



EUROPEAN COMMISSION  
EUROSTAT  
Directorate C – Macro-economic statistics  
**The Director**

ORIGINAL EN

**European Commission**  
**Call for tenders ESTAT/2023/OP/0031**

**Statistical services in relation to real estate price statistics:**  
**Methodological Manual on Housing Price Statistics**

**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, EUROSTAT, referred to as the *contracting authority* for the purposes of this call for tenders,

Eurostat is a Directorate-General of the European Commission (“Commission”). Its mission is to provide the European Union with a high-quality statistical information service.

Together with the national statistical offices, Eurostat is responsible for the European statistical system: see Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics (OJ L 87/164, 31.3.2009). Eurostat implements standards, methods and classifications for the production of comparable, reliable and relevant data. Users of Eurostat’s output include the Commission and other institutions of the European Union, national governments of the Member States, international organisations, businesses, universities and a wide range of other users. Eurostat also supports non-member countries, including the candidate countries, in adapting their statistical systems.

More information can be found on the Eurostat's website: <https://ec.europa.eu/eurostat>

Eurostat carries out some of its activities by awarding contracts for the provision of services relating to the various fields of the European statistical programme.

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

The subject of this call for tenders is **Statistical services in relation to real estate price statistics: Methodological Manual on Housing Price Statistics.**

### 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

The House Price Index (HPI) is one of the Principal European Economic Indicators (PEEIs), which is used for the monitoring of the euro area and for the analysis of residential property markets in the European Union (EU) <sup>(1)</sup>. The Owner-Occupied Housing Price Index (OOHPI) has been developed with the aim of further improving the relevance and comparability of the Harmonised Index of Consumer Prices (HICP).

These two official price statistics are anchored on a solid legal basis, namely on Regulation 2016/792, which provides the basic framework for their production and dissemination, and the

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(1) For more on PEEIs see Eurostat’s section on these indicators at <https://ec.europa.eu/eurostat/web/euro-indicators>

new Regulation 2023/1470 of 17 July 2023, which lays down their main technical requirements <sup>(2)</sup>.

In addition to the legal framework, the production and dissemination of the HPI and the OOHPI statistics have been supported by a *Technical manual on owner-occupied housing and house price indices* <sup>(3)</sup>, which is available through Eurostat's website at the following address:

<https://ec.europa.eu/eurostat/documents/7590317/0/Technical-Manual-OOH-HPI-2017/>

The first version of the *Technical Manual* is from 2003, when the European Statistical System (ESS) was taking its first steps towards the development of the HPI and OOHPI. The *Technical Manual* was subsequently reviewed several times until 2017 with the objective of supporting the development of the HPIs and the OOHPIs at national and European levels.

While it can be said that the *Technical Manual* has served its objective (HPIs and OOHPIs are now produced on a regular basis), it is important to note that there is a need to provide compilers and users with a new manual that could, on the one hand, take into account the new legal requirements mentioned above and, on the other, extension of housing price statistics collected and published by Eurostat. The latter include house sales statistics, which have not been covered in the *Technical Manual* <sup>(4)</sup>.

The new manual should focus on all housing price statistics produced by Eurostat and provide practical information to users and compilers on how to find, use and compile these statistics.

In addition to the above-mentioned *Technical Manual*, the following documents and information may provide useful input for the new manual:

- 2013 '*Handbook on Residential Property prices*':  
<https://ec.europa.eu/eurostat/documents/3859598/5925925/KS-RA-12-022-EN.PDF>;
- 2017 document with an outline of methodological aspects of house sales statistics:  
<https://circabc.europa.eu/ui/group/7b031f10-ac19-4da3-a36f-58708a70133d/library/390bb798-8328-4c1d-a669-6082137ee4e7/details?download=true>;
- 2018 '*Report on the suitability of owner-occupied housing for integration in the HICP*':  
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0768>;
- 2020 '*Residential property price index practical compilation guide*' (IMF, 2020):  
<https://www.imf.org/en/Data/Statistics/RPPI-guide>;
- HPI metadata: [https://ec.europa.eu/eurostat/cache/metadata/en/prc\\_hpi\\_inx\\_esms.htm](https://ec.europa.eu/eurostat/cache/metadata/en/prc_hpi_inx_esms.htm);
- OOHPI metadata: [https://ec.europa.eu/eurostat/cache/metadata/en/prc\\_hpi\\_oo\\_esms.htm](https://ec.europa.eu/eurostat/cache/metadata/en/prc_hpi_oo_esms.htm);  
and
- 2023 report on Owner-occupied housing and the harmonised index of consumer prices:  
<https://ec.europa.eu/eurostat/documents/3888793/16999608/KS-TC-23-001-EN-N.pdf/40b68612-94fd-5b81-4a95-ddaae816d276?version=2.0&t=1688462214715>.

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<sup>(2)</sup> See <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016R0792&qid=1668591734191> and [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L\\_.2023.181.01.0001.01.ENG&toc=OJ%3AL%3A2023%3A181%3ATOC](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2023.181.01.0001.01.ENG&toc=OJ%3AL%3A2023%3A181%3ATOC), respectively.

<sup>(3)</sup> Hereafter referred to as '*Technical Manual*'.

<sup>(4)</sup> For an overview of the housing price statistics covered by Eurostat see <https://ec.europa.eu/eurostat/web/housing-price-statistics>

The final output of the services to be provided for this call is a *draft of the Methodological Manual on Housing Price Statistics*, which should be used to replace the current *Technical Manual*. The final version of the *Methodological Manual on Housing Statistics* would need to be endorsed by the Real Estate Price Statistics Working Group. This final approval step does not fall into the scope of the current project, which deals with the provision of a draft that would be used for the replacement of the current *Technical Manual*.

However, the development of the *draft of the Methodological Manual on Housing Price Statistics* will require consultation with Member States' National Statistical Institutes and key data users such as the European Central Bank (ECB), national central banks, and the Commission's Directorate-General for Economic and Financial Affairs (DG ECFIN). The Real Estate Price Statistics Workshop and the Real Estate Price Statistics Working Group meetings will be used for this consultation process (for more information on this point, see Task 3 under Section 1.4.2.3).

#### 1.4.2. Detailed characteristics of the purchase

##### 1.4.2.1. Services to be purchased

The services to be purchased for the entire contract period is **estimated** to cover **15 person / month**.

The estimated total value is **EUR 160 000** for the entire duration of the contract (see article I.3 of the contract).

##### 1.4.2.2. Glossary

Not applicable.

##### 1.4.2.3. Tasks and expected results

###### Task 1: Detailed manual outline

On the basis of the current *Technical Manual* and the minimum requirements defined in this call, the contractor shall propose a detailed outline of the *draft of the Methodological Manual on Housing Price Statistics*.

The detailed manual outline shall be built on the chapter structure described in Task 2 and would consist of a document proposing subchapters, with a description on what they are going to focus. For readability purposes, a maximum of three levels of chapters and subchapters shall be used in the detailed outline and in the *draft of the Methodological Manual on Housing Price Statistics* <sup>(5)</sup>.

The proposed detailed manual outline shall make clear which materials (including those of the *Technical Manual*) are to be used as a basis of the chapters and subchapters of the *draft of the Methodological Manual on Housing Price Statistics*.

The contractor shall deliver a first draft of the detailed manual outline to Eurostat three weeks before the first progress meeting. Within two weeks, Eurostat will provide its comments. Eurostat's comments have to be reflected in the final version of the deliverable.

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<sup>(5)</sup> An example of this, which is given for illustrative purposes only, is the following structure: 1. House price index; 1.1. Data sources; 1.1.1. Administrative data.

Minor changes in the detailed manual outline (e.g., a reorganisation or a rewording of the titles of the subchapters) would be possible on an exceptional basis and only if justifiable from a technical point of view and based on the feedback given in the consultation described below (see Task 3).

*The expected results of this task are:*

- Deliverable D1: Detailed manual outline.

**Task 2:** Drafting of the individual chapters of the *Methodological Manual on Housing Price Statistics*

The contractor shall develop and provide drafts for a total of seven chapters of the *Methodological Manual on Housing Price Statistics*. In addition, the contractor shall also provide a draft of the supporting sections of this manual (e.g., glossary).

The seven chapters to be drafted are the following:

- Uses of housing price statistics (5%);
- Legal and conceptual framework (10%);
- House Price Index (35%);
- Owner-Occupied Housing Price Index (20%);
- House sales statistics (15%);
- Consistency and additional indicators (10%);
- Dissemination of housing price statistics (5%).

The percentages shown in brackets provide an indication of the expected relative importance of each chapter in terms of the total number of pages of all chapters. Eurostat reserves the right to not accept draft chapters that significantly deviate from the percentages shown above.

As mentioned above, in addition to the chapters, the contractor should provide a supporting section, consisting of, but not necessarily limited to, a glossary of main terms, bibliography and annexes with best practices.

The work to be carried out under this task includes a total of eight deliverables, which are to be developed in the following order:

- chapters on *House Price Index (D2.1.3)* and *House sales statistics (D2.1.5)*;
- chapters on *Owner-Occupied Housing Price Index (D2.1.4)* and *Legal and conceptual framework (D2.1.2)*;
- chapters on *Consistency and additional indicators (D2.1.6)*, *Uses of housing price statistics (D2.1.1)*, and *Dissemination of housing price statistics (D2.1.7)*;
- Draft of the *Supporting sections (D2.1.8)*.

The seven chapters of the new manual should not have less than 80 pages and not more than 120 pages <sup>(6)</sup>. The maximum number of pages for the supporting sections is 20.

The chapter *Consistency and additional indicators* should explore how the HPI, the OOHPI and the house sales indicators interrelate to one another and to other indicators covering the residential market. Examples of additional indicators are the HICP subindex covering rents, the deflated HPI and land price indices.

The supporting sections of the manual should include best practices in the compilation of the HPI, the OOHPI and house sales statistics. Best compilation practices would be found together with Eurostat in progress meetings (see section 1.4.2.4 below) and prior to first drafts of deliverables D2.1.3 (HPI), D2.1.4 (OOHPI) and D2.1.5 (house sales).

The glossary of main terms should take into account the definitions included in the framework Regulation 2016/792 and implementing Regulation 2023/1470 on the HPI and the OOHPI.

The contractor shall provide a draft of the deliverables three weeks before the following progress meeting. Within two weeks, Eurostat will provide its comments. Eurostat's comments have to be reflected in the final version of the deliverables.

Moreover, the contractor should take into account that, even if a deliverable is considered 'final', it may need to be updated later, depending on the feedback received in workshops and working groups (see Task 3) or as the result of the work done in other deliverables or when looking at the manual as a whole (see Task 4).

*The expected results of this task are:*

- Deliverables D2.1.1. to D2.1.7.: Individual draft chapters of the *draft of the Methodological Manual on Housing Price Statistics*;
- Deliverable D2.1.8.: Supporting sections of the *Methodological Manual on Housing Price Statistics*.

### Task 3: Discussion in Real Estate Price Statistics Workshops and Working Groups

The contractor should participate in two virtual workshops organised by Eurostat in June of 2024 and 2025, where all expert stakeholders from the National Statistical Institutes, the ECB and national central banks will be given the opportunity to discuss and provide feedback on achieved progress.

For the first workshop, the contractor should, as a minimum, provide deliverable D1 and give a PowerPoint (or equivalent) presentation on the detailed outline. For the second workshop, the contractor shall present all available draft chapters and provide PowerPoint (or equivalent) presentations on them.

In these two workshops, the contractor will collect comments from delegates and answer any questions raised during the meeting. The feedback received in these meetings should be discussed in the following progress meeting and, whenever relevant, lead to updates of the manual chapters.

In addition to these online workshops, the contractor should give presentations in two meetings of the Real Estate Price Statistics Working Group, which will be held in Luxembourg in September of 2024 and 2025. No more than one day will be needed to participate in the discussion of the *draft of the Methodological Manual on Housing Price Statistics*.

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<sup>(6)</sup> The approximate number of pages of all chapters of the *Technical Manual* is 100.

The contractor will collect comments and feedback from delegates and answer any questions raised during working group meetings. The feedback received in these meetings should be discussed in the following progress meeting and, whenever relevant, lead to updates of manual chapters.

For all these meetings, the contractor should provide available draft chapters as well as a presentation *four weeks* in advance of the meeting. Eurostat will comment within *one week* and the contractor will send a revised version within two working days to be made available to workshop and working group participants.

*The expected results of this task are:*

- Deliverables D3.1 to D3.4: Presentations for the workshop and working group meetings.

#### Task 4: Draft of the *Methodological Manual on Housing Price Statistics*

In addition to the drafting of the chapters and supporting sections of the manual (Task 2), the contractor shall ensure their integration into a single, harmonised version (i.e., the *draft of the Methodological Manual on Housing Price Statistics*), to be provided at the end of the contract.

The contractor shall ensure that this version is proofread (by a person having a professional native speaker capacity or level C1 according to the Common European Framework of Reference for Languages) and that it follows the layout of the manual following the interinstitutional style guide.

The contractor shall give a draft version of Deliverable D4 *four weeks* before the contract end date. Within *two weeks*, Eurostat will provide its comments and suggestions, which the contractor must take into account until acceptance.

The contractor shall transmit the final version of the manual to Eurostat in Word format or equivalent. The text of the publications should be in English. The contractor is responsible for the language quality of the manuscript and is also responsible that the text is written in a clear way.

*The expected result of this task is:*

- Deliverable D4: draft version of the *draft of the Methodological Manual on Housing Price Statistics*.

#### 1.4.2.4. Meetings and missions

In addition to the meetings mentioned under Task 3, the following meetings and missions have to be provided for.

A kick-off meeting will be organized in Luxembourg, in the Commission's premises soon after the signature of the contract.

Around 11 progress meetings will be held as remote online meetings, carried out once every two months and with a maximum duration of half a day, where the contractor will report progress and Eurostat will provide feedback, as required.

A closing meeting will be organized in Luxembourg in the Commission's premises at the end of the contract.

For these meetings the contractor will prepare progress reports to be sent to the contracting authority at least three days prior to the meetings.



The contractor shall send one week before the kick-off, closing and progress meetings a proposed agenda for the meeting. The minutes of each meeting will be prepared by the contractor and sent to the contracting authority no later than 5 working days after the meeting for approval.

The agenda for the kick-off meeting will include a discussion on the development of the Detailed manual outline, which is to be provided after this meeting (see Task 1).

The agenda for the progress meetings will focus on the chapters (and other relevant materials) of the draft of the Methodological Manual on Housing Price Statistics.

As a rule, the contractor shall send draft chapters (and other relevant materials) to Eurostat for review and/or clarifications at least three weeks before the corresponding progress meeting. Within two weeks, Eurostat will provide comments, which would have to be taken into consideration in the final version of the deliverables.

The closing meeting should focus on the expected final result of this contract, the draft of the Methodological Manual on Housing Price Statistics.

Travel expenses for such meetings should be included in the financial offer of the tender.

#### 1.4.2.5. Minimum requirements

The minimum requirements are as follows:

- Maximal duration of the execution of the tasks cannot exceed 24 months;
- Deliverable D1 should contain a maximum of three levels of chapters and subchapters;
- Deliverable D2.1.8 should include, as a minimum, a glossary, bibliography and a section with best practices on the compilation of the HPI, the OOHPI and house sales;
- The maximal number of pages for deliverable D2.1.8 is 20;
- The minimum number of pages for deliverable D4 is 100;
- The maximal number of pages for deliverable D4 is 140.

#### 1.4.2.6. Technical implementation reports

The work carried out by the contractor under the contract will be the subject of the following technical implementation reports, which must be sent to the *contracting authority* by the contractor in electronic format.

- Eight months after the starting date of the execution of the tasks referred to in Article I.3 of the contract, the contractor shall provide, after completion of the tasks referred to in 1.4.2.3 of this tender specification and as soon as possible after this date, an interim technical implementation report relating to the execution of the contract describing the results obtained and the means which were implemented for the execution of the contract.
- Sixteen months after the starting date of the execution of the tasks referred to in Article I.3 of the contract, the contractor shall provide, after completion of the tasks referred to in 1.4.2.3 of this tender specification and as soon as possible after this date, an interim technical implementation report relating to the execution of the contract describing the results obtained and the means which were implemented for the execution of the contract.
- Twenty-four months after the starting date of the execution of the tasks referred to in Article I.3 of the contract, the contractor shall provide, as soon as possible and within sixty days of completion of the tasks referred to in 1.4.2.3 of this tender specification, a final technical

implementation report relating to the execution of the contract describing the results obtained and the means which were implemented for the execution of the contract.

These technical implementation reports shall accompany the corresponding invoice.

#### 1.4.2.7. Assessment of results

Evaluation of the results will be based on the following criteria:

- The respect of deadlines;
- Conformity of deliverables with respect to the agreed terms;
- The quality, usefulness and level of detail of the deliverables;
- The linguistic quality of the deliverables;
- The clarity of presentation of the deliverables and reports.

#### 1.4.2.8. Specific conditions

- Resources made available by the *contracting authority*

None.

- Specific conditions for the execution of the contract

The working language will be English.

Deliverables and reports will be written in English.

- EMAS Environmental Policy

The Commission applies the EMAS environmental management system ('the EMAS system') provided for by Regulation (EC) No 1221/2009 of the European Parliament and the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC (OJ L 342 of 22.12.2009, p. 1).

During the execution of the contract, the successful tenderer, group member(s) and/or any subcontractor(s), if relevant, may be requested by the Contracting Authority to implement the EMAS scheme, inter alia by providing information relating to the contract field required for the drafting and updating of the documents provided for by Regulation No 1221/2009 and the periodic evaluation of the system.

- Confidential data

In accordance with Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics (OJ L 87, 31.3.2009, p.164) it is forbidden to use confidential statistical data for purposes other than the tasks expressly set out in the contract for the provision of services and is forbidden to process, disseminate or otherwise make available or use these data in any way whatsoever. These obligations remain in force after the termination of the contract.

Corresponding declaration has to be signed by the contractor (see Annex IV of the contract). Each team member (including employees from contractor, members of consortium and subcontractor) working on the project will be required to sign this Annex IV. This agreement

should be provided when the contract signed by the contractor is returned to the *contracting authority*.

The successful tenderer should implement and present in its tender the appropriate management procedures and security controls to avoid any breach of information.

Access to confidential statistical information will only be possible within the premises of Eurostat <sup>(7)</sup>.

#### 1.4.2.9. Timetable

The overall indicative timetable is the following:

Task	M 1	M 2	M 3	M 4	M 5	M 6	M 7	M 8	M 9	M 10	M 11	M 12	M 13	M 14	M 15	M 16	M 17	M 18	M 19	M 20	M 21	M 22	M 23	M 24
Task 1	x	x	x D1																					
Task 2			x	x	x	X D2.1.3	x	X D2.1.5	x	x	x	x D2.1.4	x	x	x	x	x	x	x D2.1.6	x D2.1.1	x	x D2.1.7	x	x D2.1.8
Task 3						D3.1			D3.2									D3.3			D3.4			
Task 4																					x	x	x D4	x
Meetings	KO		PM1		PM2		PM3		PM4		PM5		PM6		PM7		PM8		PM9		PM10		PM11	CM

#### Legend:

- M – month of project lifetime
- x – task's lifetime
- D – deliverables (expected results, see sections 1.4.2.3 above and 1.4.3 below)

<sup>(7)</sup> Following instructions from LISO

## 1.4.3. Deliverables

Deliverable	Scheduled/ requested deadline	Submission
Task 1 – Roadmap and detailed manual outline		
Deliverable D1: Detailed manual outline	M3	e-mail
Task 2 – Drafting of the individual sections of the <i>Methodological Manual on Housing Price Statistics</i>		
Deliverable D2.1.3: House price index	M6	e-mail
Deliverable D2.1.5: House sales statistics	M8	e-mail
Deliverable D2.1.4: Owner-occupied housing index	M12	e-mail
Deliverable D2.1.2: Legal and conceptual framework	M15	e-mail
Deliverable D2.1.6: Consistency and additional indicators	M18	e-mail
Deliverable D2.1.1: Uses of housing price statistics	M19	e-mail
Deliverable D2.1.7: Dissemination of housing price statistics	M21	e-mail
Deliverable D2.1.8: Supporting sections	M23	e-mail
Task 3 – Discussion in Real Estate Price Statistics Workshops and Working Groups		
Deliverable D3.1: 1 <sup>st</sup> presentation to the workshop	M6	e-mail
Deliverable D3.2: 1 <sup>st</sup> presentation to the working group	M9	e-mail
Deliverable D3.3: 2 <sup>nd</sup> presentation to the workshop	M18	e-mail
Deliverable D3.4: 2 <sup>nd</sup> presentation to the working group	M21	e-mail
Task 4 – Draft version of the Methodological Manual on Housing Price Statistics		
Deliverable D4: Draft of the <i>Methodological Manual on Housing Price Statistics</i>	M23	e-mail
Submission of Deliverables D1, D2.1.3, D2.1.5 and D3.1 are linked to the 1st interim payment		
Submission of Deliverables D2.1.2, D2.1.4 and D3.2 are linked to the 2nd interim payment		
Submission of Deliverables D2.1.1, D2.1.6, D2.1.7, D2.1.8, D3.3, D3.4 and D4 are linked to the final payment		

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

The services will be performed at the 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 relationship to be established between the contracting authority and the successful tenderer. 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 \(Financial Regulation\) <sup>\(8\)</sup>](#) 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 tenderer (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 estimated total amount of all purchases under this call for tenders is indicated under Section II.1.5 of the contract notice. The volumes/values of the purchases over the total duration of the contract are specified in Section 1.4 of these specifications.

Within two years following the signature of the contract resulting from the current call for tenders, the contracting authority may use the negotiated procedure under point 11.1.e of Annex 1 to the Financial Regulation to procure new services from the contractor up to a maximum of 50% of the initial contract value. These services would consist in the repetition of similar services entrusted to the contractor and would be awarded under conditions stated in the tender specifications of negotiated procedure for its award.

## 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 **24 months**. The details of the initial contract duration and possible renewals are set out in the draft contract.

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<sup>(8)</sup> 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).

### 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;
- ✓ [Commission Decision \(EU, Euratom\) 2015/443](#) of 13 March 2015 on Security in the Commission, as well as all its subsequent versions;
- ✓ The documents available under the following link:  
[https://ec.europa.eu/info/files/security-standards-information-systems\\_en](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.

The contracting authority reserves the right to require any person involved in the provision of the services under a given project to attend security briefings or training given by the contracting authority, and/or to sign a security statement.

## 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) <sup>(9)</sup>, 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 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 Procurement <sup>(10)</sup> 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.

The rules on access to procurement do not apply to entities on whose capacity tenderers rely to fulfil the selection criteria nor to subcontractors. Subcontracting may not be used with the intent or effect to circumvent the rules on access to procurement.

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**.

### 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.

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<sup>(9)</sup> 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](#).

<sup>(10)</sup> [https://www.wto.org/english/tratop\\_E/gproc\\_e/gp\\_gpa\\_e.htm](https://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm).

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) <sup>(1)</sup>. 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.

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.

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.

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<sup>(1)</sup> Each economic operator participating in the joint tender is referred to as “group member”.



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) subcontractor <sup>(12)</sup>.

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 tenderer <sup>(13)</sup>.

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 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 cases:

- case of a merger or takeover of a group member (universal succession), provided that the following cumulative conditions are fulfilled:

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

<sup>(13)</sup> 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 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.
- case where a group member is subject to restrictive measures or does not have access to procurement (see Section 2.2) or is in an exclusion situation (see Section 3.1), provided the following cumulative conditions are fulfilled:
    - none of the remaining group members is subject to restrictive measures (see Section 2.2),
    - all the remaining group members have access to procurement (see Section 2.2),
    - the remaining group members meet 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 continuation of the participation of the remaining group members in the procurement procedure does not put the other tenderers in a competitive disadvantage,
    - the remaining group members undertake to implement the contract, in case of an award, without the excluded group member.

The replacement of the group member not having access to procurement or in a situation of exclusion is not allowed.

In order to allow the entities taking part in a joint tender to complete the formalities with the relevant authorities to ensure the tax exemption, where the group of economic operators has no legal personality, the contracting authority shall issue a VAT exemption certificate for each respective group member of the joint tender, if the transaction is taxable for VAT purposes as an intra-community purchase. Each certificate shall cover only the member's part of the service supplied and shall include a description of it and its value. The contracting authority issues an annex V to the contract for each member (including the leader). The annex V of the contract shall include a description of the service supplied by each member and its value. Annex V of the draft contract does not need to be provided with the tender but may be requested by the Contracting Authority at any time during the procedure.

#### 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 15%.

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 resources <sup>(14)</sup>.

☞ 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

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<sup>(14)</sup> 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.

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.

### 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 tenderer 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 tenderer <sup>(15)</sup> needs to submit with its tender a Declaration on Honour <sup>(16)</sup> in the model available in *Annex 2*. <sup>(17)</sup> The declaration must be signed by an 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.

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<sup>(15)</sup>See Annex 1 which of the involved entities participating in a tender need to provide the Declaration on Honour

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

<sup>(17)</sup> 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.

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 procedure <sup>(18)</sup>, 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 1* 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.

**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).

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<sup>(18)</sup> 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.

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 authority* <sup>(19)</sup>.

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 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 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.**

### 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) <sup>(20)</sup> 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.

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<sup>(19)</sup> 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.

<sup>(20)</sup> 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](#).



Criterion F1	
<b>Minimum level of capacity</b>	Average yearly turnover of the last two financial years above EUR 120,000.
<b>Basis for assessment</b>	This criterion applies to the tenderer as a whole, i.e. a consolidated assessment of the combined capacities of all <i>involved entities</i> will be carried out.
<b>Evidence</b>	Copy of the profit and loss accounts and balance sheets for the last two years for which accounts have been closed from each concerned <i>involved entity</i> , 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 *EU Validation Services* at any time during the procedure.

### 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.

All the minimum level of capacity have to be fulfilled at the deadline for the submission of the tender.

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Criteria relating to the tenderer:

Criterion T1	
The tenderer must prove experience in the field of <i>real estate price statistics</i> .	
<b>Minimum level of capacity</b>	At least one similar (in scope and complexity) projects completed in the last five years preceding the tender submission deadline.
<b>Basis for assessment</b>	This criterion applies to the tenderer as a whole, i.e. the consolidated assessment of combined capacities of all <i>involved entities</i> will be carried out.
<b>Evidence</b>	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.

Criteria relating to the team delivering the service:

Criterion T2
The team member must prove <i>academic experience</i> in the field of <i>residential real estate statistics</i> .

<b>Minimum level of capacity</b>	At least one team member must have minimum of five years of experience with academic research on residential real estate statistics in the last ten years.
<b>Basis for assessment</b>	This criterion applies to the tenderer as a whole, i.e. the consolidated assessment of combined capacities of all <i>involved entities</i> will be carried out.
<b>Evidence</b>	CVs of team members.

### Criterion T3

The tenderer must prove *knowledge of residential real estate markets*.

<b>Minimum level of capacity</b>	At least one team member must have minimum three years of experience related to residential real estate markets.
<b>Basis for assessment</b>	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all involved entities.
<b>Evidence</b>	CVs of team members.

### Criterion T4

The tenderer must prove language capabilities.

<b>Minimum level of capacity</b>	At least one member of the team should have good knowledge of the English language, especially in terms of writing or/and oral English, as guaranteed by a certificate (professional native speaker capacity or level B2 according to the Common European Framework of Reference for Languages <sup>(21)</sup> ) or past relevant experience. For proofreading (Task 4), at least one member of the team should have a professional native speaker capacity or an excellent knowledge of the English language, especially in terms of writing or/and oral English, as guaranteed by a certificate level C1 according to the Common European Framework of Reference for Languages <sup>(21)</sup> .
<b>Basis for assessment</b>	This criterion applies to the tenderer as a whole, i.e. the consolidated assessment of combined capacities of all <i>involved entities</i> will be carried out.
<b>Evidence</b>	CVs of team members.

☞ 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

<sup>(21)</sup> <https://europa.eu/europass/en/common-european-framework-reference>

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:

**1. Technical approach and methodology (Maximum number of points: 50 points – Minimum number of points: 25 points)**

*This criterion will help assess to which extent the practical implementation and methodology proposed for the project demonstrate efficiency and effectiveness and will be a key success factor for the project and its successful and timely completion.*

The technical approach and methodology will be assessed on:

- The extent to which any particularities that are mentioned in the specific project have been considered. **(Maximum number of points: 8 points)**
- The practical implementation proposed for the project, for all tasks and expected results to be carried out and how it demonstrates a thorough analysis of all the involved aspects/issues. **(Maximum number of points: 14 points)**
- Description of the work and the clarity of practical application on how to achieve the project's goals and outputs considering, if possible, examples to demonstrate its successful completion. **(Maximum number of points: 16 points)**
- Description of the methodology, which will be applied to the project. **(Maximum number of points: 12 points)**

**2. Work plan and timetable - overall planning (Maximum number of points: 20 points – Minimum number of points: 10 points)**

*This criterion will help assess the relevance and quality of the overall planning, of the proposed work plan and of the corresponding dedicated resource and how the project will meet the proposed deadline(s).*

The work plan and timetable will be assessed on:

- Detailed work plan and timetable to demonstrate that the project is achievable by the proposed deadline. **(Maximum number of points: 10 points)**
- Detailed implementation of the work plan to demonstrate successful achievement of the expected results, including rapid start-up, milestones and a realistic timeline taking into account the necessary time to involve expected participants and associated stakeholders and to submit reports on time. **(Maximum number of points: 10 points)**

**3. Management arrangements - Organization of the work and resources (Maximum number of points: 15 points – Minimum number of points: 7 points)**

*This criterion will help assess the organisation of work, covering both implementation of the contract and how the Contractor will provide support for the management and administration of the contract and contact(s) with Commission services.*

The management arrangements - Organization of the work and resources will be assessed on:

- Description of the proposed team (number / profiles) with their role and responsibilities and of the different economic operators (in case of joint tender, including subcontractor if applicable) distributed for each task and work package. Balance between profiles and breakdown of the tasks (which profile is going to do which task and how much time will be devoted to each task per profile). **(Maximum number of points: 3 points)**
- Description of how each of the proposed experts will be assigned to the various elements of the work. **(Maximum number of points: 4 points)**
- Level of details provided on the allocation of time and human resources to the project and each task or deliverables and the rationale behind the choice of the proposed allocation. **(Maximum number of points: 4 points)**
- Estimate of how much and what kind of the *contracting authority* involvement would be needed to ensure successful delivery and how cooperation with the Commission will be managed in practice. **(Maximum number of points: 2 points)**
- Business continuity measures in case staff assigned to the project leave. A description of the back-up system to cover absences of key profiles (project manager, senior expert). **(Maximum number of points: 2 points)**

**4. Quality arrangements – Quality control measure (Maximum number of points: 15 points – Minimum number of points: 7 points)**

*This criterion will help assess the overall quality control system of the tenderer and how this will fit the contracting authority requirements and help deliver the project in a quality and timely manner.*

The quality arrangements - Quality control measure will be assessed on:

- Applied method to plan, monitor and control the execution of activities. **(Maximum number of points: 4 points)**
- Detailed quality control system applied to the service(s) foreseen in the tender specification. **(Maximum number of points: 5 points)**
- Detailed quality control over the expected deliverables. **(Maximum number of points: 6 points)**

**The result of the technical evaluation is the sum of the number of points obtained as a result of the evaluation of each criterion.**

Tenders that do not reach the respective thresholds 50% for each individual criteria or do not reach 50% of the possible overall score for the technical evaluation (50 points minimum out of the overall total of 100 points) will be rejected and will not be ranked.

### 3.5. Award (ranking of tenders)

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

$$R = \left( \frac{P_{min}}{P} * 100 \right) * 0.30 + Q * 0.70$$

Where:

R	Price-quality ratio
Q	Total quality score (out of 100) of tender in question
Pmin	Cheapest price
P	Price of tender in question

Should the outcome of the formula lead to two or more tenders with the same result, the tenders with lower price will be ranked higher than the tenders with higher price.

☞ 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 Quick Guide available at the link below:

[https://wikis.ec.europa.eu/display/FTPportal/Open+procedures\\_EN](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.

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 QES <sup>(22)</sup> 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 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:

- (a) 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.
- (b) 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

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<sup>(22)</sup> See [here](#) how to apply a QES on a document exchanged with a European institution, body or agency.

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 secrets <sup>(23)</sup>.

- (c) 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 disclosure <sup>(24)</sup>, 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.

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<sup>(23)</sup> 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.

<sup>(24)</sup> See Article 4 (2) of the REGULATION (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents.



**5. APPENDIX: LIST OF REFERENCES**

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

**6. 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><b>(1) Identification and information about the tenderer</b>  <i>eSubmission view</i></p>								
Declaration on Honour on Exclusion and Selection Criteria (see Section 3.1) model in Annex 2. Declaration on Honour on exclusion and selection criteria	☒	☒	☒	☒	☒	With the tender in eSubmission	'Declaration on Honour'	With the concerned entity under 'Parties' → 'Identification of the participant' → 'Attachments' → 'Declaration on Honour'. 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: → 'Identification of the participant' → 'Attachments' → 'Other documents'.
Evidence that the person signing the documents is an authorised representative of the entity <sup>(25)</sup> (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'.

<sup>(25)</sup> 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.

Agreement/Power of attorney (see Section 2.4.1) <b>model in Annex 3. AGREEMENT / POWER OF ATTORNEY</b>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			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) model in Annex 4. List of <u>IDENTIFIED SUBCONTRACTORS</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				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 Sections 2.4.2 and 2.4.3)				<input checked="" type="checkbox"/> (model in Annex 5.1)	<input checked="" type="checkbox"/> (model in Annex 5.2)	With the tender in eSubmission	'Commitment letter'	With the concerned entity under 'Parties' → 'Identification of the participant' → 'Attachments' → 'Other documents'.
Evidence of non-exclusion (see Section 3.1)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	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.	n.a.
Evidence of legal existence and status (see Section 2.3)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			Only upon request by <i>the EU Validation services</i> At any time during the procedure in the Participant Register.	n.a.	n.a.

Evidence of economic and financial capacity F1  (see Section 3.2.2)	<b>The documents must be provided only by the involved entities which contribute to reaching the minimum capacity level for criterion F1</b>	Only upon request by <i>the EU Validation services</i> At any time during the procedure In the Participant Register	na	na
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Evidence of technical and professional capacity (see Section 3.2.3)	<b>The documents must be provided only by the <i>involved entities</i> who contribute to reaching the minimum capacity level for criterion T1, T2, T3 and T4</b>				With the tender in eSubmission	CV, list of projects (see the evidences requested in section 3.2.3)	With the Group leader or the sole tenderer under 'Parties' → 'Identification of the participant' → 'Attachments' → 'Technical and professional capacity'.	
<p>(2) Tender data <i>eSubmission view</i></p> <p><i>Failure to upload the following documents in eSubmission will lead to rejection of the tender.</i></p>								
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) (model in Annex 6)	<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**

**DECLARATION ON HONOUR  
ON EXCLUSION CRITERIA AND SELECTION CRITERIA**

**Procedure reference number:** ESTAT/2023/OP/0031

**Procedure title:** Statistical services in relation to real estate price statistics: Methodological Manual on Housing Price Statistics

*[Option 1 for legal persons]*

The undersigned *[insert name and surname of the signatory of this form]*, representing the following legal person:

Full official name:

Official legal form:

Statutory registration number:

Full official address:

VAT registration number:

Referred to below as **‘the person’**

*[Option 2 for natural persons]*

The undersigned *[insert name and surname of the signatory of this form]*, with ID or passport number *[insert number]*, representing himself or herself:

Referred to below as **‘the person’**

**A - Declaration on honour on exclusion criteria**

The person is not required to fill in this Part A of the declaration (Declaration on honour on exclusion criteria) if the same declaration has already been submitted for the purposes of another award procedure of the same contracting authority <sup>(26)</sup>, provided the situation has not changed, and that the time that has elapsed since the issuing date of the declaration does not exceed one year.

In this case, the signatory declares that the person has already provided the same declaration on exclusion criteria for a previous procedure and confirms that there has been no change in its situation:

<b>Date of the declaration</b>	<b>Full reference to previous procedure</b>

<sup>(26)</sup> DG EUROSTAT (ESTAT).

**I – Situations of exclusion concerning the person***(to be filled in by all involved entities <sup>(27)</sup>)*

(1) declares that the person is in one of the following situations:	YES	NO
a) it is bankrupt, subject to insolvency or winding-up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under Union or national law;	<input type="checkbox"/>	<input type="checkbox"/>
b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;	<input type="checkbox"/>	<input type="checkbox"/>
c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:		
(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the performance of a contract or an agreement;	<input type="checkbox"/>	<input type="checkbox"/>
(ii) entering into agreement with other persons or entities with the aim of distorting competition;	<input type="checkbox"/>	<input type="checkbox"/>
(iii) violating intellectual property rights;	<input type="checkbox"/>	<input type="checkbox"/>
(iv) attempting to influence the decision-making process of the contracting authority during the award procedure;	<input type="checkbox"/>	<input type="checkbox"/>
(v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;	<input type="checkbox"/>	<input type="checkbox"/>
d) it has been established by a final judgement that the person is guilty of any of the following:		
(i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;	<input type="checkbox"/>	<input type="checkbox"/>
(ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or active corruption within the meaning of Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in other	<input type="checkbox"/>	<input type="checkbox"/>

<sup>(27)</sup> An “involved entity” is each economic operator involved in the request to participate/tender. This includes the following four categories of economic operators:

- ✓ sole candidate/tenderer;
- ✓ group members (including group leader) in case of a joint request to participate/tender;
- ✓ identified subcontractors; and
- ✓ other entities (that are not subcontractors) on whose capacity the candidate/tenderer relies to fulfil the selection criteria.



applicable laws;		
(iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;	<input type="checkbox"/>	<input type="checkbox"/>
(iv) money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;	<input type="checkbox"/>	<input type="checkbox"/>
(v) terrorist offences or offences related to terrorist activities as well as of inciting, aiding, abetting or attempting to commit such offences as defined in Articles 3, 14 and Title III of Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism;	<input type="checkbox"/>	<input type="checkbox"/>
(vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;	<input type="checkbox"/>	<input type="checkbox"/>
e) it has shown significant deficiencies in complying with the main obligations in the performance of a contract or an agreement financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF) or the Court of Auditors;	<input type="checkbox"/>	<input type="checkbox"/>
f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;	<input type="checkbox"/>	<input type="checkbox"/>
g) it has been established by a final judgment or final administrative decision that the person has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business;	<input type="checkbox"/>	<input type="checkbox"/>
h) ( <i>only for legal persons</i> ) it has been established by a final judgment or final administrative decision that the person has been created with the intent referred to in point (g).	<input type="checkbox"/>	<input type="checkbox"/>
(2) declares that, for the situations referred to in points (1) (c) to (1) (h) above, in the absence of a final judgement or a final administrative decision, the person is <sup>(28)</sup> :	YES	NO
i. subject to facts established in the context of audits or investigations carried out by the European Public Prosecutor's Office, the Court of Auditors, or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;	<input type="checkbox"/>	<input type="checkbox"/>
ii. subject to non-final judgments or non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;	<input type="checkbox"/>	<input type="checkbox"/>
iii. subject to facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks;	<input type="checkbox"/>	<input type="checkbox"/>

<sup>(28)</sup> The declaration under this point (2) is voluntary and it cannot have adverse legal effect on the economic operator until the conditions of Article 141(1) (a) FR are met.

iv. subject to information transmitted by Member States implementing Union funds;	<input type="checkbox"/>	<input type="checkbox"/>
v. subject to decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law;	<input type="checkbox"/>	<input type="checkbox"/>
vi. informed, by any means, that it is subject to an investigation by the European Anti-Fraud office (OLAF): either because it has been given the opportunity to comment on facts concerning it by OLAF, or it has been subject to on-the-spot checks by OLAF in the course of an investigation, or it has been notified of the opening, the closure or of any circumstance related to an investigation of the OLAF concerning it.	<input type="checkbox"/>	<input type="checkbox"/>

## II – Situations of exclusion concerning natural or legal persons with power of representation, decision-making or control over the legal person and beneficial owners

**Not applicable when ‘the person’ is a natural person, a Member State or a local authority.**  
**In all other cases to be filled in by all involved entities.**

(3) declares that a natural or legal person who is a member of the administrative, management or supervisory body of the person, or who has powers of representation, decision or control with regard to the person (this covers e.g. company directors, members of management or supervisory bodies, and cases where one natural or legal person holds a majority of shares), or a beneficial owner of the person (as defined by point 6 of Article 3 of Directive (EU) No 2015/849) is in one of the following situations:	YES	NO	N/A
Situation (1)(c) above (grave professional misconduct)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (1)(d) above (fraud, corruption or other criminal offence)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (1)(e) above (significant deficiencies in performance of a contract)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (1)(f) above (irregularity)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (1)(g) above (creation of an entity with the intent to circumvent legal obligations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (1)(h) above (person created with the intent to circumvent legal obligations)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## III – Situations of exclusion concerning natural or legal persons assuming unlimited liability for the debts of the legal person

**Not applicable when ‘the person’ is a natural person, a Member State, a local authority or legal persons with limited liability. In all other cases to be filled in by all involved entities.**

(4) declares that a natural or legal person that assumes unlimited liability for the debts of the person is in one of the following situations:	YES	NO	N/A
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Situation (a) above (bankruptcy)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Situation (b) above (breach in payment of taxes or social security contributions)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### IV – Other grounds for rejection from this procedure

*(to be filled in individually by the sole candidate/tenderer or all members in case of a joint request to participate/tender)*

(5) declares that the person:	YES	NO
(a) was previously involved in the preparation of the procurement documents used in this award procedure, where this entailed a breach of the principle of equality of treatment including distortion of competition that cannot be remedied otherwise.	<input type="checkbox"/>	<input type="checkbox"/>

#### V – Remedial measures

If the person declares one of the situations of exclusion listed above, it may indicate remedial measures it has taken to remedy the exclusion situation, in order to allow the authorising officer to determine whether such measures are sufficient to demonstrate its reliability. This may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines or of any taxes or social security contributions. The relevant documentary evidence, which illustrates the remedial measures taken, must be provided in annex to this declaration. This does not apply for situations referred in point (1) (d) of this declaration.

#### VI–Evidence on exclusion criteria

The tender specifications set out in detail which involved entities must provide the appropriate evidence to prove that they are not in an exclusion situation referred to in (1) and when the evidence needs to be provided.

The following evidence could serve as evidence:

- For situations described in points (1): (a), (c), (d), (f), (g) and (h) above, a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the person showing that those requirements are satisfied.
- For the situations described in point (1) (a), (b), recent certificates issued by the competent authorities of the the country of establishment. These documents must provide evidence covering all taxes and social security contributions for which the person is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country of establishment, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

The person is not required to submit the evidence if it has already been submitted for another award procedure of the same contracting authority <sup>(29)</sup>. The documents must have been issued

<sup>(29)</sup> The same EU institution, agency, body or office.

no more than one year before the date of their request by the contracting authority and must still be valid at that date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

Document	Full reference to previous procedure
<i>Insert as many lines as necessary</i>	

The person is not required to submit the evidence if it can be accessed on a national database free of charge.

The signatory declares that the following internet address of the database/identification data provide access to the evidence required.

Internet address of the database	Identification data of the document
<i>Insert as many lines as necessary</i>	

**B - Declaration on honour on selection criteria**

In case of a procedure with lots the statements in this part B apply to the lot(s) for which the request to participate/tender is submitted.

**I – Selection criteria**

**Selection criteria applicable to the candidate/tenderer as a whole - consolidated assessment**

*(to be filled in ONLY by the sole candidate/tenderer or the group leader in case of a joint request to participate/tender)*

The person, being a sole candidate/tenderer/the group leader of a joint request to participate/tender, submitting a request to participate/tender for the above procedure:

(6) declares that the candidate/tenderer, including all members of the group in case of a joint request to participate/tender, subcontractors and entities on whose capacity the candidate/tenderer intends to rely if applicable:	YES	NO
(a) fulfil(s) all the selection criteria for which a consolidated assessment will be made as provided in the tender specifications.	<input type="checkbox"/>	<input type="checkbox"/>

**II) SELECTION CRITERIA –PROFESSIONAL CONFLICTING INTERESTS**

*(to be filled in by all involved entities)*

The person, being a sole candidate/tenderer/ a member of a joint request to participate/tender/a subcontractor, submitting/participating in a request to participate/tender for the above procedure:

(8) declares that the person	YES	NO
(a) is subject to conflicting interests which may negatively affect the	<input type="checkbox"/>	<input type="checkbox"/>

contract performance.		
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**III – EVIDENCE ON SELECTION CRITERIA**

The tender specifications set out in detail what evidence, when, and by which involved entity needs to be provided in order to prove that the candidate/tenderer fulfils the selection criteria.

Where the evidence is not required to be provided with the request to participate/tender, the person is invited to prepare in advance the documents related to the evidence, since the contracting authority may request to provide these within a short deadline.

The person is not required to submit the evidence if it has already been submitted for another procurement procedure of the same contracting authority <sup>(30)</sup> and the documents are still up-to-date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

Document	Full reference to previous procedure
<i>Insert as many lines as necessary</i>	

The person is not required to submit the evidence if it can be accessed on a national database free of charge.

The signatory declares that the following internet address of the database/identification data provide access to the evidence required.

Internet address of the database	Identification data of the document
<i>Insert as many lines as necessary</i>	

**C - Declaration on honour on established debt to the union**

*(to be filled in by the sole candidate/tenderer or each group member in case of a joint request to participate/tender)*

The person, being a sole candidate/tenderer/ a member of a joint request to participate/tender, submitting a request to participate/tender for the above procedure:

(9) declares that the person	YES	NO
(a) has an established debt to the Union, European Atomic Energy Community or an executive agency when the latter implements the Union budget.	<input type="checkbox"/>	<input type="checkbox"/>

**D - Declaration on honour on submitted tender**

*(to be filled in individually by the sole candidate/ tenderer, or the group leader in case of a joint request to participate/tender)*

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<sup>(30)</sup> DG EUROSTAT (ESTAT).

In case of a procedure with lots the statements in this part D apply to the lot(s) for which the request to participate/tender is submitted.

(10) declares that the person:	YES	NO
(a) [has prepared the submitted tender] [undertakes to prepare the tender (if invited to submit a tender)] in complete independence and autonomously from the other tenders submitted within the same procurement procedure.	<input type="checkbox"/>	<input type="checkbox"/>

***The person must immediately inform the contracting authority of any changes in the situations as declared.***

***The person may be subject to rejection from this procedure and to administrative sanctions (exclusion or financial penalty) if any of the declarations or information provided as a condition for participating in this procedure prove to be false.***

Full name:

Date:

Signature:

***The declaration is to be signed with:***

***1. Electronic signature (recommended option):***

***In case you have the possibility to sign the declaration using a qualified electronic signature (QES), please have it signed electronically by your authorised representative(s). Please note that only the qualified electronic signature (QES) within the meaning of Regulation (EU) No 910/2014 (eIDAS Regulation) will be accepted.***

***Before sending back your electronically signed document, please check the signature and validity of the certificate with one of the following tools:***

- ***DSS Demonstration validation tool available at <https://ec.europa.eu/cefdigital/DSS/webapp-demo/validation> can help you check the validity of a certificate by indicating the number and type of valid signatures in a document.***
- ***EU Trusted List Browser can be consulted in order to check whether the electronic signature provider and the trust service it provides are part of European Union Trusted List: <https://esignature.ec.europa.eu/efda/tl-browser/#/screen/home>.***

***To make sure you use a QES compliant to eIDAS Regulation, you need to check that both the service provider and the qualified certificate generation service used are included in the EU Trusted List Browser.***

***2. Handwritten signature:***

***In case you do not have the possibility to sign the declaration using a qualified electronic signature (QES), please fill it in electronically, then print it and have it signed and dated by your authorised representative(s) using a hand-written signature.***



### **ANNEX 3. AGREEMENT / POWER OF ATTORNEY**

Call for tenders ESTAT/2023/OP/0031 – Statistical services in relation to real estate price statistics: Methodological Manual on Housing Price Statistics

#### **AGREEMENT/POWER OF ATTORNEY**

The undersigned:

– Signatory 1 (Name, Function, Company, Registered address, VAT Number)

– Signatory 2 (Name, Function, Company, Registered address, VAT Number)

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

HEREBY AGREES 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]:** \_\_\_\_\_  
**Done at** ....., **on** .....

**signature[s]:** \_\_\_\_\_  
**Done at** ....., **on** .....

**Name**  
**Function**  
**Name of the legal entity**

**Name**  
**Function**  
**Name of the legal entity**

**signature[s]:** \_\_\_\_\_  
**Done at** ....., **on** .....

**signature[s]:** \_\_\_\_\_  
**Done at** ....., **on** .....

**ANNEX 4. LIST OF IDENTIFIED SUBCONTRACTORS**

Identification details	Roles/tasks during contract execution	Proportion of subcontracting (% of contract volume)
<i>[Full official name Registered address Statutory registration number VAT registration number]</i>		
<i>[Full official name Registered address Statutory registration number VAT registration number]</i>		
<i>[REPEAT AS MANY TIMES AS THE NUMBER OF IDENTIFIED SUBCONTRACTORS]</i>		
<b>Other subcontractors that do not need to be identified under Section 2.4.2 <sup>(31)</sup></b>		
	<b>TOTAL % of subcontracting</b>	0,00%

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<sup>(31)</sup> 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. ESTAT/2023/OP/0031

Attn:

[Insert date]

Commitment letter by identified subcontractor

I, the undersigned,

Name:

Function:

Company:

Registered address:

VAT Number:

having the legal capacity required to act on behalf of the company [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 **ESTAT/2023/OP/0031 – Statistical services in relation to real estate price statistics: Methodological Manual on Housing Price Statistics.**

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:

Function:

Signature:

**ANNEX 5.2. COMMITMENT LETTER BY AN ENTITY ON WHOSE CAPACITIES IS BEING RELIED**

[Letterhead, if any]

EUROPEAN COMMISSION  
Call for tenders Ref. ESTAT/2023/OP/0031  
Attn:

[Insert date]

Commitment letter by an entity on whose capacity is being relied

I, the undersigned,

Name:

Function:

Company:

Registered address:

VAT Number:

having the legal capacity required to act on behalf of the company [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 ESTAT/2023/OP/0031 – *Statistical services in relation to real estate price statistics: Methodological Manual on Housing Price Statistics*.

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:

Function:

Signature:

**ANNEX 6. FINANCIAL OFFER FORM**

Annex 6 is published as a separate document

**ANNEX 7. ADMINISTRATIVE INFORMATION FORM****IDENTIFICATION OF THE TENDERER**

Acting in the capacity of (please check the appropriate option):

- Leader of group of economic operators
- Member of group of economic operators
- Single tenderer

**PRIVATE AND PUBLIC ENTITIES**

(To be filled in by each member of the group of economic operators in case of a joint tender)

<b>LEGAL NAME OF ORGANISATION</b>	
<b>COUNTRY OF ESTABLISHMENT OF THE ORGANISATION</b> (please provide the <b>supporting evidence normally acceptable under the law of that country/-ies</b> )	
Are you a Small or Medium Size Enterprise in accordance with Commission Recommendation (2003/361/EC) <sup>(32)</sup> ?	YES <input type="checkbox"/> / NO <input type="checkbox"/>
Please indicate the total number of employees	

<b>PERSON AUTHORISED TO SIGN THE CONTRACT</b>	
Name	
First name	
Function	
<b>SECOND PERSON AUTHORISED TO SIGN THE CONTRACT</b>	
Name	
First name	
Function	
Are they authorised to sign independently of each other?	YES <input type="checkbox"/> / NO <input type="checkbox"/>
Have you enclosed a copy of <b>the notice of appointment</b> of the persons authorised to represent the tenderer in dealings with third parties? <sup>(33)</sup>	YES <input type="checkbox"/> / NO <input type="checkbox"/>

<b>QUALIFIED ELECTRONIC SIGNATURE (QES)</b>	
Do you have the possibility to sign the contract with a QES <sup>(34)</sup>	YES <input type="checkbox"/> / NO <input type="checkbox"/>

<sup>(32)</sup> [http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition\\_en](http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en)<sup>(33)</sup> The authorisation to sign (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 person(s) authorised to represent the legal entity in signing contracts (through a joint or individual signature), 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.<sup>(34)</sup> Please note that only a qualified electronic signature (QES) within the meaning of Regulation (EU) No 910/2014 (eIDAS Regulation) can be accepted

<b>CONTACT PERSON</b> (for the tender)	
Name	
First name	
Function	
Telephone	
Fax	
Email address	
Other contact details	

**NATURAL PERSON**

<b>NAME:</b>	
First name	
Function	
Telephone	
Fax	
Email address	
Other contact details	

**BANK DETAILS** (To be filled only by the single tenderer or by the leader/manager of group of economic operators in case of a joint tender)

Could you please indicate the details of the bank account to be used for payments in case of award of the contract (see Art I.7 of the draft contract)

Account holder exact name	
IBAN Account number	
Bank name	

**TYPE OF INVOICE** (To be filled only by the single tenderer or by the leader/manager of group of economic operators in case of a joint tender)

Could you please indicate which type of invoice you envisage to use in case of award the contract (see Art I.5 and in Art II.1 and II.5 of the draft contract)

Paper format	<input type="checkbox"/>
Electronic e-invoicing (via E-PRIOR)	<input type="checkbox"/>

**CONTACT PERSON** (To be filled only by the single tenderer or by the leader/manager of group of economic operators in case of a joint tender)

Could you please indicate the contact details of the person who will officially be responsible for the communication with the *contracting authority* in case of award of the contract (See Art I.8 of the draft contract)

Is this person the same as the contact person for the tender? (Fill the table only if the answer is “No”)	YES <input type="checkbox"/> / NO <input type="checkbox"/>
Name	
First name	
Function	
Telephone	
Fax	
Email address	
Other contact details	

Full name (in capital letters)

Signature: .....

Date: