



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP AND SMES

Ecosystems II : Tourism & Proximity
G.1 – Tourism, Textiles

European Commission

Call for tenders GROW/2022/OP/0042 -

*Creation of a code of conduct for online ratings and reviews
for tourism accommodation*

Open procedure

TENDER SPECIFICATIONS

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1. SCOPE AND DESCRIPTION OF THE PROCUREMENT

1.1. Contracting authority: who is the buyer?

This call for tenders is launched and managed by the European Commission - Directorate General for Internal Market, Industry, Entrepreneurship and SMEs, referred to as the contracting authority for the purposes of this call for tenders.

1.2. Subject: what is this call for tenders about?

The subject of this call for tenders is the creation of a code of conduct on online ratings and reviews of tourism accommodation and communication activities following its publication.

1.3. Lots: is this call for tenders divided into lots?

This call for tenders is not divided into lots.

1.4. Description: what do we want to buy through this call for tenders?

The purchases that are the subject of this call for tenders, including any minimum requirements, are described in detail below.

Variants (alternatives to the model solution described in the tender specifications) are not allowed. The contracting authority will disregard any variants described in a tender.

1.4.1. Background and objectives

Background:

The Lisbon Treaty provides a framework allowing the European Commission to undertake necessary measures to complement the action of EU Member States in the tourism sector, in particular by promoting the competitiveness of Union undertakings in that sector (Title XXII Tourism, Art. 195 TFEU). The specific measures in the tourism sector are especially aimed at:

- (a) encouraging the creation of a favourable environment for the development of undertakings in this sector;
- (b) promoting cooperation between the Member States, particularly by the exchange of good practices.

The hereby tender follows the publication of the “study on the feasibility of possible initiatives at EU level and establishment of a multi-stakeholder platform on quality of tourism accommodation¹”. The study’s objective was to support the effort to bring consistency in the

¹ Study on the feasibility of possible initiatives at EU level and establishment of a multi-stakeholder platform on quality of tourism accommodation : [Study on the feasibility of possible initiatives at EU level and establishment of a multistakeholder platform on quality of tourism accommodation](https://op.europa.eu/en/publication-detail/-/publication/957eef55-24e8-11ed-8fa0-01aa75ed71a1/language-en); Executive summary : <https://op.europa.eu/en/publication-detail/-/publication/957eef55-24e8-11ed-8fa0-01aa75ed71a1/language-en>

provision of quality accommodation services and improve the comparability and transparency *vis-à-vis* consumers across the EU. The study highlighted the complementary roles of consumer review and rating schemes. It emphasised that “consumer rating schemes and peer generated content in general are the attributes with the largest impact when it comes to consumers choices of an accommodation service”. However, the study underlined that tourism accommodation platforms have their own methodologies on that regard.

In the context of the study and of the current call, consumer reviews and rating schemes are defined as systems, usually via online platforms run by commercial organisations, which present a wide range of serviced accommodation options and use reviews of previous customers as a primary means of rating the facilities and services. These reviews may be supported by ‘star’ or other rating systems, developed by the online platform independently or by using official/independent rating schemes. Self-assessment by accommodation providers may also be used. Preferential positioning may also be given to accommodation providers that pay for marketing benefits or loyalty schemes. Wider communities may offer the opportunity to share other experiences or ask specific questions.

As a follow-up action, **the study recommended the creation of a code of conduct for online reviews and rating**, for which it proposed principles and recommendations (see annex M of the study).

Such a code of conduct would be useful since consumer law, including the Unfair Commercial Practices Directive (UCPD)², applies to consumer reviews more generally.

In particular, according to Article 7(6) of the UCPD, where a trader provides access to consumer reviews of products, information about whether and how the trader ensures that the published reviews originate from consumers who have actually used or purchased the product shall be regarded as material for the assessment of whether the practice of providing access to the reviews is fair.

The information obligation applies to any trader that provides access to consumer reviews, including where a trader promotes the reviews made available by another trader on its online interface. Such consumer information must cover not only the specific measures to check that reviews originate from consumers who have used or purchased the product but also the processing of reviews more generally. This includes information on whether all reviews are published, how they are sourced, how average review scores are calculated and if they are influenced by sponsored reviews or by contractual relations with the traders hosted on the platform.

This information must be clear, intelligible, and made available ‘when providing access to consumer reviews’, i.e. information should be made available from the same interface

² Consolidated text of Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:02005L0029-20220528>

where reviews are published for consultation, including via clearly identified and prominently displayed hyperlinks.

In all circumstances it is prohibited stating that reviews of a product are submitted by consumers who have actually used or purchased the product without taking reasonable and proportionate steps to check that they originate from such consumers (Annex I, point 23b) and submitting or commissioning another legal or natural person to submit false consumer reviews or endorsements, or misrepresenting consumer reviews or social endorsements, in order to promote products (Annex I point 23c).³

A Code of Conduct for online reviews and rating in tourism should therefore aim for defining best practices to ensure that the reviews and ratings are reliable in this specific sector, in full respect of the above-mentioned general legal requirements.

In addition, it should be noted that DG GROW published the Transition Pathway for Tourism⁴ (TTP) in February 2022, a plan jointly created with actors of the tourism ecosystem detailing key actions, targets and conditions needed to achieve the green and digital transitions and long-term resilience of the sector. Active involvement of all actors including public and private stakeholders in the sector will be key for the success of the green and digital transition. One key action of the TTP focuses on “Improving the availability of online information on tourism offer”, an action that the code of conduct for online rating and reviews shall contribute to achieve.

Objectives:

The objective of the action will be to bring relevant stakeholders together and to make them endorse a code of conduct for online rating and reviews for tourism accommodation

To this end, the selected contractor will make sure sufficient discussions and exchanges take place between the relevant stakeholders, so that the final code of conduct will consist of a document endorsed by all.

The contractor will be responsible for communicating to the tourism ecosystem and consumers about the project and invite them to make good use of the code once available.

1.4.2. Detailed characteristics of the purchase

This action will be composed of the following tasks:

Task 1: mapping of a relevant list of stakeholders

³ For more information, see point 4.2.4. “User reviews” in the Commission Notice with Guidance on the Unfair Commercial Practices Directive (2021/C 526/01): [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021XC1229\(05\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021XC1229(05))

⁴ Transition Pathway for tourism: <https://op.europa.eu/en/publication-detail/-/publication/404a8144-8892-11ec-8c40-01aa75ed71a1>

The contractor will be responsible for mapping relevant stakeholders in view of the consultation for the drafting of the code of conduct. To this end, the contractor will have to identify a wide range of stakeholders covering the relevant European and national associations (e.g. hotels and consumers), online booking platforms (the main platforms but also smaller and more specialised ones such as those that may focus on sustainable tourism) as well as relevant public authorities. Main hospitality groups as well as some SMEs and family-owned business (micro-enterprises) shall be included in the mapping.

The mapping shall ensure stakeholders from all EU Member States are represented and provide a clear contact point and details for each identified actor. The contracting authority expects a list of at least 100 relevant stakeholders, following the **indicative** percentage below:

- 60% platforms, hospitality groups and SMEs;
- 30% of associations of hospitality and consumers (both EU and national level);
- 10% of relevant public authorities.

Deliverable: mapping of at least 100 relevant stakeholders

Task 2: business impact analysis

The contractor is expected to present a short impact analysis (around 25 pages) in view of the implementation of the code of conduct.

The contractor will refer to the *study on the feasibility of possible initiatives at EU level and establishment of a multi-stakeholder platform on quality of tourism accommodation* and use its outcomes as a **basis** for the analysis.

Exchanges and contacts with the former contractor and interviewees of the study may be foreseen.

This short business analysis will be shared with the main stakeholders and will be used to prepare a background paper to launch the process for creating the code of conduct for online rating and reviews.

Deliverables: short impact analysis and background paper for informing identified stakeholders of the work to be undertaken

Task 3: drafting a code of conduct for online rating and reviews

As part of the creation of the code of conduct for online rating and reviews, the contractor will be responsible for the following subtasks:

3.1 Setting up a survey to consult with all the relevant stakeholders

As a first step of the consultation for creating the code of conduct, the contractor will prepare an online survey to be shared with all the identified stakeholders and open to all interested parties.

A draft survey using the first principles and recommendations identified in the above-mentioned study will be used as a basis for preparing this deliverable. The survey will ask participants if they wish to be further included in the consultation and questions and

possibilities for detailed feedback will be made possible via the survey to be developed by the contractor. To that end, the contractor will use the EU survey tool⁵, to which the contractor will be given back-up access.

A detailed report, showing the results, tendencies and comments from the respondents will be prepared by the contractor.

Deliverables: survey and report

3.2 Organising meetings with identified stakeholders

Using the feedback from the survey, the contractor will identify the stakeholders with whom further discussions might be needed in order to proceed further with the drafting of the code of conduct.

At least 10 meetings (online or presential) with stakeholders (such as Platforms, consumers associations, public authorities etc.) are to be foreseen. Tenderers are free to propose the format of the meeting (only with one stakeholder, or several representing similar interests).

Minutes of the meetings as well as the outcomes of the meeting will be communicated to the contracting authority via a concise report.

Deliverables: minutes and general reports underlining the outcomes of the meetings

3.3 Organising a workshop with main stakeholders to draft and adopt a code of conduct for online reviews and ratings

Following the results from the survey and the outcomes of the various meetings, the contractor will propose a draft code of conduct (after approval from the contracting authority) to be discussed with the main stakeholders during a half a day online workshop.

The contractor will propose a format for this workshop to allow discussions and exchanges for the drafting of the code of conduct. The objective is that the various stakeholders endorse the code of conduct and announce their willingness to use it.

Such a workshop may be organised up to 3 times within period of 6 weeks maximum, should discussions at the first meeting not be fruitful enough. In that case, the contractor will have to discuss this option with the contracting authority during the implementation of the contract.

As a result, from the survey, meetings and workshops, the contractor will propose a final code of conduct for online ratings and reviews and will set up a date for its implementation.

Deliverables: organisation of workshop(s) and their minutes + a final code of conduct

⁵ <https://ec.europa.eu/eusurvey/home/welcome>

Task 4: communication activities

Before and after the publication of the code of conduct, the contractor will be responsible for communicating on the process and on the document, its objectives, its advantages and the partners agreeing to use it.

To this end, the contractor will propose a communication strategy explaining how the policy and communication objectives may be reached with relevant audiences, messages and communication tools.

The strategy shall identify the best array of communication tools to be used for each audience group, and develop specific messaging for the group that captures the ‘what’s in for me’ per audience, preferably through calls to action.

This strategy should further orchestrate the different communication moments in properly and coherently timed sequences, depending on the various communication highlights of the action.

On the basis of this strategy, the contractor shall develop a communication campaign, including:

4.1 Translation of the code of conduct into all EU languages

To ensure a successful communication and make sure all EU actors understand the content of the code of conduct, the contractor will translate the final code of conduct into the 23 other EU languages.

4.2 Creation of a visual style and a digital brochure of the code of conduct

The contractor will be responsible for creating a visual style for the code of conduct and ensure its communication.

For this task, the contractor will have to respect the visual identity rules⁶ of the European Commission.

The contractor should propose at least three different visuals concepts (respecting the visual identity of the European Commission), out of which one will be chosen by the contracting authority. Once the concept has been chosen, a few more changes in order to fine tune the visual might be expected from the contractor.

Exchanges with DG GROW’s communication unit have to be foreseen.

4.3 Creation of a short animation explaining the objectives and how to contribute

⁶ https://ec.europa.eu/info/resources-partners/european-commission-visual-identity_en#documents

The contractor will be responsible for creating a 3 minutes animation, explaining the usefulness of such a code of conduct and showing the benefits for both consumers and the hospitality sector. The animation should dedicate some time to inform how stakeholders can contribute to the process.

The contractor will propose at least three different animation concepts, out of which one will be chosen by the contracting authority. Once the concept will be chosen, a few more changes in order to fine tune the concept might be expected from the contractor.

A clear and detailed storyboard will be expected and further exchanges with the contracting authority will be expected to agree on the final wordings to be used. The contractor will launch the production only after receiving the approval from the European Commission.

A shorter version of the video (45 seconds) will be prepared for social media purpose.

4.4 Paid online advertisement to redirect visitors towards the webpage of the Commission explaining the project

In order to inform citizens and the various tourism actors about the code of conduct, the contractor will be requested to propose 23 paid advertisements to be run in 23 EU official languages (all but Gaelic) on social media as well as Google ads (alternatives are accepted if justified) and/or on booking platforms.

The ads would redirect towards the website of the Commission where the code of conduct will be available as well as the animation.

In the framework of the paid online advertisements on social media, a shorter version of the animation will be used (see 4.3 above).

The list of websites/media where paid ads could take place will have to be first approved by the contracting authority. The contractor is notably asked to discuss the possibility of using the paid ads on the website of the relevant stakeholders.

4.5 Other outreach tools

The contractors shall propose other means to reach out to stakeholders and their associations as well as to public authorities. This may include institutional outreach via relevant Council groups and MEPs.

4.6 Online platform to receive drafting suggestions

GROW, via its contractor, may set up an online platform (e.g. Teams, SharePoint or a wiki⁷ where the current draft code is visible and where stakeholders may provide drafting suggestions in between workshops and conferences.

⁷ The tools are to be discussed during the kick off meeting

This platform should then be promoted towards the relevant stakeholders via the other proposed communication means.

4.7 Prepare a timetable with draft social media posts

The contractor will be asked to prepare a timetable with draft social media posts to be proposed to DG GROW's communication unit.

A first timetable should be presented in the inception report and discussed at the kick-off meeting as communication will have to start as from the beginning of the process to inform all the relevant stakeholders.

The timetable will evolve during the implementation of the contract and the contractor will be expected to liaise with the contracting authority, notably the social media team to ensure the proposed timetable fits the needs and requirement of DG GROW's communication planning.

Deliverables: code of conducts in 24 EU languages, communication planning and strategy, a visual style and a digital brochure format for the code of conduct, a 3 minutes animation and a shorter version of 45 seconds, a paid advertisement plan with a dedicated budget.

1.4.3. Deliverables

All the deliverables are indicated under each task in 1.4.2 and are listed in the table here below. The total duration of the action is no more than 12 months and the **maximum amount is EUR 500.000**. This amount shall **include EUR 80.000** of reimbursables dedicated to paid advertisements.

Deliverables and meetings	Content (if applicable)	Deadline
Inception report + kick off meeting	Objective: to ensure mutual understanding of the contractor's plan of actions and timeline for carrying out the provisions contained in the terms of references. The inception report shall include <ul style="list-style-type: none"> - A description of the action's objectives and the methodology for achieving them; an explication of the difficulties faced and /or to be anticipated; - A detailed description of the contractor's plan of actions and timeline for carrying out the provisions contained in the terms of reference; - A first draft mapping of relevant stakeholders; 	3 weeks after the signature of the contract

	<ul style="list-style-type: none"> - A first proposal for the communication action, including a first timetable with draft social media posts for DG GROW's communication unit. <p>The contractor will present the inception report in person or in a video conference to the Commission and will draft the minutes / operational conclusions of that meeting (to be sent to the Commission within three working days after the meeting). These minutes / operational conclusions will be included in the inception report.</p>	
Final mapping of relevant stakeholders		6 weeks after the signature of the contract
Short impact analysis and background paper for launching the consultation		2,5 months after the signature of the contract
Survey and survey report	Main principles and recommendations from the former study and from the short impact analysis to gather the views of stakeholders + results of the consultation	3-4 months after the signature of the contract
Organisation of meetings + report with outcomes	Report shall include the minutes of all the meetings and the main outcome to be taken into account for the workshop(s)	4 to 5 months after the signature of the contract
Organisation of a workshop(s) + report with outcomes + Communication strategy	Communication strategy shall include a clear and detailed timeline as well as a clear approach with regards the different ways (organic and non-organic ads) to disseminate the information and materials related to the code of conduct	5-6 months after the signature of the contract
Final code of conduct for online reviews and ratings		6,5 months after the signature of the contract
Interim report + interim meeting	<p>The interim report shall include:</p> <ul style="list-style-type: none"> - a summary of the actions implemented and being implemented since the signature of the contract - The final mapping of 	7 months after the signature of the contract (interim payment – 50%)

	<p>relevant stakeholders</p> <ul style="list-style-type: none"> - The short impact analysis and background paper, - The survey and the survey report - Reports of the meetings - Final code of conduct for online reviews and ratings - An updated timeline for the next actions to be implemented with the concept for the animation and the social media strategy <p>During the interim meeting, the contractor will present the interim report in person or in a video conference and inform the contracting authority of any peculiar challenges encountered. The contractor will then provide minutes / operational conclusions of the meeting, highlighting any possible directions decided during the meeting. These minutes / operational conclusions will be included in the interim report.</p>	
Translation of the code of conduct into the 23 other EU languages		7 months after the signature of the contract
Creation of a visual style and a digital brochure available in all the EU languages		7,5 months after the signature of the contract
Creation of a short animation (3 minutes and 45 seconds versions)		7,5 months after the signature of the contract
Paid online targeted advertisement (NB these are reimbursable expenses)		From 8 to 12 months after the signature of the contract
Final report	<p>The final report shall include:</p> <ul style="list-style-type: none"> - All the deliverables in the relevant format - The communication materials and the number of impressions <p>The contractor will present the final report in person or in a video conference to the Commission and will draft the</p>	12 months after the signature of the contract (final payment)

	minutes / operational conclusions of that meeting (to be sent to the Commission within three working days after the meeting). These minutes / operational conclusions will be included in the final report.	
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• In addition, the Contractor is requested to:

- regularly update the Commission about the progress of their work), for example, via an email or phone call to the official in charge of the contract and regular visio-conference meetings to follow the implementation of the contract;
- present their findings in at least one meeting in Brussels or a videoconference (participation to an EC event is possible).

• Details on quality requirements and timing regarding deliverables:

- Each deliverable shall be submitted in electronic format compatible with Word in English;
- Datasets accompanying the final report shall be submitted in a format compatible with Excel;
- The contractor shall have all deliverables proofread by a person with a proficient knowledge of the English language (at least level C1 in the Common European Framework of Reference for Languages).

1.5. Place of performance: where will the contract be performed?

The services will be performed at the following locations:

- the contractor's premises

1.6. Nature of the contract: how will the contract be implemented?

The procedure will result in the conclusion of a direct contract.

In direct contracts all the terms governing the provision of the services, supplies or works are defined at the outset. Once signed, they can be implemented directly without any further contract procedures.

Tenderers need to take full account of the full set of procurement documents, including the provisions of the draft contract as the latter will define and govern the contractual relationships to be established between the contracting authority and the successful tenderers. Special attention is to be paid to the provisions specifying the rights and obligations of the contractor, in particular those on payments, performance of the contract, confidentiality, and checks and audits.

⚠ Please be aware that if a tenderer to whom the contract is awarded (any of the group members in case of a joint tender) has established debt(s) owed to the Union, the European Atomic Energy Community or an executive agency when the latter implements the Union budget, such debt(s) may be offset, in line with Articles 101(1) and 102 of [Regulation \(EU, Euratom\) 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 Union \(Financial Regulation\)](#)⁸ and the conditions set out in the draft contract, against any payment due under the contract. The contracting authority will verify the existence of overdue debts of the successful tenderers (any of the group members in case of a joint tender), and, if any such debt is found, will inform the tenderer (the group leader in case of a joint tender who will then have the obligation to inform all other group members before signing the contract) that the debt(s) may be offset against any payment under due the contract.

1.7. Volume and value of the contract: how much do we plan to buy?

The maximum total amount of all purchases under this call for tenders is indicated under Section II.1.5 of the contract notice.

1.8. Duration of the contract: how long do we plan to use the contract?

The contract resulting from this call for tenders will be concluded for at most 12 months. The details of the initial contract duration and possible renewals are set out in the draft contract.

1.9. Electronic exchange system: can exchanges under the contract be automated?

For all exchanges with the contractor during the implementation of the contract resulting from this call for tenders as well as for future possible subsequent proceedings, including, but not limited to, for the purposes of EDES ([European Union's Early Detection and Exclusion System](#)), the contracting authority may use an electronic exchange system meeting the requirements of Article 148 of the Financial Regulation. At the request of the contracting authority, the use of such a system shall become mandatory for the contractor at no additional cost for the contracting authority. Details on specifications, access, terms and conditions of use will be provided in advance.

1.10. Security

When performing tasks for the contracting authority in execution of the contract, the contractor and its personnel shall comply with the contracting authority's applicable security requirements.

For the Commission (and, when relevant - for the Executive Agencies), the applicable security requirements include:

- ✓ [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in the European Commission, its subsequent versions, its implementing rules (as adapted from time to time) and the corresponding security standards, guidelines and notices;

⁸ Regulation (EU, Euratom) 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 Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p.1).

- ✓ [Commission Decision \(EU, Euratom\) 2015/444](#) of 13 March 2015 on the security rules for protecting EU classified information, its subsequent versions, its implementing rules (as adapted from time to time) and the corresponding security standards, guidelines and notices;]
- ✓ [Commission Decision \(EU, Euratom\) 2015/443](#) of 13 March 2015 on Security in the Commission, as well as all its subsequent versions.]
- ✓ https://ec.europa.eu/info/files/security-standards-information-systems_en]

Any financial burden for complying with the security measures (e.g. security background checks, security clearance etc.) will be entirely at the expense of the contractor and not of the contracting authority.

Should the contractor, during the performance of the tasks, which are the subject of the contract, need remote access to any communication and information system of Commission or data sets processed therein, one of the two following approaches should be observed:

- 1) Contractor's personnel is granted remote access to any communication and information system of the Commission or data sets processed therein, without being provided with Commission IT equipment. In this case the Contractor shall be requested to comply with security rules referred to in Article 6(5) of the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017. This entails prior authorisation, which shall be granted on the basis of a formal request for network access service "Remote Access for Companies", and approval process, which takes on average 4-6 weeks. The outcome of the approval, i.e. the Interconnection Security Agreement, shall be valid for a specified duration linked to the contract and shall be obtained before the connection is activated. The formal request is initiated by the concerned Directorate-General or service of the Commission and based on the risk assessment with the focus on nature and sensitivity of the tasks to be performed remotely and the security needs of each accessed communication and information system.

During the authorisation process the contractor is asked to describe relevant organisational, physical, logical and network security measures in order to provide reasonable assurance that the risks are adequately and systematically covered at a level equivalent to the Commission Decision (EU, Euratom) 2017/46 of 10 January 2017, its implementing rules and corresponding security standards. The authorisation process may impose additional security requirements as a prerequisite for approval, in order to protect the Commission's communication and information systems and networks from the risks of unauthorised access or other security breaches. No remote access will be possible in this context without having in place an approved Interconnection Security Agreement (formerly called a security convention).

Contractors and service providers may be required to comply with the baseline security measures published by the Commission at Standards & Procedures (https://ec.europa.eu/info/files/security-standards-information-systems_en).

- 2) Contractor's personnel use Commission IT equipment (normally a laptop PC) and connects to the Commission's internal network via the remote access service for Commission staff. In this case, contractors are required to put in place minimum security measures in order to mitigate risks to the security of Commission information

during the fulfilment of the contracted services. These measures focus mainly on the confidentiality and integrity of Commission equipment and information. The baseline security measures for contractors in the context of remote service delivery are available for consultation at the internet address: https://ec.europa.eu/info/files/security-standards-information-systems_en. These rules apply to service providers working on contractor's premises or in home offices, where permitted by the specific contract. This baseline does not cover service providers accessing non-Commission systems, such as contractors' development environments. When the contractor undertakes to follow these controls in the contract, access is permitted without an additional Interconnection Security Agreement (security convention).]

2. GENERAL INFORMATION ON TENDERING

2.1. Legal basis: what are the rules?

This call for tenders is governed by the provisions of the Financial Regulation.

The contracting authority has chosen to award the contract resulting from this call for tenders through an open procedure pursuant to Article 164(1) (a) of the Financial Regulation. In an open procedure any interested economic operator (any natural or legal person who offers to supply products, provide services or execute works) may submit a tender.

2.2. Entities subject to restrictive measures and rules on access to procurement: who may submit a tender?

Tenderers must ensure that no involved entities (see Section 2.4) nor any subcontractors, including those which do not need to be identified in the tender (see Section 2.4.2), are subject to [EU restrictive measures](#) adopted under Article 29 of the Treaty on the European Union (TEU) or Article 215 of the Treaty on the Functioning of the EU (TFEU)⁹, consisting of a prohibition to make available or transfer funds or economic resources or to provide financing or financial assistance to them directly or indirectly, or of an asset freeze. The prohibition applies throughout the whole performance of the contract.

Participation in this call for tenders is open on equal terms to all natural and legal persons coming within the scope of the [Treaties](#), as well as to international organisations.

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

As the Agreement on Government Procurement¹⁰ concluded within the World Trade Organisation applies, the participation to this call for tenders is also open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions laid down therein.

To enable the contracting authority to verify the access, each tenderer must indicate its country of establishment (in case of a joint tender – the country of establishment of each group member) and must present the supporting evidence normally acceptable under the law of that country. The same document(s) could be used to prove the country/-ies of establishment and the delegation(s) of the authorisation to sign, as described in Section 4.3.

⁹ Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the [EU Sanctions Map](#).

¹⁰ https://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm.

2.3. Registration in the Participant Register: why register?

Any economic operator willing to participate in this call for tenders must be registered in the [Participant Register](#) - an online register of organisations and natural persons (participants) participating in calls for tenders or proposals of the European Commission and other EU institutions/bodies.

On registering each participant obtains a Participant Identification Code (PIC, 9-digit number), which acts as its unique identifier in the Participant Register. A participant needs to register only once – the information provided can be further updated or re-used by the participant in other calls for tenders or calls for proposals of the European Commission and other EU institutions/bodies.

📌 Each participant needs to ensure that its SME status in the Participant Register is registered and kept up to date.

At any moment during the procurement procedure, the Research Executive Agency Validation Services (hereafter *the EU Validation Services*) may contact the participant and ask for supporting documents on legal existence and status [and financial capacity]. The requests will be made through the register's messaging system to the e-mail address of the participant's contact person indicated in the register. It is the responsibility of the participant to provide a valid e-mail address and to check it regularly. The documents that may be requested by *the EU Validation Services* are listed in the [EU Grants and Tenders Rules on Legal Entity Validation, LEAR appointment and Financial Capacity assessment](#).

📌 Please note that a request for supporting documents by the *EU Validation Services* in no way implies that the tenderer has been successful.

2.4. Ways to submit a tender: how can economic operators organise themselves to submit a tender?

Economic operators can submit a tender either as a sole economic operator (sole tenderer) or as a group of economic operators (joint tender)¹¹. In either case subcontracting is permitted.

Tenders must be drawn and submitted in complete independence and autonomously from the other tenders. A declaration in this regard by each tenderer (in case of a joint tender, by each of its members) shall be requested (*Annex 2*).

A natural or legal person cannot participate at the same time and within the same procedure either as member of two or more groups of economic operators or as a sole tenderer and member of another group of economic operators. In such case, all tenders in which that person has participated, either as sole tenderer or as member of a group of economic operators, will be rejected.

¹¹ Each economic operator participating in the joint tender is referred to as “group member”.

Economic operators linked by a relationship of control or of association (e.g. belonging to the same economic/corporate group) are allowed to submit different and separate tenders provided that each tenderer is able to demonstrate that its tender was drawn independently and autonomously.

A natural or legal person may act as subcontractor for several tenderers as long as the tenders are drawn and submitted in complete independence and autonomously from each other. However, cross subcontracting among tenderers is forbidden, more precisely an entity “A” may participate as tenderer (either as sole tenderer or as member of a group of economic operators) and as subcontractor to another tenderer “B” within the same procurement procedure. However, in this case it is forbidden that tenderer “B” (or any of its participating members in case of a group of economic operators) is at the same time subcontractor for tenderer “A” (or for the group of economic operators in which “A” participates) within the same procurement procedure. In this case, both tenders A and B shall be rejected.

In order to fulfil the selection criteria set out in Section 3.2 the tenderer can rely on the capacities of subcontractors (see Section 2.4.2) or other entities that are not subcontractors (see Section 2.4.3).

An “**involved entity**” is any economic operator involved in the tender. This includes the following four categories of economic operators:

- sole tenderer,
- group members (including group leader),
- identified subcontractors (see Section 2.4.2), and
- other entities (that are not subcontractors) on whose capacity the tenderer relies to fulfil the selection criteria.

The role of each entity involved in a tender must be clearly specified in the eSubmission application: i) sole tenderer, ii) group leader (in case of a joint tender), iii) group member (in case of a joint tender), or iv) subcontractor¹².

For an entity on whose capacities the tenderer relies to fulfil the selection criteria (that is not a subcontractor), this role is defined in the commitment letter (*Annex 5.2*)

2.4.1. Joint tenders

A joint tender is a situation where a tender is submitted by a group (with or without legal form) of economic operators regardless of the link they have between them in the group. The group as a whole is considered a tenderer¹³.

All group members assume joint and several liability towards the contracting authority for the performance of the contract as a whole.

Group members must appoint from among themselves a group leader (the group leader) as a single point of contact authorised to act on their behalf in connection with the submission of

¹² Only identified subcontractors (see Section 2.4.2) must be specified in the eSubmission application.

¹³ References to *tenderer* or *tenderers* in this document shall be understood as covering both sole tenderers and groups of economic operators submitting a joint tender.

the tender and all relevant questions, clarification requests, notifications, etc., that may be received during the evaluation, award and until the contract signature. All group members (including the group leader) must sign an Agreement/Power of attorney drawn up in the model attached in **Annex 3**.

The joint tender must clearly indicate the role and tasks of each group member, including those of the group leader who will act as the contracting authority's contact point for the contract's administrative or financial aspects and operational management. The group leader will have full authority to bind the group and each of its members during contract execution.

If the joint tender is successful, the contracting authority shall sign the contract with the group leader, authorised by the other members to sign the contract also on their behalf via the Agreement/Power of attorney drawn up in the model attached in **Annex 3**.

Changes in the composition of the group during the procurement procedure (after the deadline for submission of tenders and before contract signature) shall lead to rejection of the tender, with the exception of the following case[s]:

- case of a merger or takeover of a group member (universal succession), provided that the following cumulative conditions are fulfilled:
 - the new entity is not subject to restrictive measures, has access to procurement (see Section 2.2) and is not in an exclusion situation (see Section 3.1),
 - all the tasks assigned to the former entity are taken over by the new entity member of the group,
 - the group meets the selection criteria (see Section 3.2),
 - the change must not make the tender non-compliant with the procurement documents,
 - the terms of the originally submitted tender are not altered substantially and the evaluation of award criteria of the originally submitted tender are not modified,
 - the new entity undertakes to replace the former entity for the implementation of the contract, in case of an award.

2.4.2. Subcontracting

Subcontracting is the situation where the contractor enters into legal commitments with other economic operators, which will perform part of the contract on its behalf. The contractor retains full liability towards the contracting authority for performance of the contract as a whole.

The following shall not be considered subcontracting:

- a) Use of workers posted to the contractor by another company owned by the same group and established in a Member State (“intra-group posting” as defined by Article 1, 3, (b) of [Directive 96/71/EC concerning the posting of workers in the framework of the provision of services](#)).
- b) Use of workers hired out to the contractor by a temporary employment undertaking or placement agency established in a Member State (“hiring out of workers” as defined by Article 1, 3, (c) of [Directive 96/71/EC concerning the posting of workers in the framework of the provision of services](#)).

- c) Use of workers temporarily transferred to the contractor from an undertaking established outside the territory of a Member State and that belongs to the same group (“intra-corporate transfer” as defined by Article 3, (b) of [Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer](#)).
- d) Use of staff without employment contract (“self-employed persons working for the contractor”), without the tasks of the self-employed persons being particular well-defined parts of the contract.
- e) Use of suppliers and/or transporters by the contractor, in order to perform the contract at the place of performance, unless the economic activities of the suppliers and/or the transporting services are within the subject of this call for tenders (see Section 1.4).
- f) Performance of part of the contract by members of an EEIG (European Economic Interest Grouping), when the EEIG is itself a contractor or a group member.

The persons mentioned in points a), b), c) and d) above will be considered as “personnel” of the contractor as defined in the contract.

All contractual tasks may be subcontracted unless the procurement documents expressly reserve the execution of certain critical tasks to the sole tenderer itself, or in case of a joint tender, to a group member.

By filling in the form available in **Annex 4** (List of identified subcontractors), tenderers are required to give an indication of the proportion of the contract that they intend to subcontract, as well as to identify and describe briefly the envisaged contractual roles/tasks of subcontractors meeting any of these conditions (hereafter referred to as *identified subcontractors*):

- subcontractors on whose capacities the tenderer relies upon to fulfil the selection criteria as described under Section 3.2;
- subcontractors whose intended individual share of the contract, known at the time of submission, is above 20 % .

Any such subcontractor must provide the tenderer with a commitment letter drawn up in the model attached in **Annex 5.1** and signed by its authorised representative.

☞ Each tenderer shall identify such subcontractors and provide the commitment letters with its tender. The information must be true and correct at the time of submitting the tender. Any changes or additions regarding the envisaged subcontractors after the deadline for submission of tenders must be justified to the contracting authority.

The above rules apply also where the economic operators, which will perform part of the contract on behalf of a successful tenderer, belong to the same economic/corporate group as the sole tenderer or a member of the group submitting the joint tender.

Changes concerning subcontractors identified in the tender (withdrawal/replacement of a subcontractor, additional subcontracting) during the procurement procedure (after the submission deadline and before contract signature) require the prior written approval of the contracting authority subject to the following verifications:

- any new subcontractor is not subject to restrictive measures, has access to procurement if the rules on access to procurement apply also to subcontractors (see Section 2.2) and is not in an exclusion situation (see Section 3.1),

- the tenderer still fulfils the selection criteria and the new subcontractor fulfils the selection criteria applicable to it individually, if any;
- the terms of the originally submitted tender are not altered substantially, i.e. all the tasks assigned to the former subcontractor are taken over by another involved entity, the change does not make the tender non-compliant with the tender specifications, and the evaluation of award criteria of the originally submitted tender is not modified.

Subcontracting to subcontractors identified in a tender that was accepted by the contracting authority and resulted in a signed contract, is considered authorised.

2.4.3. Entities (not subcontractors) on whose capacities the tenderer relies to fulfil the selection criteria

In order to fulfil the selection criteria a tenderer may also rely on the capacities of other entities (that are not subcontractors), regardless of the legal nature of the links it has with them. It must in that case prove that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment letter in the model attached in *Annex 5.2*, signed by the authorised representative of such an entity, and the supporting evidence that those other entities have the respective resources¹⁴.

☞ The above rules apply also where the economic operators on whose capacities the tenderer relies to fulfil the selection criteria (that are not subcontractors) belong to the same economic/corporate group as the sole tenderer or a member of the group submitting the joint tender.

2.4.4. Rules common to subcontractors and entities (not subcontractors) on whose capacities the tenderer relies to fulfil the selection criteria

If a successful tenderer intends to rely on another entity to meet the minimum levels of economic and financial capacity, the contracting authority may require the entity to sign the contract or, alternatively, to provide a joint and several first-call financial guarantee for the performance of the contract.

With regard to technical and professional selection criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required, i.e. the latter will either assume the role of subcontractors or will fall within the exceptions listed in Section 2.4.2 and will then assume the role of entities (not subcontractors) on whose capacities the tenderer relies to fulfil the selection criteria.

☞ Relying on the capacities of other entities is only necessary when the capacity of the tenderer is not sufficient to fulfil the required minimum levels of capacity. Abstract commitments that other entities will put resources at the disposal of the tenderer will be disregarded.

¹⁴ This does not apply to subcontractors on whose capacity the tenderer relies to fulfil the selection criteria – for these the documentation required for subcontractors must be provided.

3. EVALUATION AND AWARD

The evaluation of the tenders that comply with the submission conditions will consist of the following elements:

- Check if the tenderer is not subject to restrictive measures and has access to procurement (see Section 2.2);
- Verification of administrative compliance (if the tender is drawn up in one of the official EU languages and the required documents signed by duly authorised representative(s) of the tenderer);
- Verification of non-exclusion of tenderers on the basis of the exclusion criteria;
- Selection of tenderers on the basis of selection criteria;
- Verification of compliance with the minimum requirements specified in the procurement documents;
- Evaluation of tenders on the basis of the award criteria.

The contracting authority will evaluate the abovementioned elements in the order that it considers to be the most appropriate.

If the evaluation of one or more elements demonstrates that there are grounds for rejection, the tender will be rejected and will not be subjected to further full evaluation. The unsuccessful tenderers will be informed of the ground for rejection without being given feedback on the non-assessed content of their tenders. Only tenderers for whom the verification of all elements did not reveal grounds for rejection can be awarded the contract resulting from this call for tenders.

The evaluation will be based on the information and evidence contained in the tenders and, if applicable, on additional information and evidence provided at the request of the contracting authority during the procedure. If any of the declarations or information provided proves to be false, the contracting authority may impose administrative sanctions (exclusion or financial penalties) on the entity providing the false declarations/information.

For the purposes of the evaluation related to exclusion and selection criteria the contracting authority may also refer to publicly available information, in particular evidence that it can access on a national database free of charge.

3.1. Exclusion criteria

The objective of the exclusion criteria is to assess whether the tenderer is in any of the exclusion situations listed in Article 136(1) of the Financial Regulation.

Tenderers found to be in an exclusion situation will be rejected.

As evidence of non-exclusion, each tenderer¹⁵ needs to submit with its tender a Declaration on Honour¹⁶ in the model available in *Annex 2*.¹⁷ The declaration must be signed by an

¹⁵ See Annex 1 which of the involved entities participating in a tender need to provide the Declaration on Honour.

authorised representative of the entity providing the declaration. Where the declaration has been signed by hand, the original does not need to be submitted to the contracting authority, but the latter reserves the right to request it from the tenderer at any time during the record-keeping period specified in Section 4.3.

The initial verification of non-exclusion of tenderers will be done on the basis of the submitted declarations and consultation of the [European Union's Early Detection and Exclusion System](#).

At any time during the procurement procedure¹⁸, the contracting authority may request the documents mentioned in the Declaration on Honour as supporting evidence on non-exclusion (the documentary evidence). It may also request information on natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control, including legal and natural persons 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 Section A point (1) (c) to (f) of the Declaration on Honour.

All tenderers are **invited to prepare in advance the documentary evidence**, since they may be requested to provide such evidence within a short deadline. In any event, the tenderer proposed by the evaluation committee for the award of the contract will be requested to provide such evidence.

☞ If the tenderer does not provide valid documentary evidence within the deadlines set by the contracting authority, the latter reserves the right to reject the tender. In any event, in case a tenderer proposed for the award of the contract fails to comply with the above evidence requirement, its tender will be rejected, unless the tenderer can justify the failure on the grounds of material impossibility to provide such evidence.

Annex I specifies which of the involved entities participating in a tender need to provide the Declaration on Honour and, when requested by the contracting authority, the supporting evidence.

¹⁶ The European Single Procurement Document (ESPD) may not be used yet in European Commission's calls for tenders.

¹⁷ Unless the same declaration has already been submitted for the purposes of another award procedure of the European Commission, the situation has not changed, and the time elapsed since the issuing date of the declaration does not exceed one year.

¹⁸ The obligation to provide the supporting evidence will be waived in the following situations:

- if the same documents have already been provided in a previous award procedure of the European Commission, have been issued no more than one year before the date of their request by the contracting authority and are still valid at that date;
- if such evidence can be accessed by the contracting authority on a national database free of charge, in which case the economic operator shall provide the contracting authority with the internet address of the database and, if needed, the necessary identification data to retrieve the document;
- if there is a material impossibility to provide such evidence.

Please note that a request for evidence in no way implies that the tenderer has been successful.

3.2. Selection criteria

The objective of the selection criteria is to assess whether the tenderer has the legal, regulatory, economic, financial, technical and professional capacity to perform the contract.

The selection criteria for this call for tenders, including the minimum levels of capacity, the basis for assessment and the evidence required, are specified in the following subsections.

Tenders submitted by tenderers not meeting the minimum levels of capacity will be rejected.

When submitting its tender each tenderer shall declare on honour that it fulfils the selection criteria for this call for tenders. The model Declaration on Honour available in *Annex 2* shall be used.

The initial assessment of whether a tenderer fulfils the selection criteria will be done on the basis of the submitted declaration(s).

The subsections below specify which selection criteria evidence must be provided with the tender or may be requested later, at any time during the procurement procedure, within a deadline given by the contracting authority¹⁹.

The evidence must be provided in accordance with the applicable basis for assessment of each criterion: in case of a consolidated assessment – only by the involved entities who contribute to the fulfilment of the criterion, and in case of individual assessment – by each entity to whom the criterion applies individually.

In case not all selection criteria evidence is requested with the tender, all tenderers are **invited to prepare in advance the documentary evidence**, since they may be requested to provide such evidence within a short deadline. In any event, the tenderers proposed by the evaluation committee for the award of the contract will be requested to provide such evidence.

☞ If the tenderer does not provide valid documentary evidence within the deadlines set by the contracting authority, the contracting authority reserves the right to reject the tender. In any event, in case a tenderer proposed for the award of the contract fails to comply with the above evidence requirement, its tender will be rejected, unless there is a ground for a waiver.

Please note that a request for evidence in no way implies that the tenderer has been successful.

¹⁹ The obligation to provide the supporting evidence will be waived in the following situations:

- if the same documents have already been provided in a previous award procedure of the European Commission and are still up-to-date;
- if such evidence can be accessed by the contracting authority on a national database free of charge, in which case the economic operator shall provide the contracting authority with the internet address of the database and, if needed, the necessary identification data to retrieve the document.

3.2.1. Legal and regulatory capacity

Tenderers can be natural or legal persons. Tenderers are not obliged to take a specific legal form in order to submit their tenders.

Where tenderers submit a tender through an entity, which lacks legal personality (e.g., a branch), the compliance with the exclusion criteria, selection criteria, the rules on access to procurement as well as the absence of restrictive measures shall be assessed at the level of the tenderers.

Tenderers do not need to prove specific legal and regulatory capacity to perform the contract.

In addition, involved entities (see Section 2.4) and all subcontractors, including those which do not need to be identified in the tender (see Section 2.4.2), must not be subject to [EU restrictive measures](#) adopted under Article 29 of the Treaty on the European Union (TEU) or Article 215 of the Treaty on the Functioning of the EU (TFEU)¹⁴ that constitute a legal impediment to perform the contract. This requirement will be assessed by reference to the EU restrictive measures in force. Therefore, the tenderer is not required to submit any evidence of not being subject to EU restrictive measures.

3.2.2. Economic and financial capacity

Tenderers must comply with the following selection criteria in order to prove that they have the necessary economic and financial capacity to perform the contract.

Criterion F1	
Minimum level of capacity	Average yearly turnover of the last two financial years above EUR 1 000 000.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. a consolidated assessment of the combined capacities of all involved entities will be carried out.
Evidence	Copy of the profit and loss accounts for the last two years for which accounts have been closed from each concerned involved entity, or, failing that, appropriate statements from banks. The most recent year must have been closed within the last 18 months.

👉 The evidence of economic and financial capacity does not need to be provided with the tender but may be requested by the contracting authority or the EU Validation Services at any time during the procedure.

¹⁴ Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the [EU Sanctions Map](#).

3.2.3. Technical and professional capacity

☞ With regard to technical and professional selection criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required. The entity on whose capacity the tenderer relies will either assume the role of a subcontractor or fall within the exceptions listed in Section 2.4.2.

Tenderers must comply with the following selection criteria in order to prove that they have the necessary technical and professional capacity to perform the contract:

Criterion T1	
The tenderer must prove experience of completing projects with similar scope and delivering services of high quality and accuracy (policy and communication)	
Minimum level of capacity	At least 3 similar (in scope and complexity) projects completed in the last three years preceding the tender submission deadline with a minimum value for each of them EUR 100 000.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the consolidated assessment of combined capacities of all involved entities will be carried out.
Evidence	<p>A list of projects meeting the minimum level of capacity. The list shall include details of their start and end date, total project amount and scope, role and amount invoiced. In case of projects still ongoing, only the portion completed during the reference period will be taken into consideration.</p> <p>As supporting documents for each project reference, the contracting authority may request statements issued by the clients and take contact with them.</p>

Criterion T2	
The tenderer must prove experience in working with different types and levels of tourism public and private sectors from across the EU tourism ecosystem	
Minimum level of capacity	At least 3 similarly complex projects completed in the last 4 years preceding the tender submission deadline, with a minimum value for each of them of EUR 100 000
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all involved entities (all members of the consortium and identified subcontractors)
Evidence	<p>A list of projects meeting the minimum level of capacity. The list shall include details of their titles, main activities, start, and end date, total project amount, role of implementing entity (leader, partner, subcontractor, etc.) and amount invoiced. In case of projects still ongoing, only the portion completed during the reference period will be taken into consideration.</p> <p>As supporting document for each project reference the Contracting authority may request statements issued by the clients and take contact with them</p>

Criterion T3

The tenderer must prove capacity in the field of communication, especially:

- **In accessing key stakeholders in Europe**
- **Social media and advertisement,**
- **Copywriting,**
- **Graphic design,**
- **Outreach plans and communication campaigns**
- **Creation of animation**

Minimum level of capacity	At least 3 similarly complex projects completed in the last 4 years preceding the tender submission deadline, with a minimum value for each of them of EUR 100 000
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all involved entities (all members of the consortium and identified subcontractors)
Evidence	<p>A list of projects meeting the minimum level of capacity. The list shall include details of their titles, main activities, start, and end date, total project amount, role of implementing entity (leader, partner, subcontractor, etc.) and amount invoiced. In case of projects still ongoing, only the portion completed during the reference period will be taken into consideration.</p> <p>As supporting document for each project reference the Contracting authority may request statements issued by the clients and take contact with them</p>

☞ All of the above-specified evidence of technical and professional capacity must be provided with the tender.

As per the human resources:

Tenderers must comply with the following selection criteria in order to prove that they have the necessary professional capacity to perform the contract.

The team delivering the service shall be assessed for the tenderer as a whole, i.e. the team members can be proposed by all *involved entities (including partners and subcontractors)*. The team should include, as a minimum, the following profiles.

Evidence will consist in CVs in EUROPASS format of the team responsible to deliver the service. Each CV should indicate the intended function in the delivery of the service.

A detailed CV in the [EUROPASS format](#) must specify:

- Educational and professional qualifications and experience in areas relevant to the subject of these tender specifications;
- Different diplomas or degrees obtained;
- Level of the languages spoken.

The contractor shall ensure that the staff members listed in the technical offer are effectively available when the contract begins

Criterion P 1	
Core team of minimum 5 persons for the implementation of the action with very good drafting skills, analysis skills, negotiation skills, experience in drafting reports and communication	
Minimum level of capacity	<p>The project team profiles shall cover all the area of competence mentioned above to ensure the project is correctly implemented.</p> <p>For the team members who will be working especially on the drafting of the code, experience in tourism policy and dealing with the hospitality sector will be requested (at least 3 years of experiences).</p>
Basis for assessment	This criterion applies to the individual proposed.
Evidence	<ul style="list-style-type: none"> - Curriculum vitae with Common European Framework of Reference for Languages – Self assessment grid. - List of reports or policy documents drafted in the last 2 years - Lists and examples of requested similar communication materials produced in the last 2 years
Criterion P 2	
Project manager	
Minimum level of capacity	<p>The project leader shall be able to mobilise and coordinate a suitable team to carry out the work, steering and organising the execution of their tasks. Leadership, vision and good organisational skills are required. (S)he must have team and project management skills, in particular with regard to the organisation of international projects; good conceptual, communication, language and interpersonal skills; good knowledge of EU policy and action in the field of the tourism ecosystem</p> <p>At least five years of work experience in managing policy and communication projects of at least EUR 150 000 and covering at least 5 countries, leading team(s) of at least 5 persons. Proficiency in English is required (at least a C2 level in the Common European Framework of Reference for Languages).</p>
Basis for assessment	This criterion applies to the individual proposed.
Evidence	CV. In relation to the language requirement, the CV shall explicitly refer to a language certificate or past relevant experience e.g. university degree in English or work experience in English. + list of relevant projects managed
Criterion P 3	
Knowledge of English – team	
Minimum level of capacity	Proficiency in English is required (at least a B2 level in the Common European Framework of Reference for Languages) by all team members. At least 4 members of the team shall have C1 level in English while all editorial/copyright/content team members need to have a C2 level in English.
Basis for assessment	This criterion applies to the individual proposed.
Evidence	CV, a language certificate or past relevant experience. Tenderers should declare that the staff appointed has the sufficient level of English to satisfy this requirement. This declaration can follow a free format. + past relevant experience
Criterion P 4	

Experts in communication	
Minimum level of capacity	Collectively the team of at least 5 people shall have knowledge of 3 EU languages (including English) at least of level B2 and at least 3 years professional experience per individual in: <ul style="list-style-type: none"> - Communication - Editing /copywriting - Graphic design - Promotion plans - Social media management - Advertisement management
Basis for assessment	This criterion applies to the individual proposed.
Evidence	CV underlining the educational and professional qualifications + past relevant experience

Criterion P5

At least two persons (in the core team) having professional experience in the field of the organisation of consultations and surveys at European level. She/he should provide track record of dealing with drafting, publication, communication and analysis of consultations.	
Minimum level of capacity	At least 3 years of experience
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the consolidated assessment of combined capacities of all involved entities will be carried out.
Evidence	<ul style="list-style-type: none"> - Curriculum vitae with Common European Framework of Reference for Languages – Self assessment grid. - List of consultations/surveys organised in the last 3 years.

☞ All of the above-specified evidence of technical and professional capacity must be provided with the tender.

3.3. Compliance with the conditions for participation and minimum requirements specified in the procurement documents

By submitting a tender a tenderer commits to perform the contract in full compliance with the terms and conditions of the procurement documents for this call for tenders. Particular attention is drawn to the minimum requirements specified in Section 1.4 of these specifications and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

The minimum requirements shall be observed throughout the entire duration of the contract. Compliance with these requirements is mandatory and cannot be subject to any assumptions, limitations, conditions, or reservations on the part of a tenderer.

Tenderers must declare when submitting their tenders in eSubmission whether their tenders comply with the minimum requirements specified in the procurement documents.

☞ **Tenders that are not compliant with the applicable minimum requirements shall be rejected.**

3.4. Award criteria

The objective of the award criteria is to evaluate the tenders with a view to choosing the most economically advantageous tender.

Tenders will be evaluated on the basis of the following award criteria and their weighting:

1. Price - 30%

The price considered for evaluation will be the total price of the tender, covering all the requirements set out in the tender specifications.

2. Quality – 70%

The quality of the tender will be evaluated based on the following criteria:

Criterion	Explanation of the criterion's scope	Weighting (maximum points)
1.	<p>Relevance of the proposed methodology This criterion will assess:</p> <ul style="list-style-type: none"> - The clarity and completeness of the proposed methodology to ensure high quality of the deliverables - The consistency between the objectives and tasks - The adequacy to implement the tasks described in the tender in a realistic/suitable and well-structured way, in accordance with the needs of the contracting authority - The expected effectiveness, efficiency and impact of the work plan - Quality and relevance of the proposed actions and activities - The approach to ensure the visibility of the European Institutions' financial support and involvement in the action 	25
2.	<p>Quality of the offer Overall technical quality and plausibility (linguistic clarity, logical structure) and coherence of the entire technical offer as well as the individual proposed activities for the different task of the tender, including coherence between tasks/subtasks and realistic proposed timeline. The level of detail and completeness provided for the description of activities to be implemented. Any additional tasks proposed by the tenderer to fulfil the objectives of the action (e.g. for ensuring the endorsement of the code of conduct and for the communication activities)</p>	25
3.	<p>Organisation of the work and allocation of resources This criterion will assess how the roles and responsibilities of the proposed team and of the different economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task/subtask. It also assesses the global allocation of time and resources to the project and to each task or deliverable, and whether this</p>	20

	<p>allocation is adequate for the work.</p> <p>It will be also assessed how the tenderer intends to cooperate within the consortium, if applicable, or/and manage sub-contractors, if applicable, for the different tasks.</p> <p>The tender shall provide details on the allocation of time and human resources and the rationale behind the choice of this allocation. Details shall be provided as part of the technical offer. Units' costs/prices are to be included in the financial offer only. If applicable, This criterion assess also relevance of the experts proposed.</p>	
4.	<p>Impact and visibility</p> <p>This criterion assesses overall attractiveness of the communication activities and materials proposed and reach of the dissemination activities.</p> <p>It assesses whether the tender is suggesting clear, realistic and practical impact indicators, to what extent the proposal contributes to creating a real, measurable impact on the target audiences concerned. The foreseen impact of the communication actions proposed and the extent to which they will raise visibility on the process for drafting the code of conduct and on the document itself once finalised.</p> <p>This criterion also includes the extent, mix of communication actions (and their quality) and ways of dissemination. Quality and credibility of the key performance indicators, targets and benchmarks proposed to assess cost-effectiveness of promotion.</p>	25
5.	<p>Quality control measures</p> <p>This criterion will assess the quality control system applied to the service foreseen in these tender specifications concerning:</p> <ul style="list-style-type: none"> - the quality of the deliverables - Timeliness of the delivery and respect of the time plan - the language quality check and - continuity of the service in case of absence of the member of the team. <p>The quality system shall be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.</p>	5
Total number of points		100

3.5. Award (ranking of tenders)

Tenders shall be ranked according to the best price-quality ratio in accordance with the formula below:

score for tender X	=	cheapest reference price	*	100				total quality score for all award criteria of tender	*	quality weighting (70%)
--------------------	---	--------------------------	---	-----	--	--	--	--	---	-------------------------

		reference price of tender X		*	price weighting (30%)	+	X	
--	--	-----------------------------------	--	---	-----------------------------	---	---	--

Should the outcome of the formula lead to two or more tenders with the same result, the tenderer who has been awarded the highest marks for quality will be deemed to be the most economically advantageous tender. This approach will continue to be applied to each of the award criteria in the descending order listed in below until a most economically advantageous tender can be determined: impact and visibility, relevance of the methodology, organisation of the work and allocation of resources, quality control measures.

☞ The contract shall be awarded to the tender ranked first, which complies with the minimum requirements specified in the procurement documents and is submitted by a tenderer not subject to restrictive measures, having access to procurement, not in an exclusion situation and fulfilling the selection criteria.

☞ Detection of abnormally low tenders

Tenderers must be aware of Point 23 of Annex I to the Financial Regulation on abnormally low tenders and of the possibility for rejection of the tender based on it.

4. FORM AND CONTENT OF THE TENDER

4.1. Form of the tender: how to submit the tender?

Tenders are to be submitted via the eSubmission application according to the instructions laid down in the Invitation letter and the eSubmission Quick Guide available at the link below:

https://wikis.ec.europa.eu/display/FTPPortal/Open+procedures_EN

☞ Make sure you prepare and submit your tender in eSubmission early enough to ensure it is received within the deadline indicated under Section IV.2.2 of the contract notice and/or on TED eTendering.

4.2. Content of the tender: what documents to submit with the tender?

The documents to be submitted with the tender in eSubmission are listed in *Annex 1*.

The following requirements apply to the technical and financial tender to be uploaded in eSubmission:

- *Technical tender.*

The technical tender must provide all the information needed to assess the compliance with Section 1.4 of these specifications and the award criteria. Tenders deviating from the minimum requirements or not covering all the requirements may be rejected on the basis of non-compliance and not evaluated further.

- *Financial tender.*

A complete financial tender, including the breakdown of the price, needs to be submitted. For this purpose, the Financial Model in *Annex 6* shall be used.

It is the responsibility of each tenderer to ensure that the total amount of the tender inserted in the eSubmission field “Total amount” corresponds to the amount indicated in the uploaded financial tender. In case of discrepancies, only the amount indicated in the financial tender will be taken into account.

The financial tender shall be:

- expressed in euros. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to bear the risks or the benefits deriving from any variation.
- quoted free of all duties, taxes and other charges, i.e. also free of VAT.

☞ The European Union Institutions are exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union of 8 April 1965 annexed to the Treaty on the Functioning of the European Union. Exemption is granted to the Commission by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption.

In case of doubt about the applicable VAT system, it is the tenderer's responsibility to contact its national authorities to clarify the way in which the European Union is exempt from VAT.

4.3. Signature policy: how can documents be signed?

Where a document needs to be signed, the signature must be either hand-written or, preferably, a qualified electronic signature (QES) as defined in [Regulation \(EU\) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market \(the eIDAS Regulation\)](#).

Tenderers are strongly encouraged to sign with a QES²⁰ all documents requiring a signature and only exceptionally to sign such documents by hand as hand-written signatures lead to an additional administrative burden for both the tenderer and the contracting authority. The originals of any hand-signed documents (other than the contract) do not need to be submitted to the contracting authority but the tenderer must keep them for a period of five years starting from the notification of the outcome of the procedure or, where the tenderer has been awarded a contract resulting from this call for tenders and the contract has been signed, the payment of the balance.

All documents must be signed by the signatories (when they are individuals) or by their duly authorised representatives.

For the following documents, when signed by representatives, tenderers must provide evidence for the delegation of the authorisation to sign:

- The Declaration on Honour of the tenderer (in case of a joint tender – the Declarations on Honour of all group members);
- (in the case of a joint tender) the Agreement/Power(s) of attorney drawn up using the model attached in *Annex 3*.

The delegation of the authorisation to sign on behalf of the signatories (including, in the case of proxy(-ies), the chain of authorisations) must be evidenced by appropriate written evidence (copy of the notice of appointment of the persons authorised to represent the legal entity in signing contracts (together or alone), or a copy of the publication of such appointment if the legislation which applies to signatory requires such publication or a power of attorney). A document that the contracting authority can access on a national database free of charge does not need to be submitted if the contracting authority is provided with the exact internet link and, if applicable, the necessary identification data to retrieve the document.

4.4. Confidentiality of tenders: what information and under what conditions can be disclosed?

Once the contracting authority has opened a tender, it becomes its property and shall be treated confidentially, subject to the following:

²⁰ See [here](#) how to apply a QES on a document exchanged with a European institution, body or agency.

- For the purposes of evaluating the tender and, if applicable, implementing the contract, performing audits, benchmarking, etc., the contracting authority is entitled to make available (any part of) the tender to its staff and the staff of other Union institutions, bodies and agencies, as well to other persons and entities working for the contracting authority or cooperating with it, including contractors or subcontractors and their staff, provided that they are bound by an obligation of confidentiality.
- After the signature of the award decision, tenderers whose tenders were received in accordance with the submission modalities, who are not subject to restrictive measures, have access to procurement, who are not found to be in an exclusion situation referred to in Article 136(1) of the FR, who are not rejected under Article 141 of the FR, whose tenders are not found to be incompliant with the procurement documents, and who make a request in writing, will be notified of the name of the tenderer to whom the contract is awarded , the characteristics and relative advantages of the successful tender and its total financial tender amount. The contracting authority may decide to withhold certain information that it assesses as being confidential, in particular where its release would prejudice the legitimate commercial interests of economic operators or might distort fair competition between them. Such information may include, without being limited to, confidential aspects of tenders such as unit prices included in the financial tender, technical or trade secrets²¹.
- The contracting authority may disclose the submitted tender in the context of a request for public access to documents, or in other cases where the applicable law requires its disclosure. Unless there is an overriding public interest in disclosure²², the contracting authority may refuse to provide full access to the submitted tender, redacting the parts (if any) that contain confidential information, the disclosure of which would undermine the protection of commercial interests of the tenderer, including intellectual property.

☝ The contracting authority will disregard general statements that the whole tender or substantial parts of it contain confidential information. Tenderers need to mark clearly the information they consider confidential and explain why it may not be disclosed. The contracting authority reserves the right to make its own assessment of the confidential nature of any information contained in the tender.

²¹ For the definition of trade secrets please see Article 2 (1) of [Directive \(EU\) 2016/943 on the protection of undisclosed know-how and business information \(trade secrets\) against their unlawful acquisition, use and disclosure](#).

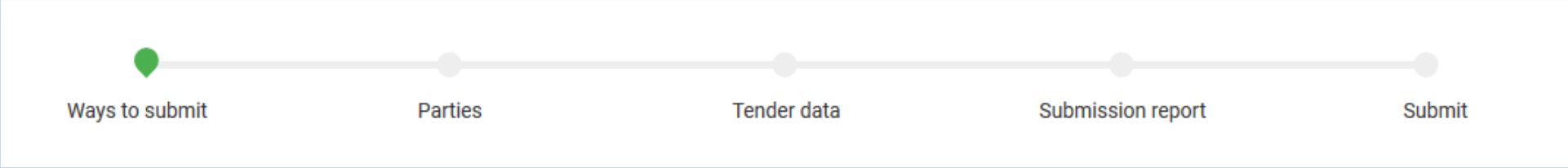
²² See Article 4 (2) of the [Regulation \(EC\) No 1049/2001 regarding public access to European Parliament, Council and Commission documents](#).

APPENDIX: LIST OF REFERENCES

<i>Award criteria</i>	See Section 3.4
<i>Contracting authority</i>	See Section 1.1
<i>Entities on whose capacities the tenderer relies to fulfil the selection criteria</i>	See Section 2.4.3
<i>EU Validation services</i>	See Section 2.3 EU Grants and Tenders Rules on Legal Entity Validation, LEAR appointment and Financial Capacity assessment
<i>Exclusion criteria</i>	See Section 3.1
<i>Financial Regulation</i>	Regulation (EU, Euratom) 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 Union
<i>Group leader</i>	See Section 2.4.1
<i>Group member</i>	See Section 2.4.1
<i>Identified subcontractors</i>	See Section 2.4.2
<i>Involved entities</i>	See Section 2.4
<i>Joint tender</i>	See Section 2.4.1
<i>Participating entities</i>	See Section 1.1
<i>Participant Register</i>	See Section 2.3 https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/how-to-participate/participant-register
<i>Selection criteria</i>	See Section 3.2
<i>Sole tenderer</i>	See Section 2.4
<i>Subcontracting/subcontractor</i>	See Section 2.4.2
<i>Treaties</i>	The EU Treaties: https://europa.eu/european-union/law/treaties_en

ANNEXES

Annex 1. List of documents to be submitted with the tender or during the procedure

Description	Sole tenderer	Joint tender		Identified Subcontractor	Entity on whose capacity is being relied (that is not subcontractor)	When and where to submit the document?	Instructions for uploading in eSubmission (if applicable)	
		Group leader	Group member				How to name the file?	Where to upload?
<p>1. Identification and information about the tenderer.</p> <p><i>eSubmission view</i></p> 								
<p>Declaration on Honour on Exclusion and Selection Criteria (see Section 3.1)</p> <p><i>model in Annex 2</i></p>	☒	☒	☒	☒	☒	With the tender in eSubmission	'Declaration on Honour'	<p>With the concerned entity under 'Parties'</p> <p>→ 'Identification of the participant'</p> <p>→ 'Attachments' → 'Declaration on Honour'.</p> <p>For entities that are not subcontractors and on whose capacity the tenderer relies to fulfil the selection criteria, the document must be uploaded in the section of the sole tenderer or group leader:</p>

								→'Identification of the participant' →'Attachments'→'Other documents'.
Evidence that the person signing the documents is an authorised representative of the entity ²³ (see Section 4.3)	☒	☒	☒			With the tender in eSubmission	'Authorisation to sign documents'	With the concerned entity under 'Parties' →'Identification of the participant' →'Attachments'→'Other documents'.
Agreement/Power of attorney (see Section 2.4.1) <i>model in Annex 3</i>		☒	☒			With the tender in eSubmission	'Agreement_ Power of attorney'	In the group leader's section under 'Parties' →'Identification of the participant' →'Attachments'→'Other documents'.
List of identified subcontractors (see Section 2.4.2) <i>model in Annex 4</i>	☒	☒				With the tender in eSubmission	'List of identified subcontractors'	In the sole tenderer's or the group leader's section under 'Parties' →'Identification of the participant' →'Attachments'→'Other documents'.
Commitment letter (see Section 2.4.2 and 2.4.3)				☒ <i>(model in</i>	☒ <i>(model in Annex</i>	With the tender in eSubmission	'Commitment letter'	With the concerned entity under 'Parties' →'Identification of the participant'

²³ A document that the contracting authority can access on a national database free of charge does not need to be submitted if the contracting authority is provided with the exact internet link and, if applicable, the necessary identification data to retrieve the document.

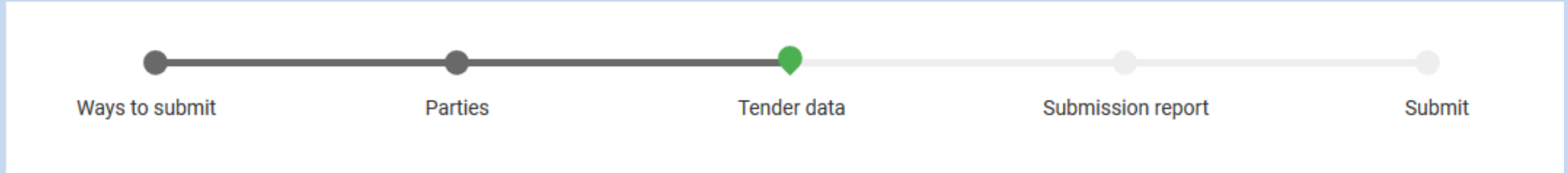
				<i>Annex 5.1)</i>	5.2)			→'Attachments'→'Other documents'.
Evidence of non-exclusion (see Section 3.1)	☒	☒	☒	☒	☒	Tenderers (sole tenderers/all group members in case of a joint tender) must provide the evidence when requested by the contracting authority and, in any event, if a tenderer is successful, before the award of the contract. Subcontractors and entities on whose capacity a tenderer relies to fulfil the selection criteria must provide the evidence only upon request by the contracting authority.	n.a.	<p><i>(when option 1 is used)</i></p> <p>With the concerned entity under 'Parties'</p> <p>→'Identification of the participant'</p> <p>→'Attachments'→'Exclusion criteria'.</p> <p><i>(when option 2 is used)</i></p> <p>n.a.</p>
Evidence of legal existence and status (see Section 2.3)	☒	☒	☒			<p>Only upon request by <i>the EU Validation services</i></p> <p>At any time during the procedure</p> <p>In the Participant Register</p>	n.a.	n.a.
Evidence of legal capacity (see Section 3.2.1)						<p>Only upon request by the contracting authority</p> <p>At any time during the procedure</p>	n.a.	<p><i>(when option 1 is used)</i></p> <p>n.a.</p>

								<p><i>(when option 2 is used)</i></p> <p>With the concerned entity under 'Parties'</p> <p>→'Identification of the participant'</p> <p>→'Attachments'→'Legal and regulatory capacity'.</p>
<p>Evidence of economic and financial capacity F1 (see Section 3.2.2)</p>	<p>The documents must be provided</p> <p>only by the involved entities</p> <p>which contribute to reaching the minimum capacity level</p> <p>for criterion F1</p>				<p>Only upon request by the contracting authority [<i>the EU Validation services</i>]</p> <p>At any time during the procedure</p> <p>on</p>	<p>n.a.</p> <p>(</p> <p>n.a.</p>	<p><i>(when option 1 is used)</i></p> <p>n.a.</p> <p><i>(when option 2 is used)</i></p> <p>With the group leader or the sole tenderer under 'Parties'</p> <p>→'Identification of the participant'</p> <p>→'Attachments'→'Economic and financial capacity'.</p>	
<p>Evidence of technical and professional capacity (see Section 3.2.3)</p>	<p>The documents must be provided</p> <p>only by the involved entities</p> <p>who contribute to reaching the minimum capacity level</p> <p>for criteria T1-T3 and P1-P5</p>				<p>With the tender</p> <p>in eSubmission</p>	<p>'Project_reference_No.1"</p> <p>'Project_reference_No.2"</p> <p>....</p>	<p><i>(when option 1 is used)</i></p> <p>n.a.</p> <p><i>(when option 2 is used)</i></p> <p>With the group leader or the sole tenderer under 'Parties'</p> <p>→'Identification of the</p>	

participant'
 →'Attachments'→'Technical
 and professional capacity'.

2. Tender data.

eSubmission view



Failure to upload the following documents in eSubmission will lead to rejection of the tender.

Technical tender (see Section 4.2)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				With the tender in eSubmission	'Technical tender'	Under section 'Tender Data' →'Technical tender'
Financial tender (see Section 4.2) <i>model in Annex 6</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				With the tender in eSubmission	'Financial tender'	Under 'Tender Data' →'Financial tender'

Annex 2. Declaration on Honour on exclusion and selection criteria

Annex 2 is published as a separate document.

Annex 3. Agreement/Power of attorney

Call for tenders GROW/2022/OP/0042

“Creation of a code of conduct for online ratings and reviews for tourism accommodation”

AGREEMENT/POWER OF ATTORNEY

The undersigned:

[- Signatory 1 (Name, Function, Legal entity name, Registered address, VAT Number)]

- Signatory 2 (Name, Function, Legal entity name, Registered address, VAT Number)

- ...

- Signatory N (Name, Function, Legal entity name, Registered address, VAT Number)]

having the legal capacity required to act on behalf of the entities they represent,

HEREBY AGREE TO THE FOLLOWING:

- 1) To submit a joint tender (the tender) as members of a group of tenderers (the group), constituted by ***[Insert names of Legal entity 1, Legal entity 2, ... Legal entity N – the name of the group leader must be included here!]*** (the group members), and led by ***[Insert name of Legal entity 1]*** (the group leader), in accordance with the conditions of the procurement documents and the terms of the tender to which this Agreement/Power of attorney is attached.
- 2) If the contracting authority awards a contract resulting from this call for tenders (the contract) to the group on the basis of the tender to which this Agreement/Power of attorney is attached, all group members (including the group leader) shall be considered parties to the contract in accordance with the following conditions:
 - (a) All group members (including the group leader) shall be jointly and severally liable towards the contracting authority for the performance of the contract.
 - (b) All group members (including the group leader) shall comply with the terms and conditions of the contract and ensure the proper delivery of their respective share of the services and/or supplies subject to the contract.
- 3) Payments by the contracting authority related to the services and/or supplies subject to the contract shall be made through the bank account of the group leader indicated in the contract.
- 4) The group members grant to the group leader all the necessary powers to act on their behalf in the submission of the tender and the conclusion of the contract, including:
 - (a) The group leader shall submit the tender on its own behalf and on behalf of the other

group members and indicate in the "Contact Person" section in eSubmission the name and e-mail address of an individual as a single point of contact authorised to communicate officially with the contracting authority in connection with the submitted tender on behalf of all group members, including in connection with all relevant questions, clarification requests, notifications, etc., that may be received during the evaluation, award and until the contract signature.

- (b) The group leader shall sign any contractual documents — including the contract, [specific contracts] and amendments thereto — and shall warrant the submission of any invoices related to the performance of the contract on behalf of all group members.
- (c) The group leader shall act as a single contact point with the contracting authority in the delivery of the services and/or supplies subject to the contract. It shall coordinate the delivery of the services and/or supplies by the group to the contracting authority, and shall see to a proper administration of the contract.

This Agreement/Power of attorney may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same document.

Any modification to the present Agreement/Power of attorney shall be subject to the contracting authority's express approval. This Agreement/Power of attorney shall expire when all the contractual obligations of the group have ceased to exist. The parties cannot terminate it before that date without the contracting authority's consent.

Name
Function
Name of the legal entity

Name
Function
Name of the legal entity

signature[s]: _____

signature[s]: _____

Done at, on

Done at, on

Name
Function
Name of the legal entity

Name
Function
Name of the legal entity

signature[s]: _____

signature[s]: _____

Done at, on

Done at, on

Annex 4. List of identified subcontractors and proportion of subcontracting

Identification details	Roles/tasks during contract execution	Proportion of subcontracting (% of contract volume)
<i>[Full official name of the identified subcontractor, registered address, statutory registration number, VAT registration number]</i>		
<i>[Full official name of the identified subcontractor, registered address, statutory registration number, VAT registration number]</i>		
<i>[REPEAT AS MANY TIMES AS THE NUMBER OF IDENTIFIED SUBCONTRACTORS]</i>		
Other subcontractors that do not need to be identified under Section 2.4.2²⁴		
	TOTAL % of subcontracting	0,00%

²⁴ For this category of subcontractors, please provide in a general manner their intended roles/tasks during contract execution, as well as the aggregated % of contract volume for all non-identified subcontractors.

Annex 5.1. Commitment letter by an identified subcontractor

[Letterhead, if any]

EUROPEAN COMMISSION

Call for tenders Ref. GROW/2022/OP/0042

Attn:

[Insert date]

Commitment letter by identified subcontractor

I, the undersigned,

Name:

Function:

Legal entity:

Registered address:

VAT Number:

having the legal capacity required to act on behalf of **[insert name of the entity]**, hereby confirm that the latter agrees to participate as subcontractor in the tender of **[insert name of the tenderer]** for the call for tenders GROW/2022/OP/0042 – Creation of a code of conduct for online ratings and reviews for tourism accommodation..

In the event that the tender of the aforementioned tenderer is successful, **[insert name of the subcontractor]** commits itself to make available the resources necessary for performance of the contract as a subcontractor and to carry out the services that will be subcontracted to it in compliance with the terms of the contract. It further declares that it is not subject to conflicting interests, which may negatively affect the contract performance, and that it accepts the terms of the procurement documents for the above call for tenders, in particular the contractual provisions related to checks and audits.

Done at:

Name:

Position:

Signature:

Annex 5.2. Commitment letter by an entity on whose capacities is being relied

[Letterhead, if any]

EUROPEAN COMMISSION

Call for tenders Ref. GROW/2022/OP/0042

Attn:

[Insert date]

Commitment letter by an entity on whose capacity is being relied

I, the undersigned,

Name:

Function:

Legal entity:

Registered address:

VAT Number:

having the legal capacity required to act on behalf of *[insert name of the entity]*, hereby confirm that the latter **authorises the *[insert name of the tenderer]* to rely on its [financial and economic capacity] [technical and professional capacity] in order to meet the minimum levels** required for the call for tenders GROW/2022/OP/0042 – Creation of a code of conduct for online ratings and reviews for tourism accommodation. **In the event that the tender of the aforementioned tenderer is successful, *[insert name of the entity]* commits itself to make available the resources necessary for performance of the contract. It further declares that it is not subject to conflicting interests which may negatively affect the contract performance, and that it accepts the terms of the procurement documents for the above call for tenders, in particular the contractual provisions related to checks and audits.**

Done at:

Name:

Position:

Signature:

Annex 6. Financial tender form

Annex 6 is published as a separate document.