract shall be maximum four 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.

The total maximum value of the contract is **EUR 8.000.000**.

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.

4.a COMPLIANCE WITH RESTRICTIVE MEASURES ADOPTED UNDER ARTICLE 29 OF THE TEU OR ARTICLE 215 OF THE TFEU

Tenderers must ensure that they, their subcontractors, suppliers or the entities whose capacities are relied on for the execution of the public procurement contract are not subject to restrictive measures adopted under Article 21 TEU or Article 215 TFEU.

According to Article 5k of the Regulation 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, as amended by Regulation 2022/579, the award of a public or concession contract is prohibited (unless authorised by the competent authorities on the basis of the exceptions provided in the same Article) to the following persons:

- (a) a Russian national, or a natural or legal person, entity or body established in Russia;
- (b) a legal person, entity or body whose proprietary rights are directly or indirectly owned for more than 50 % by an entity referred to in point (a) of this paragraph; or
- (c) a natural or legal person, entity or body acting on behalf or at the direction of an entity referred to in point (a) or (b) of this paragraph, including, where they account for more than 10 % of the contract value, subcontractors, suppliers or entities whose capacities are being relied on.

Article 5aa of the Regulation 833/2014 prohibits (with the exceptions provided in the same Article) direct or indirect engagement in any transaction with:

- (a) a legal person, entity or body established in Russia, which is publically controlled or with over 50 % public ownership or in which Russia, its Government or Central Bank has the right to participate in profits or with which Russia, its Government or Central Bank has other substantial economic relationship, as listed in Annex XIX of the Regulation 833/2014;

(b) a legal person, entity or body established outside the Union whose proprietary rights are directly or indirectly owned for more than 50 % by an entity listed in Annex XIX of the Regulation 833/2014; or

(c) a legal person, entity or body acting on behalf or at the direction of an entity referred to in point (a) or (b) of this paragraph.

Article 51 if the Regulation 833/2014 prohibits (with the exceptions provided in the same Article) the provision of any benefit under a Union contract within the meaning of Regulation 2018/1046 to any legal person, entity or body established in Russia with over 50 % public ownership or public control.

Tenders submitted by the persons or entities falling within these categories shall be rejected unless an exception to the restrictive measures is applicable.

To that effect, all tenderers must submit the declaration on the tenderer's honour set out in Annex X, duly dated, signed, and complemented by documents relating to the existence of an exception situation, if applicable.

The contracting authority may request supplementary explanations and (or) documentary evidence on the compliance with the restrictive measures from the tenderer at any moment of the procedure.

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 they are 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.

Reimbursable travel

Travel costs and overnight stays shall be reimbursed in accordance with the terms set out in the contract.

Reimbursable third party intellectual property rights

The inclusion of elements with third party intellectual rights in the deliverables requires the European Parliament's prior approval. Therefore, reimbursements for purchases made by the successful tenderer will be permitted, for costs of the licences on third party intellectual property rights relating to film, photo, image, audio and/or audio-visual media acquired in accordance with the terms set out in the contract.

Reimbursement will take place subject to and in accordance with the terms set out in the contract, excluding VAT, upon presentation and approval by the European Parliament of the related invoices.

10. FINANCIAL GUARANTEES

Not applicable.

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 II 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.

Management of carbon emissions

As part of the policy of reducing greenhouse gas emissions and combating climate change embarked upon by the European Parliament, the tenderer awarded the contract will offset the carbon emissions produced in connection with the contract(s) arising from this invitation to tender. The emissions produced throughout the duration of the contract may be calculated by product delivered, by man-hour of work or on the basis of the total value of the contract, using a standardised method (Bilan CarboneTM, ISO 14064, GHG Protocol or equivalent).

The tenderer awarded the contract will be required to furnish the European Parliament with a certificate attesting carbon emission neutrality before the end of the last contract. The certificate must be accompanied by a description of the type and location of the offsetting project. Carbon offsetting will be achieved by means of projects of the following type: CDM (Clean Development Mechanism), JI (Joint Implementation) or VER (Voluntary Emissions Reduction), all certified as 'Gold Standard' by bodies accredited by the UNFCCC (United Nations Framework Convention on Climate Change). In addition, the tenderer awarded the contract will be required to prove, by using the appropriate computerised registry ('Gold Standard Registry' or equivalent) that the carbon credits acquired in connection with the above projects have been definitively withdrawn from the market and assigned to the European Parliament.

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 and order forms, to be signed following the application of a system whereby orders are placed without competition being reopened ('Cascade' system).

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 or 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, and so on until the final 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.

However, where there have been five refusals by the same operator during a period of 12 months, the contractor may be re-ranked in last position in the system.

In principle, the ranking of the contractors will remain unchanged throughout the duration of the framework contract unless the terminations or re-rankings provided for in the preceding paragraph take place.

The economic operators selected in accordance with this 'Cascade' system shall (i) cooperate in good faith and, (ii) where applicable, ensure continuity and a seamless transition between the different specific contracts and/or orders in the framework of this contract, without interruption or adverse effect on the quality or continuity of the services.

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 a 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. All tenderers must submit the declaration on the tenderer's honour, duly dated and signed, which is set out in Annex III and 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).
- 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:
 - 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.
 - 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

1. All tenderers must submit the declaration on the tenderer's honour, duly dated and signed, which is set out in Annex III.
2. Before the award decision, the contracting authority requests documentary evidence on compliance on the selection criteria set out in the present tender specifications from the tenderer to whom the contract is to be awarded.
3. All tenderers are invited to prepare in advance the documents related to the evidence, since they may be requested to provide such evidence within *five days*. Failure to provide valid documentary evidence within the deadline set by the Contracting Authority shall lead to the rejection of the tender for the award of the contract, unless the tenderer can justify the failure on the grounds of material impossibility.
4. A request for evidence in no ways implies that the tenderer will be awarded the contract.

This applies also to all tenderers to whom the contract is to be awarded in a ranking (cascade system).

15.1. Legal and regulatory capacity

The tenderer is required to fulfil the following condition:

- (a) 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 in its country, for the relevant part of the contract assigned to it within the consortium or grouping. Where there are no national certification or authorisations needed, a statement on the tenderer's honour to that fact shall be provided.

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.

| <i>Required capacity</i> | <i>Assessment of capacity</i> |
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| In respect of the contract which is the subject of this invitation to tender, the European Parliament | Economic and financial capacity will be assessed on the basis of the information |

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| requires tenderers to have a minimum economic and financial capacity which will be assessed on the basis of the following information: | included in the following documents to be supplied by the tenderers: |
| Tenderers should have appropriate professional risk indemnity insurance in place, in particular against risks and damage relating to performance of the contract which is required by the relevant legislation. | A copy of valid risk indemnity policy in place. |
| Tenderers must demonstrate an average annual turnover of at least € 2.000.000 for which accounts have been closed during three - even non-consecutive - financial years starting not earlier than 2018 in the area covered by the contract. <i>For tenders from groups of economic operators /subcontractors the turnover will be consolidated.</i> | Financial statements (balance sheets, profit and loss accounts, audit reports and any other related financial information) for each of the three financial years for which accounts have been closed. A statement of overall annual turnover and turnover in the area covered by the contract for the last three financial years for which the accounts have been closed (Annex VII). |

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.

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| 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 | | Technical and professional capacity will be assessed on the basis of the information included in the following <u>documents to be supplied by the tenderers:</u> | |
| A. Experience | | | |
| A.1 | <ul style="list-style-type: none"> • At least 5 years of experience in media production of similar nature and complexity as the one described in this tendering procedure. | <p>Completion of at least five media production projects in the five years preceding the submission deadline of the present invitation, of which:</p> <ul style="list-style-type: none"> • At least one production of a film projected on a curved surface with multiple projectors, in a comparable technical setup to the 360° panoramic movie in the Europa Experience exhibitions; • At least one project with audio dubbed in at least 3 languages; • At least one project involving audio description; • At least one project involving filming in at least two different countries; • At least one project intended for Virtual Reality devices. | <p>List and description of the five most representative principal works/services matching the criterion provided in the 5 years preceding the submission deadline of the present invitation, with the sums, dates and clients, public or private. Tenderers must include a description of the reference projects, with particular attention to production size, length, languages, budget, acceptance status, the use of projection and media wall technologies. If the production is publicly available, a link should also be provided.</p> <p>Tenderers must include a clear reference to the selection criteria as part of the project description (e.g. the use of projection mapping on a curved surface, dubbing, virtual reality, etc.).</p> <p>For clarity, a separate document must be provided for both A.1 and A.2 criterion, even if the same reference project is proposed under both criteria. If a project is proposed under both criteria, this shall be clearly indicated and the provided description shall confirm that the</p> |

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| | | | tenderer has provided both media productions and interactive software applications under the given project. |
| A.2 | <ul style="list-style-type: none"> At least 5 years of experience in producing interactive software applications of similar nature and complexity as the one described in this tendering procedure. | <p>Completion of at least five software production projects in the five years preceding the submission deadline of the present invitation, of which:</p> <ul style="list-style-type: none"> At least one project using the Unity framework for development; At least one project utilising larger touch screens (at least 25 inch screen diameter, e.g. kiosks, museum media stations, etc.) At least one project developed for use on mobile devices; At least one project of Augmented Reality application developed for use on mobile devices / tablets. At least one project developed for Virtual Reality devices. | <p>List and description of the five most representative principal works/services matching the criterion provided in the 5 years preceding the submission deadline of the present invitation with the sums, dates and clients, public or private. Tenderers must include a description of the reference projects, with particular attention to programming language, content languages, target devices, budget, and acceptance status. If the application is publicly available, a link should also be provided.</p> <p>Tenderers must include a clear reference to the selection criteria as part of the description (e.g. the use of virtual reality devices, etc.).</p> <p>For clarity, a separate document must be provided for both the A.1 and A.2 criterion, even if the same reference project is proposed under both criteria. If a project is proposed under both criteria, this shall be clearly indicated and the provided description shall confirm that the tenderer has provided both media productions and interactive software productions under the given project.</p> |
| 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 | | | Technical and professional capacity will be assessed on the basis of the information included in |

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| | | | the following documents to be supplied by the tenderers: |
| B. | Team of experts comprising | | |
| B.1 | <ul style="list-style-type: none"> • Management team associated to the contract (at least 3 people) | <ul style="list-style-type: none"> • Of whom at least 1 service delivery coordinator and at least 2 project managers as described in the Technical Specifications. (The same person may not be proposed under criterion B.2 or B.3, as well); • each with at least 5 years of relevant experience; • having the capacity to work in English (minimum C1 level). | <p>Tenderers must create a separate merged document for each selection criteria laid out in the following order: Title page with reference to the criterion; Overview of profiles; List of completed projects for the profiles:</p> <ul style="list-style-type: none"> • Overview of Profiles: A signed document summarising the list of profiles with names submitted and their correspondence to the requirements of the criterion. Profiles shall be listed in the exact order they are listed in the criterion and include a page number reference to the corresponding list of completed projects. If a person is proposed for multiple profiles they shall be listed multiple times, with a footnote indicating this fact. <p>If applicable, a note shall be added to the given profile to indicate if the tenderer is relying on the capacity of a particular subcontractor, a particular member of the group of economic operators, or of other entities, irrespective of the legal nature of the links between himself and those entities.</p> <p>By signing this overview, the tenderer confirms that each proposed person is available to provide services under this</p> |
| B.2 | <ul style="list-style-type: none"> • Film production department (at least 15 people) | <ul style="list-style-type: none"> • Consisting of at least 15 people, of whom at least 2 director, 1 director of photography, 2 video editors, 3 camera operators, 1 animation artist, 1 graphic designer, 1 scriptwriter, 1 drone operator, 1 sound director, 1 post-production supervisor, 1 Watchout specialist (A person may fulfil multiple required profiles within this criterion; the same person may not be proposed under criterion B.1 or B.3, as well); • having the capacity to work in English (minimum C1 level for director and scriptwriter, minimum B2 level for all other profiles). | |
| B.3 | <ul style="list-style-type: none"> • Software development department (at least 15 people) | <ul style="list-style-type: none"> • Consisting of at least 15 people, of whom at least 2 product managers/business analysts, 3 Unity developers, 1 VVVV developer, 2 PHP developers, 2 Adobe Flash and/or ActionScript developers, 3 frontend developers experienced in HTML and other web technologies, 1 user experience designer, 1 digital accessibility specialist, 2 graphic designers. (A person may fulfil multiple required profiles within this criterion; the same person may not be proposed under criterion B.1 or B.2, as well) | |

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| | | <ul style="list-style-type: none"> • having the capacity to work in English (minimum C1 level for product managers/business analysts, minimum B2 level for all other profiles). | <p>invitation to tender, and that they possess the required skills, experience and language proficiency.</p> <ul style="list-style-type: none"> • For each person: A list of exactly 3 completed projects in the field of expertise the given person is proposed for, including a short description, the sums, dates and clients. If the project is publicly available online, a link shall also be provided. If a person is proposed for multiple profiles, a separate list is to be filled in for each profile. The projects must not be completed more than 5 years before the submission deadline of the present invitation to tender. This list should not be longer than 1 page per person/profile. |
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The tenderer or candidate may also rely on the capacity of other entities, irrespective of the legal nature of the links between himself 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 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 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.

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:

- Quality criteria (60%)
- Price criterion (40%)

1. Quality criteria:

100 points maximum

Criterion 1 - Quality of the tenderer's work as demonstrated through an interactive application update

35 points maximum

For a description of the task and the documents to be provided, please see Case study I of Annex IX.

This criterion will be evaluated on the following basis:

- *Quality of the documentation (10 points):*
 - Presentation approach of the new features and tenderer's methodology (2 points)
 - Considerations made for and explanations given for the implementation of the requested features (including background research, choice among alternatives, interaction between features, user testing) (3 points)
 - Considerations made for the coherence of the proposed solutions with future updates of other exhibition software (3 points)
 - Considerations made for expanding the prototype to a full application (2 points)
- *Quality of transposing the application into Unity (5 points):*
 - Equivalence of behaviour and functionality of the new application with the old application, performance of the new application (2 points)
 - Coherence of the application with the documentation (3 points)
- *Quality of the new features (20 points)*
 - Accessibility menu (3 points)
 - Text enlargement (3 points)
 - Ability to play audio description (2 points)
 - Ability to play dubbed audio (2 points)
 - Screen reader support (8 points)
 - Ability to use the application using only the bottom of the screen (2 points)

Criterion 2 Quality of the tenderer's work as demonstrated through a case study on installing a Europa Experience location

25 points maximum

For a description of the task and the documents to be provided, please see Case study 2. of Annex IX.

This criterion will be evaluated on the following basis:

- *Quality of the proposed methodology (16 points):*
 - *Team composition and size (5 points)*

- *Installation methodology, methodology for content creation, recording and development tasks (6 points)*
- *Schedule (5 points)*
- *Quality of tenderer's methodology to handle the workload with multiple parallel installations (9 points):*
 - *Availability of additional installation crews (3 points)*
 - *Identification of risks and risk mitigation measures (3 points)*
 - *Measures to simplify or enhance the installation methodology taking into account synergies between parallel projects (3 points)*

Criterion 3 Quality of the tenderer's work as demonstrated through a film production

40 points maximum

For a description of the task and the documents to be provided, please see Case Study 3. of Annex IX.

This criterion will be evaluated on the following basis:

- *Quality of the film (20 points):*
 - *Quality of the concept and methodology (5 points)*
 - *Filming, editing and sound quality (6 points)*
 - *Content quality, message and narrative of the film (6 points)*
 - *Coherence with the rest of the Ground of Stories films (3 points)*
- *Quality of the audio description, dubbing and subtitles (12 points)*
 - *Quality of the dubbing (Suitable voice selection, voice performance and intonation, lip synchronisation, natural-sounding dialogue, fidelity to source text) (5 points)*
 - *Quality of the audio description (Ability to perceive the film through the description, quality of the script; Suitable voice selection, voice performance and intonation) (5 points)*
 - *Quality of the subtitles (2 points)*
- *Quality of the proposed new films (8 points)*
 - *Choice of topics (taking into account the reasoning given, attention to political priorities, geographical and editorial balance) (3 points)*
 - *Quality of the narrative approach and storyboards (5 points)*

2. Price criteria

The total price of the tender will be evaluated on the basis of the sum of the tenderer's financial offer using the unit amounts specified for evaluation purposes in the budget sheet.

The assessors will award a maximum of 100 points for the price criterion. The lowest price proposed will be given the maximum points. The other tenders will be awarded points in proportion to their divergence from the lowest price.

The final score will be determined using the following method:

$$\frac{\text{Score for tender X}}{\text{X}} = \frac{\text{Lowest price}}{\text{Price of tender X}} * 100 * 40\% + \text{Total quality score (out of 100) for all award criteria of tender X} * 60\%$$

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.