Tender Specifications

for

Guidance on a comprehensive approach to disease prevention for HIV, STIs, and hepatitis among men who have sex with men

Framework service contract

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Introduction to ECDC

The European Centre for Disease prevention and Control (ECDC) is an agency of the European Union, established by the European Parliament and Council Regulation 851/2004 of 21 April 2004. Its purpose is to identify, assess and communicate current and emerging threats to human health from communicable disease. Within this broad mission statement, the main technical tasks of the Centre fall into the following four categories:

- The publication of independent scientific opinions, bringing together technical expertise in specific fields through its various EU-wide networks and via ad hoc scientific panels;
- The provision of technical assistance to EU member states, communication of the Centre’s activities and results and dissemination of information tailored to different audiences;
- The development of epidemiological surveillance at the European level and the maintenance of networks of reference laboratories; and
- Early Warning and Response based on ‘round the clock’ availability of specialists in communicable diseases.

Further information about the Centre can be found on the ECDC website www.ecdc.europa.eu.

The tender process

The purpose of competitive tendering for awarding contracts is two-fold:

- to ensure the transparency of operations;
- to obtain the desired quality of services, supplies and works at the best possible price.

The applicable regulations, namely directives 92/50/EEC, 93/36/EEC and 93/37/EEC, oblige the ECDC to guarantee the widest possible participation, on equal terms in tender procedures and contracts.
1 Overview of this tender

1.1 Description of the contract

The services required by ECDC are described in the terms of reference in section 2 of the present tender specifications.

In drawing up a tender, tenderers should bear in mind the provisions of the draft contract in Annex I. In particular, the draft contract indicates the method and the conditions for payments to the contractor.

Tenderers are expected to examine carefully and respect all instructions and standard formats contained in these specifications and the invitation to tender. An offer which does not contain all the required information and documentation may be rejected.

1.2 Timetable

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Launching of tender</td>
<td>18/04/2012</td>
<td>Dispatch of contract notice to the OJ</td>
</tr>
<tr>
<td>Site visit or clarification meeting</td>
<td>-</td>
<td>Not applicable to this tender</td>
</tr>
<tr>
<td>Deadline for request of clarifications</td>
<td>30/05/2012</td>
<td></td>
</tr>
<tr>
<td>Deadline for submission of offers</td>
<td>08/06/2012</td>
<td>At 16:00 local time if hand delivered</td>
</tr>
<tr>
<td>Interviews (if any)</td>
<td>-</td>
<td>Not applicable to this tender</td>
</tr>
<tr>
<td>Opening session</td>
<td>15/06/2012</td>
<td>At 10:00 local time</td>
</tr>
<tr>
<td>Date for evaluation of offers</td>
<td>Opening date plus 1 week</td>
<td>Estimated</td>
</tr>
<tr>
<td>Notification of award to the selected Tenderer</td>
<td>Evaluation date plus 3 weeks</td>
<td>Estimated</td>
</tr>
<tr>
<td>Contract signature</td>
<td>Notification date plus 2 weeks</td>
<td>Estimated</td>
</tr>
</tbody>
</table>

1.3 Participation in the tender procedure

This procurement procedure is open to the natural or legal person wishing to bid for the assignment and established in the EU, the EEA or any other country covered by the WTO Government Procurement Agreement.1

Tenderers must not be in any situation of exclusion under the exclusion criteria indicated in section 3.1 of these tender specifications and must have the legal capacity to allow them to participate in this tender procedure (see section 3.2.1).

Please note that any attempt by a tenderer to obtain confidential information, enter into unlawful agreements with competitors or influence the evaluation committee or ECDC during the process of

1 More information can be found at the following link: http://www.wto.org/english/docs_e/legal_e/legal_e.htm#procurement
examining, clarifying, evaluating and comparing tenders will lead to the rejection of his tender and may result in administrative penalties.

1.4 Participation of consortia

A consortium may submit a tender on condition that it complies with the rules of competition.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. Such grouping (or consortium) must specify the company or person heading the project (the leader) and must also submit a copy of the document authorising this company or person to submit a tender. All members of a consortium (i.e., the leader and all other members) are jointly and severally liable to the Contracting Authority.

In addition, each member of the consortium must provide the required evidence for the exclusion and selection criteria (see section 3 of these tender specifications). Concerning the selection criteria ‘technical and professional capacity’, the evidence provided by each member of the consortium will be checked to ensure that the consortium as a whole fulfils the criteria.

The participation of an ineligible person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

1.5 Subcontracting

If subcontracting is envisaged, the tenderer must clearly indicate in the tender which parts of the work will be subcontracted. The total value of the subcontracted part of the services cannot represent the total value of the contract value.

Subcontractors must satisfy the eligibility criteria applicable to the award of the contract.

If the identity of the subcontractor is not known at the time of submitting the tender, the tenderer who is awarded the contract will have to seek ECDC’s prior written authorisation before entering into a subcontract.

Where no subcontractor is given, the work will be assumed to be carried out directly by the tenderer.

1.6 Presentation of the tender

Tenders must comply with the following conditions:

1.6.1 Double envelope system

Offers must be submitted in accordance with the double envelope system:

The outer envelope or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:

- the project title: “Guidance on a comprehensive approach to disease prevention for HIV, STIs, and hepatitis among men who have sex with men” OJ/18/04/2012-PROC/2012/035;
- the name of the tenderer;
- the indication “Offer - Not to be opened by the internal mail service”;
- the address for submission of offers (as indicated in the invitation to tender letter)
- the date of posting (if applicable) should be legible on the outer envelope

The outer envelope must contain three inner envelopes, namely, Envelopes A, B and C.

The content of each of these envelopes shall be as follows:
1. **Envelope A – Administrative documents**

One original and one copy of:

- The signed, dated and duly completed [Tender Submission Checklist](#) using the template in Annex IX;
- The duly filled in, signed and dated [Exclusion Criteria and Non-Conflict of Interest Declaration](#) as requested in section 3.1 and using the standard template in Annex II;
- The duly filled in, signed and dated [Legal Entity Form](#) as requested in section 3.2.1 and using the standard template in Annex III as well as the requested accompanying documents;
- The duly filled in, signed and dated [Financial Identification Form](#) using the template in Annex IV;
- Financial and economic capacity documents as requested in section 3.2.2;
- The technical and professional capacity documents as requested in section 3.2.3;
- A statement containing the name and position of the tenderer’s [authorised signatory](#); and
- In case of consortia, a [consortium agreement](#) duly signed and dated by each of the consortium members specifying the company or person heading the project and authorised to submit a tender on behalf of the consortium (please see section 1.4 of these tender specifications).

2. **Envelope B – Technical proposal**

- One original (unbound, signed and clearly marked as “Original”) and four copies (bound and each marked as “Copy”) of the Technical Proposal, providing all information requested in section 4.

3. **Envelope C – Financial proposal**

- One signed original and four copies of the Financial Proposal, based on the format in found in Annex VII.

Tenderers are welcome to submit in an environmentally friendly way, e.g., by choosing a simple and clear structure (list of contents and consecutive page numbering), double-sided printing, limiting attachments to what is required in the technical specifications (no additional material) and avoiding plastic folders or binders. This will not affect the evaluation of the tender.

### 1.6.2 Language

Offers must be submitted in one of the official languages of the European Union. ECDC prefers, however, to receive documentation in English. Nonetheless, the choice of language will not play any role in the consideration of the tender.

### 1.7 Confirmation of offer submission

In order to keep track of offers due to arrive, tenderers who do not hand deliver their offers are requested to complete and return the form found Annex VIII.

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2 In the case of a consortium, only one Financial Identification Form for the whole consortium shall be submitted, nominating the bank account into which payments are to be made under the contract in the event that the respective tender is successful.
1.8 Contacts between ECDC and the tenderers

Contacts between ECDC and tenderers are prohibited throughout the procedure, except in the following circumstances:

1.8.1 Written clarification before the deadline for submission of offers

Requests for clarification regarding this procurement procedure or the nature of the contract should be done in writing only and should be sent by mail, fax or email to:

ECDC
Attn: Procurement Office
171 83 Stockholm, Sweden
Fax: +46 8 5860 1001
email: procurement@ecdc.europa.eu

Each request for clarification sent to ECDC should indicate the publication reference and the title of the tender.

The deadline for clarification requests is indicated in the timetable under section 1.2. Requests for clarification received after the deadline will not be processed.

At the request of the tenderer, ECDC may provide any additional information or clarification resulting from the request for a clarification on the ECDC Procurement webpage:

ECDC may, on its own initiative, inform interested parties of any error, inaccuracy, omission or other clerical error in the text of the contract notice or in the tender specifications by publishing a corrigendum on its website.

Tenderers should regularly check the ECDC website for updates.

1.8.2 After the closing date for submission of tenders

If, after the tenders have been opened, some clarification is required in connection with a tender, or if obvious clerical errors in the submitted tender must be corrected, the ECDC may contact the tenderer, although such contact may not lead to any alternation of the terms of the submitted tender.

1.8.3 Visits to ECDC premises

No site visits at ECDC’s premises are deemed necessary for this procedure.

1.8.4 Interviews

The Evaluation Committee will not conduct interviews for this procedure.

1.9 Division into Lots

The tender will be divided into Lots and the tenderer must be in a position to provide all of the services requested.
1.10 Variants

Variants are not accepted.

1.11 Confidentiality and public access to documents

All documents presented by the tenderer become the property of the ECDC and are deemed confidential.

In the general implementation of its activities and for the processing of tendering procedures in particular, ECDC observes the following EU regulations:

- Council Regulation (EC) No. 1049/2001 of 30 May 2001 regarding public access to European Parliament, Council and Commission documents; and
- Council Regulation (EC) No. 45/2001 of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

The tender process will involve the recording and processing of personal data (such as a tenderer’s name, address and CV). Such data will be processed pursuant to Regulation (EC) No. 45/2001.

Unless indicated otherwise, a tenderer’s replies to questions and any personal data requested by ECDC are required to evaluate the tender in accordance with the tender specifications and will be processed solely for that purpose by ECDC. A tenderer is entitled to obtain access to their personal data on request and to rectify any such data that is inaccurate or incomplete.

If you have any queries concerning the processing of your personal data, you may address them to dpo@ecdc.europa.eu. You have the right of recourse at any time to the ECDC Data Protection Supervisor for matters relating to the processing of your personal data.

1.12 Contractual details

A draft contract is attached to these technical specifications as Annex I.

ECDC wishes to conclude a framework contract to provide consultancy services to gather national policies, scientific evidence, best practices, and expert opinion and to use this to draft a guidance document on a comprehensive approach to HIV, STI and hepatitis prevention among men who have sex with men for a period of approximately 15 months. A framework contract will establish the terms governing specific contracts to be awarded during a given period; in particular, with regard to price.

Signature of the framework contract imposes no obligation on the Centre to order services. Only the implementation of the framework contract through specific contracts is binding for ECDC.

Each specific contract will contain details of deliverables and timelines for particular services to be provided.
2 Terms of reference

The terms of reference will become an integral part of the contract that may be awarded as a result of this tender procedure.

2.1 Introduction: Background to the invitation to tender

In Europe, men who have sex with men (MSM) are disproportionately affected by sexually transmitted infections (STI) and HIV. The declining trends of STI among MSM in the 1980s have been reversed since the widespread availability of combination antiretroviral therapy (cART) since the late 1990s. Increased self-reported unprotected anal intercourse (UAI) and multiple reported STI outbreaks of syphilis, resistant gonorrhoea, lymphogranuloma venereum (LGV) and hepatitis C (HCV) have followed. At present in EU/EEA, sex between men is the dominant mode of HIV transmission, representing 38% of newly diagnosed HIV cases in 2010. In 2010, MSM account for almost 55% of all syphilis cases reported in EU/EEA, with a wide variation across countries (below 10% and 80%). Similarly, 24% of newly diagnosed gonorrhoea cases in Europe are attributable to MSM. The outbreaks and increased trends of HIV and STIs among MSM indicate ongoing or increased disease transmission, high-risk behaviours and extensive sexual networking across Europe.

Increasing numbers of MSM are living with HIV and, despite being sexually active, they are not often specifically targeted in HIV prevention programmes. Further, despite being a key risk group in all EU countries, only between 17% and just over 50% of MSM report being tested for HIV during the last year. Meanwhile, barriers to service access and uptake still exist in many places in Europe, including homophobia, stigma, policy barriers or insensitivity or lack of awareness among health care providers. Young MSM and migrant MSM are thought to be at much higher risk for HIV transmission due to increased social vulnerability. These factors pose challenges for behavioural, psychosocial, and biomedical interventions and highlight the need for innovative solutions based on scientific evidence of what works in the European context.

In 2009, ECDC published a review of the effectiveness of behavioural and psychosocial HIV/STI prevention interventions for MSM in Europe. This report identifies an overall deficit in outcome evaluations of interventions aimed at reducing HIV/STI risk behaviour among MSM in Europe. In 2010-11 ECDC performed a review of the current status with respect to increased trends and outbreaks of STI and HIV in MSM in Europe, and to review the prevention interventions targeted at MSM. This included an expert meeting which provided a platform for a multidisciplinary discussion of the needs and challenges for future prevention among MSM in a coordinated approach at EU level. The results of this report will be published by ECDC shortly. The draft report will be available for potential contractors upon request.

During 2010, additional descriptive evidence has been collected in the European MSM Internet Survey (EMIS) that details sexual risks and prevention opportunities among MSM across Europe (to be

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Guidance for comprehensive disease prevention among MSM

published shortly). Globally, evidence is accumulating that early treatment can reduce HIV transmission among heterosexual couples by up to 96%.8

ECDC aims to support Member States in their efforts to prevent and control STI, HIV and hepatitis among MSM. In this project, evidence on effective behavioural, psychosocial, and biomedical interventions will be gathered, a review of EU/EEA national policies will be conducted, and key experts in the field will be consulted. This information will be used to produce guidance on a comprehensive approach to disease prevention and health promotion among MSM across Europe.

2.2 Description of the services & scope of Lots 1 and 2

2.2.1 Contract objectives and scope

The **objective** of this project is to:

i) Gather evidence on effective behavioural, psychosocial, and biomedical interventions to prevent HIV and STIs among men who have sex with men;

ii) Review national EU/EEA policies regarding HIV and STI prevention among MSM;

iii) Consult key experts working with the promotion of health and prevention of disease among MSM;

iv) Evaluate the information gathered in points i-iii (above) to draft ECDC guidance on a comprehensive approach to disease prevention among men who have sex with men.

The **scope** of this project is envisioned to:

i) Develop guidance on comprehensive approach to disease prevention and control among MSM in the EU/EEA;

ii) Include the main strategies and considerations for the prevention and control of HIV, STIs (syphilis, gonorrhoea, LGV, chlamydia), and hepatitis B and C in the EU/EEA.

The intended **target audience** for this guidance is:

i) National and sub-national policy makers in EU/EEA Member States

ii) Technical staff implementing health and social services programmes for MSM

2.2.2 Description of the tasks, deliverables, project timeline, and management

**Lot 1: June 2012- 31st Jan 2013** (8 months)

1. The contractor will present a detailed project work plan at project inception with timelines and general methodological approach at a one-day “kick-off meeting” with ECDC staff at ECDC within approximately two weeks after contract signature.

2. The contractor will be responsible to prepare a meeting report (**deliverable DL 1**) to be delivered 15 days after the kick-off meeting

3. The contractor shall conduct a desk review of EU/EEA national policies on HIV and STI testing policies for MSM and on disease prevention and control policies targeting MSM. When completed, this will be sent by ECDC to Member States for validation. Results will be included in a draft report together with the data compiled in point 4 below.

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4. The contractor shall perform a targeted review, to systematically collect evidence for behavioural, psychosocial and biomedical interventions that promote health and prevent HIV and other STIs among MSM. This would include, but is not limited to the following interventions: promotion of condom use, promotion of HIV testing, prevention among MSM living with HIV, treatment of STIs including partner contact tracing, pre-exposure prophylaxis, educational and counselling interventions, harm reduction interventions such as serosorting. Mode of service delivery, multi-component interventions, and best practices in comprehensive approaches to disease prevention and control should also be considered and quantitative or qualitative evidence for these reviewed. Among other sources, ECDC reports “Effectiveness of behavioural and psychosocial HIV/STI prevention interventions for MSM in Europe” (2009) and the upcoming report on the prevention of STI and HIV among MSM (2012) should be used in the review of the evidence. All of this data will be included in a draft report (together the data compiled in point 3 above) (DL 2) which should be completed 5 months after contract signature.

5. Based on the results of the draft report (DL2), and taking into account national policies, scientific evidence, user preferences, the contracting consortium will write a referenced framework for topics to be included in the guidance for a comprehensive approach to disease prevention and control among MSM. This framework (DL 3) will be completed by month 6 of the project.

6. The contractor will suggest the names of 15-20 experts from a variety of EU/EEA settings representing national institutes, civil society organisations working with MSM and people living with HIV, academic institutions, and technical staff implementing prevention programmes. These persons will be invited by ECDC to an expert meeting, where the contents of the draft framework will be discussed. Contractors will attend and present the framework at the meeting (contractors to cover the cost of their own travel and accommodation for the meeting). This meeting is expected to take place in month 7 or 8 of the contract. Contractors will prepare the agenda and the report of the meeting.

Lot 2: 1st March 2013-August 2013 (7 months)

1. Based on input DL2 and the input from the expert meeting on the framework (DL 3), the contractor will draft guidance on a comprehensive approach to the prevention and control of HIV, STIs and hepatitis among MSM. This draft is expected to be completed by beginning of month 3 (DL 4).

2. The draft guidance will be sent out to the expert group consulted for the framework for written consultation by the contractor in collaboration with ECDC. Comments will be collated and addressed by the contractor, in discussion with ECDC.

3. After revision, a final draft guidance will be delivered to ECDC (DL5) by month 4 of the Lot 2 contract.

4. After editing and approvals by ECDC, the contractor will assist ECDC to launch the guidance document at the ISSTDR meeting in Vienna, 7-14 July 2013. The contractor will be expected to attend the event and to support ECDC in preparing and presenting material at the event (contractor will cover their own travel and accommodation).
5. By the end of the contract of Lot 2, the contractor will provide all deliverables, plus an Endnote reference library with all references from the guidance, a powerpoint presentation detailing the contents of the guidance, and a scientific manuscript for submission to an open access peer-reviewed journal to be drafted in collaboration with ECDC (publication fee in open access journal to be covered by the contractor). The topic for the scientific manuscript will be related to the guidance development, and will be further elaborated in discussions between the contractor and ECDC during the project period.

**Project management**

The assignment shall be guided by and in agreement with the ECDC through the Head of the Disease programme on HIV, STIs and blood-borne infections; the day to day contacts will be with the delegated ECDC project coordinator. ECDC will provide input through discussion with the contractor during regularly scheduled meetings, monthly teleconferences and email exchange. The contractor will be expected to provide monthly updates on progress by email prior to teleconferences.

- Kick-off meeting at ECDC premises and report within 15 days (see deliverable 1 above)
- Monthly progress reports will be provided by contractor to ECDC by email;
- Deliverables as specified above;
- Final report per specific contract.

**2.2.3 Duration of the contract**

The contract for Lot 1 is expected to last from June 2012 to January 31st, 2013. The contract for Lot 2 is expected to last from 1st March 2013 to August 2013.

**2.2.4 Place of performance of the contract**

Tasks are expected to be performed at the tenderer’s premises.

**2.2.5 Reference documents**


2.3 Prices

2.3.1 Currency of tender

Prices must be quoted in Euro.

Conversions should use the rates published in the C series of the Official Journal of the European Union on the day when the invitation to tender was issued. This information is also available on the Website of the European Central Bank at the following URL: http://www.ecb.int/stats/eurofxref

The Financial Proposal Form in Annex VII must be used to submit a tender.

2.3.2 All-inclusive prices

Prices submitted in response to this tender must be inclusive of all costs involved in the performance of the contract (e.g. to include delivery, supply and installation, maintenance, travel, subsistence, etc). No expenses incurred in the performance of the services will be reimbursed separately by ECDC.

2.3.3 Price revision

Prices shall be fixed and not subject to revision for the duration of the contract.

2.3.4 Costs involved in preparing and submitting a tender

ECDC will not reimburse any costs incurred in the preparation and submission of a tender. Any such costs must be paid by the tenderer.

2.3.5 Protocol on the Privileges and Immunities of the European Union

The Centre is, as a rule, exempt from all taxes and duties, and in certain circumstances is entitled to a refund for indirect tax incurred, such as value added tax (VAT), pursuant to the provisions of articles 3 and 4 of the Protocol on Privileges and Immunities of the European Union. Tenderers must therefore quote prices which are exclusive of any taxes and duties and must indicate the amount of VAT separately.

2.3.6 Payments

Payment schedules and final specific payments requirements will be specified in the specific requests for services, on the basis of the tender offered price for each Lot. Invoices for payment are deemed acceptable upon approval of the deliverables by ECDC, as provided under the articles on payment in the framework service contract model.

2.3.7 Financial guarantees

ECDC may require a pre-financing guarantee or a performance guarantee from the Contractor chosen as a result of this tendering procedure. When such guarantee is requested, the specific conditions related to the provision of a guarantee are included in the draft contract (Annex I). The costs for the guarantee shall be borne by the Contractor.
3 Exclusion and selection criteria

3.1 Exclusion criteria

Tenderers shall be excluded from participation in procurement procedure if they are in any of the following situations:

a) are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

b) have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;

c) have been guilty of grave professional misconduct proven by any means which ECDC can justify;

d) have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of Sweden or those of the country where the contract is to be performed;

e) they have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities’ financial interests;

f) following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.

In addition to the above, contracts may not be awarded to tenderers who, during the procurement procedure for this contract:

- are subject to a conflict of interest;
- are guilty of misrepresentation in supplying the information required by ECDC as a condition of participation in the procurement procedure or fail to supply this information.

Declaration and means of proof

All tenderers must certify that they are not in any of the situations listed above by completing and signing the attached Exclusion Criteria & Non-Conflict of Interest Declaration in Annex II.

The tenderer to whom the contract is to be awarded shall provide in addition, following the notification of award and preceding the signature of the contract, the following documentary proofs to confirm the declaration referred to above:

- For points a), b) and e), 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 origin or provenance showing that those requirements are satisfied.

- For point d) a recent certificate issued by the competent authority of the State concerned.

Where the document or certificate referred to above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.
3.2 Selection criteria

Tenderers must submit evidence of their legal, economic, financial, technical and professional capacity to perform the contract.

3.2.1 Legal capacity

Requirement
A tenderer is asked to prove that they are authorised to perform the contract under the national law as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation or entry in the VAT register.

Evidence required
The tenderer shall provide a duly filled in and signed Legal Entity Form (see Annex III) accompanied by the documents requested therein.
(Where the tenderer has already signed another contract with ECDC, they may provide instead of the legal entity file and its supporting documents a copy of the legal entity file provided on that occasion, unless a change in his legal status occurred in the meantime).

3.2.2 Economic and financial capacity

Requirement
The tenderer must be in a stable financial position and have the economic and financial capacity to perform the contract.

Evidence required
Proof of economic and financial capacity shall be furnished by the following documents:

- balance sheets or extracts from balance sheets for at least the last two years for which accounts have been closed (where publication of the balance sheet is required under the company law of the country in which the economic operator is established);
- a statement of overall turnover and turnover concerning services/supplies covered by the contract during the last three financial years.

If, for some exceptional reason which ECDC considers justified, the tenderer is unable to provide the references requested by the contracting authority, he may prove his economic and financial capacity by any other means which ECDC considers appropriate.

The Centre reserves the right to request any additional documentary evidence it deems necessary or useful in order to verify a tenderer’s economic and financial standing.

3.2.3 Technical and professional capacity

Requirement(s)
The tenderer’s technical and professional capacity will be evaluated using the following criteria:

A) Suitability of the organisation, consortium composition and staffing structure available for the activities covered by the contract which demonstrates understanding of a variety of epidemiological and cultural contexts within the EU/EEA;

B) Relevant qualifications in the fields of HIV, STIs and hepatitis prevention and control among MSM and expertise of key personnel allocated to the project: technical experience, knowledge and capability in the area of the study fields as well as the ability to prepare and present clear and concise reports in the English language to international audience;

C) Involvement in relevant research, implementation and/or evaluation of prevention and control activities for men who have sex with men in the EU/EEA.
E) An international consortium is preferred, with institutions coming from two or more countries and including members of the target group and civil society.

F) All suggested staff must be presented in the offer with CV and documented experience in the field; in the course of implementation of the contract, any change in staffing, due to unexpected situation or change of affiliation, should be presented to ECDC for review and approval.

**Evidence required**
The following documents or information shall be presented as evidence of compliance with the technical and professional capacity criteria:

A) Details of the structure and function of the organisations for each partner in the consortium and relevant subcontractors;

B) Professional accreditations or references held by the tenderer and relevant subcontractors; CVs of the key experts to carry out the study (preferably using the template in Annex VI), covering work experience, education and training, organisational and technical skills as well as an excellent level of English, attesting the drafting and presentation skills;

C) A list and description of recent activities (in the last 5 years) in the field of the prevention of HIV, STIs and hepatitis prevention and control among MSM; including 2 examples of research/implementation/evaluation projects on subjects related to this tender conducted in an international environment.
4 Award of the contract

Offers are opened and evaluated by a committee, possessing the technical and administrative capacities necessary to give an informed opinion on the offers. The committee members are nominated on a personal basis by the ECDC under guarantee of impartiality and confidentiality. Each of them has equal voting rights.

Only the tenders meeting the requirements of the exclusion and selection criteria will be evaluated in terms of quality and price.

4.1 Technical proposal

The assessment of technical quality will be based on the ability of the tenderer to meet the purpose of the contract as described in the terms of reference. To this end, the technical proposal shall contain the following information to allow evaluation of the tender according to the technical criteria mentioned in section 4.2:

- A description of the approach proposed and the proposed methods to be applied; means to be used to meet the objectives of the terms of reference and assessment of the main issues, limitations, risks of the analyses to be carried out as well as the proposed mitigation measures;
- Work organisation and planning (including major milestones and dates for meetings with ECDC to report on progress, as requested in section 2.2.2 of these tender specifications);
- Description of the involvement of the proposed key experts (roles and responsibilities) to execute the planned activities, in particular to cover the key analyses and investigations of the study. Specific information should be given on how the different members of the consortium plan to work together, how the work might be divided and how internal project communication will be handled.

The information in the technical proposal must be consistent with the terms of reference and must be signed by the tenderer.

4.2 Technical evaluation

The quality of technical offers will be evaluated in accordance with the award criteria and the associated weighting as detailed in the evaluation grid below.

<table>
<thead>
<tr>
<th>No</th>
<th>Criteria</th>
<th>Max points</th>
<th>Awarded score</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Technical implementation</td>
<td>35</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Degree of understanding the context (prevention and control of HIV, STIs and other diseases among MSM in Europe)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Degree to which the proposed services respond to and elaborate on the tender specifications (such as deliverables, tasks, reporting)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Credibility and coherence of the technical proposal (the above aspects are of the same relative value)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Methodology</td>
<td>35</td>
<td></td>
</tr>
</tbody>
</table>
3 Project team and management

1. Allocation and management of resources, expertise and responsibilities, including coordination and mobilisation of project team.
2. The presence of an international consortium of contractors, representing expertise from different sectors working with MSM (public health, health promotion, civil society).
3. The level of consistency in the proposal with respect to realistic time deadlines, verifiable milestones for completion of tasks; evaluation of difficulties, limitations and risk as well as the proposed mitigation strategies.

(above aspects are of the same relative value)

<table>
<thead>
<tr>
<th></th>
<th>30</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>100</td>
</tr>
</tbody>
</table>

Only tenders scoring **60 points** or more (of a maximum of 100) points against the technical award criteria will have their financial proposal evaluated.

Offers scoring less than **60%** for any award criterion will be deemed to be of insufficient quality and eliminated from further consideration.

### 4.3 Financial proposal

The financial proposal should be presented in the format found in **Annex VII**.

### 4.4 Choice of the selected tender

The contract will be awarded to the tenderer offering the best value for money, taking into account the awarding criteria listed above. No award criteria and sub-criteria other than those detailed above will be used to evaluate the offer.

The weighting of quality and price will be applied as follows:

\[
\text{Score for tender } X = \left( \frac{\text{cheapest price}}{\text{price of tender } X} \times 30 \right) + \left( \frac{\text{Total quality score of tender } X}{100} \times 70 \right)
\]

### 4.5 No obligation to award

Completing the procedure of the call for tenders in no way imposes on the ECDC an obligation to award the contract. The ECDC shall not be liable for any compensation with respect to tenderers whose offers have not been accepted, nor shall ECDC be liable when deciding not to award the contract.
4.6 Notification of outcome

Each tenderer will be informed in writing about the outcome of the call for tender.

If tenderers are notified that a tender has not been successful, tenderers may request additional information by fax or mail. At the discretion of ECDC, this information can be given in a follow-up letter providing further details in writing, such as the name of the tenderer to whom the contract is awarded and a summary of the characteristics and relative advantages of the successful tender. However, ECDC would like to stress that it is not free to disclose any information affecting the commercial interests of other tenderers.
List of Annexes

Annex I — Draft contract
Annex II — Exclusion criteria and non-conflict of interest declaration
Annex III — Legal entity form
Annex IV — Financial identification form
Annex V — Authorised signatory form
Annex VI — Curriculum Vitae template
Annex VII — Financial proposal form
Annex VIII — Confirmation of offer submission
Annex IX — Tender submission checklist
Annex I — Draft contract
Annex II — Exclusion criteria and non-conflict of interest declaration

TO BE COMPLETED AND SIGNED BY THE TENDERER

The undersigned: ____________________________________________________________

☐ in his/her own name (if the economic operator is a natural person or in case of own declaration of a director or person with powers of representation, decision making or control over the economic operator)

or

☐ representing (if the economic operator is a legal person)

official name in full (only for legal person): __________________________________________________

official legal form (only for legal person): ______________________________________________________

official address in full: ____________________________________________________________________

VAT registration number: ____________________________________________

declares that the company or organisation that he/she represents he/she:

a) is not bankrupt or being wound up, is not having its affairs administered by the courts, has not entered into an arrangement with creditors, has not suspended business activities, is not the subject of proceedings concerning those matters, and is not in any analogous situation arising from a similar procedure provided for in national legislation or regulations;

b) has not been convicted of an offence concerning professional conduct by a judgment which has the force of res judicata;

c) has not been guilty of grave professional misconduct proven by any means which the contracting authorities can justify;

d) has fulfilled all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the contract is to be carried out;

e) has not been the subject of a judgement which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities’ financial interests;

f) is not a subject of the administrative penalty for being guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or failing to supply an information, or being declared to be in serious breach of his obligation under contract covered by the budget.

In addition, the undersigned declares on their honour:

g) they have no conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties or any other relevant connection or shared interest;

h) they will inform the contracting authority, without delay, of any situation considered a conflict of interest or which could give rise to a conflict of interest;

i) they have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
j) they have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to award of the contract;

k) that the information provided to ECDC within the context of this invitation to tender is accurate, sincere and complete;

l) that in case of award of contract, they shall provide the evidence that they are not in any of the situations described in points a, b, d, e above.

For situations described in (a), (b) and (e), production of a recent extract from the judicial record is required or, failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied. Where the Tenderer is a legal person and the national legislation of the country in which the Tenderer is established does not allow the provision of such documents for legal persons, the documents should be provided for natural persons, such as the company directors or any person with powers of representation, decision making or control in relation to the Tenderer.

For the situation described in point (d) above, recent certificates or letters issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the Tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

For any of the situations (a), (b), (d) or (e), where any document described in two paragraphs above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

By signing this form, the undersigned acknowledges that they have been acquainted with the administrative and financial penalties described under art 133 and 134 b of the Implementing Rules (Commission Regulation 2342/2002 of 23/12/02), which may be applied if any of the declarations or information provided prove to be false.

________________________  _________________  _______________________
Full name                      Date                Signature
Annex III — Legal entity form

Please download and complete the appropriate legal entity form:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

The legal entity form needs to be supported by a copy each of two certifications (for some countries the same certification for both information) one to certify the registration number of the organization, the other to certify the VAT number (or VAT exemption).

Instructions:

Annex IV — Financial identification form

Please download and complete the financial identification form available at:

http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm

Financial identification:
The financial identification form needs to be signed by the tenderer and supported by certification (self-declarations excluded) by the bank; this is in the form of one of the following:

1) either the bank stamp and date in the form bottom left box,
2) or alternatively it can be substituted by attaching a copy of a bank statement (with the private (or felt so) information covered up and hidden).

Instructions:

Annex V — Authorised signatory form

**Address and contact details**

<table>
<thead>
<tr>
<th>Tenderer Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Post Code</td>
<td></td>
</tr>
<tr>
<td>Tel</td>
<td></td>
</tr>
<tr>
<td>Fax</td>
<td></td>
</tr>
<tr>
<td>Email</td>
<td></td>
</tr>
<tr>
<td>Web Site (if applicable)</td>
<td></td>
</tr>
<tr>
<td>Legal Status</td>
<td></td>
</tr>
<tr>
<td>Contact person for this tender</td>
<td></td>
</tr>
<tr>
<td>Legal signatory(ies)</td>
<td></td>
</tr>
</tbody>
</table>
Annex VI — Curriculum Vitae template

A template of ECDC’s preferred Curriculum Vitae format is available from:

http://europass.cedefop.europa.eu/europass/home/vernav/Europass+Documents/Europass+CV.csp
The estimated budget for this assignment is 105,000 Euro. The maximum budget for Lot 1 is 60,000 Euro and the estimated budget for Lot 2 is 45,000 Euro.

Prices should be quoted free of all duties, taxes and other charges including VAT, as the ECDC is exempt from such charges under Article 3 and 4 of the Protocol on the Privileges and Immunities of the European Union. (See section 2.3.5).

The total price must be fixed and include all costs (project management, quality control, training of the contractor’s staff, support resources, etc.) and all expenditure (management of the firm, secretarial services, social security, salaries, etc.) incurred directly and indirectly by the contractor in performance of the tasks. In particular, unit prices for services provided on the contractor’s premises and in the Contracting Authorities’ premises in Stockholm must also include travel and accommodation costs.
Annex VIII — Confirmation of offer submission

In order to keep track of offers due to arrive, tenderers who do not hand deliver their offers are requested to complete and return this form by fax or email.

**Title:** “Guidance on a comprehensive approach to disease prevention for HIV, STIs, and hepatitis among men who have sex with men”

**Publication Reference:** OJ/18/04/2012-PROC/2012/035

Attn: ECDC, Attention to the Procurement Office
Fax: Fax: +46 8 586 01 001
Email: procurement@ecdc.europa.eu

I have submitted an offer for this call on ___/___/___ using the following delivery service:

- Registered mail
- Express mail
- Courier Service
- Other ____________________________

Tenderer name:
email:
Telephone number:
Annex IX — Tender submission checklist

The checklist must be used to ensure that you have provided all the documentation for this tender and in the correct way. This checklist should be signed and included in Envelope A of your offer.

You must submit your offer in one outer envelope which contains 3 separate inner envelopes clearly marked Envelopes A, B and C.

Please Tick ✓ the boxes provided

Envelope ‘A’ – Administrative documents – must contain one original and one copy of:

☐ The duly completed, signed and dated Exclusion Criteria and Non-Conflict of Interest Declaration.
☐ The duly completed, signed and dated Legal Entity Form(s)
☐ The duly completed, signed and dated Financial Identification Form
☐ The economic and financial capacity documents requested in section 3.2.2
☐ The technical and professional capacity documents requested in section 3.2.3.
☐ The duly completed Authorised Signatory Form
☐ In the case of consortia, a consortium agreement and any other documents as requested in section 1.4
☐ This tender submission checklist, completed, signed and dated.

Envelope ‘B’ – Technical proposal – must contain

☐ One original signed copy and 4 copies of the technical proposal.

Envelope ‘C’ – Financial proposal – must contain

☐ One original signed copy and 4 copies of the financial proposal.

You should also ensure that:

☐ Your offer is formulated in one of the official languages of the European Union. ECDC prefers, however, to receive documentation in English. Nonetheless, the choice of language will not play any role in the consideration of the tender.
☐ Both the technical and financial proposals of the offer are signed by the tenderer or his duly authorised agent.
☐ Your offer is perfectly legible in order to rule out any ambiguity.
☐ Your offer is submitted in accordance with the double envelope system as detailed in section 1.6.1.
☐ The outer envelope bears the information detailed in section 1.6.1.

Name: __________________________________________
Signature: _________________________________________
Date: ____________________________________________