



EUROPEAN COMMISSION

DIRECTORATE-GENERAL DEFENCE INDUSTRY AND SPACE

European Commission

Call for tenders DEFIS/2021/OP/0013 -

CASSINI Business Accelerator

Open procedure

TENDER SPECIFICATIONS

Part 1: Administrative specifications

TABLE OF CONTENTS

1.	SCOPE AND DESCRIPTION OF THE PROCUREMENT	4
1.1.	Contracting authority: who is the buyer?	4
1.2.	Subject: what is this call for tenders about?	5
1.3.	Lots: is this call for tenders divided into lots?	5
1.4.	Description: what do we want to buy through this call for tenders?.....	5
1.5.	Variants	5
1.6.	Place of performance: where will the contract be performed?.....	5
1.7.	Nature of the contract: how will the contract be implemented?	5
1.8.	Volume and value of the contract: how much do we plan to buy?	5
1.9.	Duration of the contract: how long do we plan to use the contract?.....	6
1.10.	Electronic exchange system: can exchanges under the contract be automated?	6
2.	GENERAL INFORMATION ON TENDERING.....	7
2.1.	Legal basis: what are the rules?.....	7
2.2.	Rules on access to procurement: who may submit a tender?	7
2.3.	Registration in the Participant Register: why register?.....	7
2.4.	Ways to submit a tender: how can economic operators organise themselves to submit a tender?	8
3.	EVALUATION AND AWARD	12
3.1.	Exclusion criteria.....	12
3.2.	Selection criteria.....	13
3.3.	Compliance with the minimum requirements specified in the procurement documents.....	16
3.4.	Award criteria.....	16
3.5.	Award (ranking of tenders)	18

4. FORM AND CONTENT OF THE TENDER	19
4.1. Form of the tender: how to submit the tender?	19
4.2. Content of the tender: what documents to submit with the tender?	19
4.3. Signature policy: how can documents be signed?.....	20
4.4. Confidentiality of tenders: what information and under what conditions can be disclosed?	21
APPENDIX: LIST OF REFERENCES	23
ANNEXES	24
Annex 1. List of documents to be submitted with the tender or during the procedure	25
Annex 2. Declaration on Honour on exclusion and selection criteria.....	29
Annex 3. Power of attorney.....	30
Annex 4. List of identified subcontractors	32
Annex 5.1. Commitment letter by an identified subcontractor	33
Annex 5.2. Commitment letter by an entity on whose capacities is being relied	34
Annex 6. Financial offer form.....	35

1. SCOPE AND DESCRIPTION OF THE PROCUREMENT

1.1. Contracting authority: who is the buyer?

This call for tenders is inter-institutional. The following EU institutions, agencies and bodies (hereafter the *participating entities*) will participate as contracting authorities to the contract resulting from this call for tenders:

Participating entities	
COM	European Commission Directorate-General Defence Industry and Space (DG DEFIS) Directorate B Innovation & Outreach Office address (mail): Oudergemselaan/Avenue d'Auderghem 45, 1049 Brussel/Bruxelles, BELGIUM Postal address (hand deliveries): Bourgetlaan/Avenue du Bourget 1, 1140 Brussel/Bruxelles, BELGIUM <u>Contact by e-mail for procurement matters:</u> DEFIS-GP2-CALL-FOR-TENDERS@ec.europa.eu <u>Contact by e-mail for contract management matters:</u> DEFIS-B2@ec.europa.eu
EUSPA	European Union Agency for the Space Programme (EUSPA) Office address: Janovskeho 438/2, 17000 Praha 7, Czech Republic Contact by e-mail: contracts@euspa.europa.eu

The list of *participating entities* may be extended to include any other institution, agency or body created on the basis of the [Treaties](#) or secondary Union law after the launch of this procedure.

The lead contracting authority is the European Commission, Directorate-General Defence Industry and Space. The European Commission, acting as an agent for the *participating entities* for the purposes of this call for tenders and the resulting contract(s), publishes the call for tenders, organises the evaluation, signs and manages the contract(s) (including any amendments thereto) on behalf of all *participating entities*.

EUSPA may activate the option for extension of the contract and manage the contract for the duration of the extension.

References to the *Contracting authority* in these tender specifications and their annexes shall be understood, depending on the context, as referring to one of the following:

- the European Commission acting in its capacity as lead contracting authority;
- all the participating entities, in relation to their collective rights and obligations with the

contractor(s), as one of the parties to the contract(s);

– any of the *participating entities* acting in its own capacity, in particular for matters related to the conclusion, execution or termination of specific contracts with the contractor(s).

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

The subject of this call for tenders is CASSINI Business Accelerator.

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 services that are the subject of this call for tenders, including any minimum requirements, are described in detail in the document *Tender specifications – part 2: Technical specifications*, hereafter referred to as *Technical specifications*.

1.5. 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.

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

The services will be performed at the following locations:

- the locations indicated under Section 9 of the Technical specifications

1.7. 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 provisions of the draft contract as the latter will define and govern the contractual relationship(s) to be established between the *Contracting authority* and the successful tenderer(s). 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.

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

The estimated total amount of all purchases under this contract is indicated under Heading

II.1.5 of the contract notice. The quantities/services to be purchased over the total duration of the contract are specified in the Technical specifications document (Tender specifications – part 2).

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

The contract(s) resulting from the award of this call for tenders will be concluded for at most 24 months, with an option for a two-year extension (+24 months), which may be activated before the end of the duration of the first two-year contract period, bringing the total possible duration of the contract to four years. The details of the initial contract duration and the possible extension are set out in Article I.3 of the draft contract. The details of the initial contract duration and possible renewals are set out in Article I.3 of the draft contract.

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

For all exchanges with the contractor during the implementation of the contract as well as for future possible subsequent proceedings 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 [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](#)¹. At the request of the *Contracting authority* the use of such a system shall become mandatory for the contractor(s) at no additional cost for the *Contracting authority*. Details on specifications, access, terms and conditions of use will be provided in advance.

2. GENERAL INFORMATION ON TENDERING

2.1. Legal basis: what are the rules?

This call for tenders is governed by the provisions 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](#) (the Financial Regulation)¹.

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. Rules on access to procurement: who may submit a tender?

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 which has a special agreement with the European Union in the field of public procurement on the conditions laid down in that agreement. Where the Agreement on Government Procurement² concluded within the World Trade Organisation applies, the participation to this call for tenders is 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 subcontractors. Subcontracting may not be used with the intent 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 (and in case of joint tender – the country of establishment of each group member) and must present the supporting evidence normally acceptable under the law of that country/-ies. The same document(s) could be used to prove 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 submit a tender for this call for tenders must be registered in the [Participant Register](#) - an online register of organisations and natural persons participating in European Commission's calls for tenders or proposals (participants).

¹ 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).

² 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 European Commission's calls for tenders or calls for proposals.

📌 Please provide information about the SME status of the participant in the Participant Register by filling in the SME Declaration section in the Participant Register. The section becomes available only when updating/modifying the details of the registered organisation.

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). In either case subcontracting is permitted.

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

The role of each entity involved in a tender (hereafter referred to as “*involved entity*”) must be clearly specified in the eSubmission application: i) sole tenderer, ii) *Group leader* of a group of tenderers, iii) member of a group of tenderers, or iv) subcontractor. 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**). This applies also where the *involved entities* belong to the same economic group.

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. The group as a whole is considered a tenderer³.

³ 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.

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

Group members must appoint a *Group leader* and 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. The model power of attorney attached in **Annex 3** is to be used.

The joint tender must clearly indicate the role and tasks of each member and 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 on their behalf via 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 submission deadline and before contract signature) shall lead to rejection of the tender except in case of a merger or takeover of a member of the group (universal succession), provided that the new entity has access to procurement (see **Section 2.2**) and is not in an exclusion situation, (see **Section 3.1**).

In any case the selection criteria must be still fulfilled by the group and the terms of the originally submitted tender may not be altered substantially, i.e. all the tasks assigned to the former entity must be taken over by the new entity member of the group, the change must not make the tender non-compliant with the tender specifications, and the evaluation of award criteria of the originally submitted tender may not be modified.

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 *Technical specifications* expressly reserve the execution of certain critical tasks to the sole tenderer itself, or in case of a joint tender, to a member of the group.

By filling in the form available in **Annex 4**, 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*):

- on whose capacities the tenderer relies upon to fulfil the selection criteria as described under **Section 3.2**;
- whose individual share of the contract, known at the time of submission, is above 5% .

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.

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 in an exclusion situation;
- 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 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, 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.

If the contract is awarded to a tenderer intending 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.

⚡ 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 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(s) for whom the verification of all elements did not reveal grounds for rejection can be awarded the contract.

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 needs to submit with its tender a Declaration on Honour⁴ in the model available in *Annex 2*.⁵ The declaration must be signed by an authorised representative of the entity providing the declaration.

⁴ The European Single Procurement Document (ESPD) may not be used yet in European Commission's calls for tenders.

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](#). The documents mentioned as supporting evidence in the Declaration on Honour need to be provided whenever requested and where this is necessary to ensure the proper conduct of the procedure within a deadline given by the *Contracting authority*⁶.

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 the call for tenders. The model Declaration on Honour available in *Annex 2* shall be used.

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

The subsections below specify which selection criteria evidence must be provided with the tender or may be requested later, at any time during the procurement procedure⁷. In any case,

⁵ 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.

⁶ 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.

⁷ 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.

to the extent that there is no ground for a waiver, the evidence must be provided, upon request and within a deadline given by the *Contracting authority*. 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 *involved entity* to whom the criterion applies individually.

3.2.1. Legal and regulatory capacity

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

3.2.2. Economic and financial capacity

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

Criterion F1	
Minimum level of capacity	Average yearly turnover of the last two financial years above EUR 2.000.000.
Basis for assessment	This criterion applies to <u>the tenderer as a whole</u> , i.e. a consolidated assessment of the combined capacities of <u>all <i>involved entities</i></u> will be carried out.
Evidence	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.

Criterion F2	
Minimum level of capacity	The ratio between total assets and liabilities must be above 1.5.
Basis for assessment	The ratio will be checked against <u>at least one member of the group</u> in case of joint tender.
Evidence	Copy of the balance sheets for the last two years for which accounts have been closed <u>from each concerned <i>involved entity</i></u> , or, failing that, appropriate statements from banks. The most recent year must have been closed within the last 18 months.

☞ All of the above specified evidence of economic and financial capacity must be provided with the tender.

3.2.3. Technical and professional capacity

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

Criterion T1

The tenderer must prove experience in the field of providing innovation and business development support to startup companies, commonly described as a business accelerator or business incubator. Each legal entity in the tenderer's consortium shall have a documented track record of meeting the minimum level of capacity described below.

Minimum level of capacity	A documented track record of running a business accelerator or business incubator at least during the last five calendar years, with at least ten participating startups per year.
Basis for assessment	This criterion applies to each involved entity in the tenderer's consortium.
Evidence	<p>A description of activities providing innovation and business development support to startup companies, as a business accelerator or business incubator, specifying the market segments of participating startups, the type of support provided, and the outcomes in terms of market development of the startups.</p> <p>As supporting evidence for each reference the <i>Contracting authority</i> may take contact with and request statements from the previously participating startups, in order to assess the evidence and the minimum level of capacity of the tenderer.</p>

Criterion T2

The tenderer must be active in several EU and EEA countries in providing innovation and business development support to startup companies, with a documented track record of meeting the minimum level of capacity described below.

Minimum level of capacity	Have physical facilities for innovation and business development support to startup companies, providing a geographical coverage of minimum five EU and EEA countries.
Basis for assessment	This criterion applies to the tenderer as a whole.
Evidence	<p>A list of addresses of office and event premises, specifying the role of each premise.</p> <p>As supporting evidence for each reference the <i>Contracting authority</i> may take contact with and request statements from the premises, in order to assess the evidence and the minimum level of capacity of the tenderer.</p>

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

⚡ Involved entities must not be subject to conflicting interests which may negatively affect the contract performance. Where the *Contracting authority* has established such conflicting interests, it may conclude that the tenderer or an involved entity does not possess the required professional capacity to perform the contract to an appropriate quality standard.

The presence of conflicting interests shall be examined during the evaluation phase based on the statements made through the Declarations on Honour and, where applicable, the commitment letters (*Annex 5.1 and Annex 5.2*).]

3.3. Compliance with the 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 the Technical specifications document (Tender specifications – part 2) and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

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

⚡ **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 - 10

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 - 90

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

The contract will be concluded for a two-year period (24 months), with an option for a two-year extension, which may be activated before the end of the duration of the first two-year contract period (+24 months), bringing the total possible duration of the contract to four years.

The maximum total compensation for the contract for **Year 1+2** is **EUR 8.5 Million** (including variable compensation, contingency, provisions for reimbursable costs, for lump sums and for unforeseen expenses). Any offer above this level will be excluded from the rest of the selection and evaluation procedure.

The contract includes an option for extension of the duration of the contract for **Year 3+4**, with the same content, number of participating companies, activities, deliverables and key performance indicators as for Year 1+2, for a maximum amount for the extension of **EUR 8.5 Million**. The tenderer's offer including the total price for Year 3+4 shall be valid for this extension option.

The repartition of the maximum total compensation, the compensation per participating startup company to the accelerators in the consortium, the seed financing voucher, and the restrictions, are specified in the Technical specifications document (Tender specifications – Part 2 Technical specifications).

The price considered for evaluation will be the total price of the tender (Year 1+2 and Year 3+4 combined).

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

Qualitative award criteria	Max. points
1. Relevance of the methodology: Ability of the proposed methodology to achieve the objectives stated in the tender specifications. Effectiveness of the proposed activities, resources (taking into account, among other things, the budget breakdown), and entities to deliver high quality services. Innovativeness of the methodology, use of state-of-the-art approaches to deliver high quality services.	50
2. Integration in the relevant ecosystem: Ability of the proposed activities to provide adequate links to the relevant companies, customers, markets, funding sources and innovation ecosystems, by involving useful partners, investors and corporations.	25
3. Team composition, balance of profiles, breakdown of tasks and project management: Adequacy of the proposed team and individuals in the tendering consortium, distribution of tasks and responsibilities, an efficient and flexible organisation, quality of project management, a clear plan to provide all deliverables, a methodology for measuring performance and satisfaction, relevant and concrete Key Performance Indicators, and an adequate risk assessment methodology including corrective measures.	25
<i>Total number of points</i>	100

Tenders scoring less than 60% in the total number of points or less than 50% in any of the criteria will be excluded from the rest of the assessment procedure by the Evaluation Committee

3.5. Award (ranking of tenders)

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

Final Evaluation
<p>Total Scoring based on Price:</p> $\left(0.1 \times \frac{Price_{cheapest}}{Price_n} \times 100\right) + (0.9 \times Points_n)$ <p>Where:</p> <p><i>Price_{cheapest}</i> is the lower price among all the tenderers having passed the quality threshold</p> <p><i>Price_n</i> is the price of the Tenderer under evaluation</p> <p><i>Points_n</i> is the scoring in points of the Tenderer under evaluation</p>

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

1. Relevance of the methodology
2. Integration in the relevant ecosystem
3. Team composition, balance of profiles, breakdown of tasks and project management

☞ 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 having access to procurement, not in an exclusion situation and fulfilling with the selection criteria.

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 to tender letter and the [eSubmission Quick Guide](#).

👉 Make sure you prepare and submit your electronic tender in eSubmission early enough to ensure it is received within the deadline specified under Heading IV.2.2 of the contract notice.

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 offer to be uploaded in eSubmission:

- *Technical offer.*

The technical offer must be structured as follows:

- Proposed approach with a methodology and structure that corresponds to the Technical specifications document (Tender specifications – part 2: Technical specifications),
- Integration in the relevant ecosystem
- Team composition, balance of profiles, breakdown of tasks and project management, which shall outline the proposed consortium, involved entities, technical partners, and individual team members,
- Detailed reports, deliverables and key performance indicators,
- Contain a maximum of 80 (eighty) A4-sized pages set in (the equivalent of) Times New Roman 11p, everything included (additional pages will not be evaluated),
- Drawn up in one of the official languages of the European Union,
- Perfectly legible in order to rule out any doubt whatsoever concerning the words or figures,
- Signed by the contractor or his duly authorised representative (see section 4.3 below).

The technical offer must provide all the information needed to assess the compliance with the Technical specifications document (Tender specifications – part 2) 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 offer.*

A complete financial offer, including the breakdown of the price needs to be uploaded.

For this purpose, the Financial model form in **Annex 6** shall be completed and uploaded in eSubmission. The total amount of the offer as indicated in cell called “Tender overall total” of that financial model form must be encoded in the field “Total amount excl. taxes” under the section “Tender data” in eSubmission.

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

The financial offer 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.

⚡ 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 his or her 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 a qualified electronic signature as defined in [Regulation \(EU\) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market \(the eIDAS Regulation\)](#).

For hand-written signatures see Section 1 of the Invitation to tender.

For electronic signatures see: <https://webgate.ec.europa.eu/fpfs/wikis/x/iwX4Dg>

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);
- (If applicable – in the case of joint tender) the 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:

- 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, agencies and bodies, as well to other persons and entities working for the *Contracting authority* or cooperating with it, including contractors or subcontractors and their staff provided that they are bound by an obligation of confidentiality.
- After the signature of the award decision tenderers whose tenders were received in accordance with the submission modalities, who 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 the price of the offer and/or contract value. The *Contracting authority* may decide to withhold certain information that it assesses as being confidential, in particular where its release would prejudice the legitimate commercial interests of economic operators or might distort fair competition between them. Such information may include, without being limited to, confidential aspects of tenders such as unit prices included in the financial offer, technical or trade secrets⁸.
- 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 disclosure⁹, 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.

⁸ 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.

⁹ See Article 4 (2) of the REGULATION (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents.

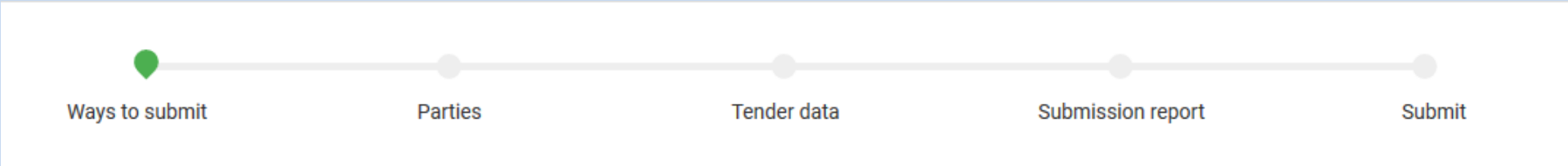
☞ The *Contracting authority* will disregard general statements that the whole tender or substantial parts of it contain confidential information. Tenderers need to mark clearly the information they consider confidential and explain why it may not be disclosed. The *Contracting authority* reserves the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

APPENDIX: LIST OF REFERENCES

<i>Award criteria</i>	See Section 3.4
<i>Contracting authority</i>	See Section 1.1
<i>Entities on whose capacities the tenderer relies to fulfil the selection criteria</i>	See Section 2.4.3
<i>EU Validation services</i>	See Section 2.3 EU Grants and Tenders Rules on Legal Entity Validation, LEAR appointment and Financial Capacity assessment
<i>Exclusion criteria</i>	See Section 3.1
<i>Financial Regulation</i>	Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union
<i>Group leader</i>	See Section 2.4.1
<i>Identified subcontractors</i>	See Section 2.4.2
<i>Involved entities</i>	See Section 2.4
<i>Joint tender</i>	See Section 2.4.1
<i>Participating entities</i>	See Section 1.1
<i>Participant Register</i>	See Section 2.3 https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/how-to-participate/participant-register
<i>Selection criteria</i>	See Section 3.2
<i>Sole tenderer</i>	See Section 2.4
<i>Subcontracting/subcontractor</i>	See Section 2.4.2
<i>Treaties</i>	The EU Treaties: https://europa.eu/european-union/law/treaties_en

ANNEXES

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

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

Evidence that the person signing the documents is an authorised representative of the entity ¹⁰	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			With the tender in eSubmission	'Authorisation to sign' documents'.	With the concerned entity under 'Parties' →'Identification tenderer' →'Attachments'→'Other documents'.
Power of attorney (see Section 2.4.1) model in Annex 3. Power of attorney			<input checked="" type="checkbox"/>			With the tender in eSubmission	'Power of attorney'	In the Group leader's section under 'Parties' →'Identification tenderer' →'Attachments'→'Other documents'.
List of identified subcontractors (see Section 2.4.2) model in Annex 4. List of identified subcontractors	<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 tenderer' →'Attachments'→'Other documents'.
Commitment letter (see Section 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 tenderer' →'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"/>	Only upon request by <i>the Contracting authority</i> At any time during the procedure	n.a.	n.a.

¹⁰ 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.

Evidence of legal existence and status	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<p>Only upon request by <i>the EU Validation services</i></p> <p>At any time during the procedure</p> <p>In the Participant Register</p>	<p>n.a.</p>	<p>n.a.</p>
Evidence of economic and financial capacity F1 (see Section 3.2.2)	<p>The documents must be provided</p> <p>only by the <i>involved entities</i></p> <p>who contribute to reaching the minimum capacity level</p> <p>for criterion F1</p>					<p>With the tender</p> <p>in eSubmission</p>	<p>'Balance_sheet_entity_year"</p> <p>Profit_Loss_Account_entity_year "</p>	<p>With the Group leader or the sole tenderer under 'Parties' →'Identification tenderer' →'Attachments'→'Economic and financial capacity'.</p>
Evidence of economic and financial capacity F2 (see Section 3.2.2)	<p>The documents must be provided</p> <p>only by the <i>involved entities</i></p> <p>who contribute to reaching the minimum capacity level</p> <p>for criterion F2</p>					<p>With the tender</p> <p>in eSubmission</p>	<p>'Balance_sheet_entity_year"</p> <p>Profit_Loss_Account_entity_year "</p>	<p>With the Group leader or the sole tenderer under 'Parties' →'Identification tenderer' →'Attachments'→'Economic and financial capacity'.</p>
Evidence of technical and professional capacity T1 (see Section 3.2.3)	<p>The documents must be provided</p> <p>only by the <i>involved entities</i></p> <p>who contribute to reaching the minimum capacity level</p> <p>for criterion T1</p>					<p>With the tender</p> <p>in eSubmission</p>	<p>'Project_reference_No.1"</p> <p>'Project_reference_No.2"</p> <p>....</p>	<p>With the Group leader or the sole tenderer under 'Parties' →'Identification tenderer' →'Attachments'→'Technical and professional capacity'.</p>

Evidence of technical and professional capacity T2 (see Section 3.2.3)	☒	☒	☒			With the tender in eSubmission	'list of addresses of office and event premises'	With the Group leader or the sole tenderer under 'Parties' → 'Identification tenderer' → 'Attachments' → 'Technical and professional capacity'.
2. Tender data.								
<i>eSubmission view</i>								
<i>Failure to upload the following documents in eSubmission will lead to rejection of the tender.</i>								
Technical offer (see Section 4.2)	☒	☒				With the tender in eSubmission	'Technical offer'	Under section 'Tender Data' → 'Technical offer'
Financial offer (see Section 4.2)	☒	☒				With the tender in eSubmission	'Financial offer'	Under 'Tender Data' → 'Financial offer'
model in Annex 6								

Annex 2. Declaration on Honour on exclusion and selection criteria

Annex 3. Power of attorney

Call for tenders DEFIS/2021/0P/0013 - CASSINI Business Accelerator

POWER OF ATTORNEY

The undersigned:

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

having the legal capacity required to act on behalf of his/her company,

HEREBY AGREES TO THE FOLLOWING:

- 1) To submit a joint tender as a member of a group of tenderers (the Group), constituted by Company 1, Company 2, Company N (Group members), and led by Company 1 (Group leader), in accordance with the conditions specified in the tender specifications and the terms specified in the tender to which this Power of attorney is attached.
- 2) If the *Contracting authority* awards the contract resulting from this call for tenders to the *Group* on the basis of the joint tender to which this power of attorney is attached, all *Group members* shall be considered parties to the contract in accordance with the following conditions:
 - (a) All *Group members* shall be jointly and severally liable towards the *Contracting authority* for the performance of the contract.
 - (b) All *Group members* 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*: [Provide details on bank, address, account number].
- 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 behalf of all *Group members* and indicate in the "Tender Contact Info" section in eSubmission the name and e-mail address of an individual - 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, and amendments thereto — and issue 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 co-ordinate 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.

Any modification to the present Power of attorney shall be subject to the *Contracting authority*'s express approval. This 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.

Place and date:

Name (in capital letters), function, company and signature:

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>		
Other subcontractors that do not need to be identified under Section 2.4.2		
TOTAL % of subcontracting		0,00%

Annex 5.1. Commitment letter by an identified subcontractor

[Letterhead, if any]

EUROPEAN COMMISSION

Call for tenders Ref. DEFIS/2021/0P/0013

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 our company agrees to participate as subcontractor in the offer of ***[insert name of the tenderer]*** for the call for tenders DEFIS/2021/0P/0013 - CASSINI Business Accelerator.

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 general conditions attached to the tender specifications for the above call for tenders, in particular the contractual provisions related to checks and audits.

Done at:

Name:

Position:

Signature:

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

[Letterhead, if any]

EUROPEAN COMMISSION

Call for tenders Ref. DEFIS/2021/0P/0013

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 our company **authorises the *[insert name of the tenderer]* to rely on its financial and economic capacity in order to meet the minimum levels** required for the call for tenders DEFIS/2021/0P/0013 - CASSINI Business Accelerator.

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 general conditions attached to the tender specifications for the above call for tenders, in particular the contractual provisions related to checks and audits.

Done at:

Name:

Position:

Signature:

Annex 6. Financial offer form

Annex 6 is published as a separate document