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(Announcements)

ADMINISTRATIVE PROCEDURES

COMMISSION

Call for proposals — Joint Harmonised European Union Programme of Business and Consumer Surveys

(2009/C 18/09)

1. CONTEXT

The European Commission is launching a call for proposals (**ref. ECFIN/2008/A3-042**) for carrying out surveys as part of the Joint EU Harmonised Programme of Business and Consumer Surveys (approved by the Commission on 12 July 2006 COM(2006) 379) **in Ireland**. This co-operation shall take the form of a framework partnership agreement between the Commission and the specialised bodies over a period of two years.

The programme is designed to gather information on the state of the economies in the EU Member States and in the candidate countries so as to be able to compare their business cycles for Economic and Monetary Union (EMU) management purposes. It has become an indispensable tool in the EMU economic surveillance process, as well as for general economic policy purposes.

2. PURPOSE AND SPECIFICATIONS OF THE ACTION

2.1. Objectives

The joint harmonised EU programme involves specialised bodies/institutes carrying out opinion surveys on a joint financing basis. The Commission is looking to conclude agreements with bodies and institutes suitably qualified to carry out one or more of the following surveys for the next two years:

- investment survey,
- construction survey,
- retail trade survey,
- services survey,
- industry survey,
- consumer survey.

Moreover, *ad hoc* surveys on topical economic issues are carried out in addition to the monthly surveys, using the same established samples as the monthly surveys, to obtain information on specific economic policy issues. These *ad hoc* surveys are by definition more occasional.

The surveys target managers in the industry, investment, construction, retail trade and services sectors as well as consumers.

2.2. Technical specifications

2.2.1. Survey timing and reporting of results

The following table gives an overview of the surveys requested under this call for proposals:

Survey name	Number of activities/size classes	Number of aggregates	Number of questions asked monthly	Number of questions asked quarterly
Industry	40/—	16	7	9
Investment	6/6	2	2 questions in March/April 4 questions in October/November	
Construction	3/—	2	5	1
Retail trade	7/—	2	6	—
Services	18/—	1	6	1
Consumer	24 breakdowns	1	14 (including 2 optional questions)	3

- The monthly surveys must be carried out in the first two to three weeks of each month and the results must be e-mailed to the Commission at least 5-7 working days before the end of the month and in accordance with the calendar that will be included in the specific grant agreement.
- The quarterly surveys must be carried out in the first two to three weeks of the first month of each quarter (January, April, July and October) and the results must be e-mailed to the Commission at least 5-7 working days before the end of January, April, July and October respectively and in accordance with the calendar that will be included in the specific grant agreement.
- The six-monthly surveys of investment must be carried out in March/April and October/November and the results must be e-mailed to the Commission at least 5-7 working days before the end of April and November respectively, and in accordance with the calendar that will be included in the grant agreement.
- In the case of *ad hoc* surveys, the beneficiary must undertake to adhere to the specific timetables laid down for them.

A **detailed description of the action** (Annex I of the specific grant agreement) can be downloaded from the following Internet address:

http://ec.europa.eu/economy_finance/procurements_grants/grants7989_en.htm

2.2.2. Methodology and questionnaires

Details on the methodology, questionnaires and international guidelines on the conduct of business and consumer surveys can be found in the user's guide on the Joint Harmonised EU Programme of Business and Consumer Surveys at:

http://ec.europa.eu/economy_finance/indicators/business_consumer_surveys/userguide_en.pdf

3. ADMINISTRATIVE PROVISIONS AND DURATION

3.1. Administrative provisions

The body or institute is to be selected for a maximum period of **2 years**. The Commission wishes to establish a long-term co-operation with the successful applicants. For this purpose a two-year framework partnership agreement will be concluded between the parties. Under this framework partnership agreement, which will specify the common objectives and the nature of the actions planned, two specific annual grant agreements may be concluded between the parties. The first of these specific grant agreements will concern the period from May 2009 to April 2010.

3.2. Duration

The surveys run from 1 May until 30 April. The duration of the action may not exceed 12 months.

4. FINANCIAL FRAMEWORK

4.1. Sources of Community funding

The operations selected will be financed from budget heading 01.02.02 — Coordination and surveillance of economic and monetary union.

4.2. Estimated total Community budget for this call

- The total annual budget available for the period May 2009-April 2010 for these surveys is **EUR 75 000,00**.
- Amounts for the following year could be increased, subject to budgetary resources available, by about 2 %.

4.3. Percentage of Community co-financing

The Commission's share in the joint financing may not exceed 50 % of the eligible costs incurred by the beneficiary on each survey. The Commission determines the percentage of the co-financing on an individual basis.

4.4. Funding of the action by the beneficiary and eligible costs incurred

The beneficiary will be requested to submit a detailed budget for year 1 containing an estimate of the costs and funding of the action, expressed in euro. A detailed budget, for year 2 under the framework partnership agreement will be provided on the basis of an invitation by the Commission.

The budgeted grant amount requested from the Commission **should be rounded to the nearest ten**. The budget will be incorporated as an annex to the specific grant agreement. The Commission may subsequently use these figures for auditing purposes.

Eligible costs can be incurred only after signature of the specific grant agreement by all the parties, save in exceptional cases and, under no circumstances, before submission of the application for a grant. Contributions in kind are not regarded as eligible costs.

4.5. Payment arrangements

A request for pre-financing of 40 % of the maximum grant amount can be submitted by the beneficiary in the month of September. A request for payment of the balance together with a final financial statement and a detailed list of costs will be submitted within two months after the closing date of the action (see full details in Articles 5 and 6 of the specific grant agreement).

Both the request for pre-financing and the request for payment of the balance shall be preceded by the timely submission of the data resulting from the business and consumer surveys.

Only costs which are traceable and identifiable in the beneficiary's cost accounting system will be considered as eligible costs.

4.6. Subcontracting

- Where, in a proposal, the amount of the services executed by a subcontractor is equal to or exceeds 50 % of the tasks, the subcontractor must provide all the necessary documents for assessing the applicant's proposal as a whole with regard to the exclusion, selection and award criteria (see points 5, 6 and 7 below). This implies that the subcontractor has to prove that he fulfils the exclusion criteria, as well as the selection and award criteria relevant to the part of the tasks he will perform.
- The applicant for the grant shall award contract to tenderers offering the best price-quality *ratio*, while taking care to avoid any conflict of interest. In case subcontracting exceeds EUR 60 000,00, the applicant will have to document, once selected, that the subcontractor has been chosen on the best price-quality *ratio* basis.

4.7. Joint proposals

In all cases of joint proposals, the tasks and financial contribution of all members participating in the proposal must be clearly identified. All members must provide all the necessary documents for assessing the proposal as a whole with regard to the exclusion, selection and award criteria (see points 5, 6 and 7 below) related to their tasks.

One of the participating members will take the role of co-ordinator and shall:

- assume the overall responsibility for the partnership *vis-à-vis* the Commission,
- monitor the activities of the other participating member(s),
- ensure the overall coherence and timely submission of survey results,
- centralise the signature of the contract and deliver the contract duly signed by all participants to the Commission (proxy is possible),
- centralise the Commission's financial contribution and disburse payments to participants,
- collect supporting documents of expenditure incurred by each participant and present them in a single submission.

5. ELIGIBILITY CRITERIA

5.1. Legal status of applicants

The call for proposals is open to bodies and institutes (legal entities) with legal status in one of the EU Member States, Croatia, Former Yugoslav Republic of Macedonia or Turkey. Applicants must show that they exist as a legal entity and provide the required documentation by means of the standard legal entity form.

5.2. Grounds for exclusion

Applications will not be considered for a grant if the applicants are in any of the following situations ⁽¹⁾:

- (a) they 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) they have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
- (c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- (d) they 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 the country of the contracting authority 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;
- (g) they are faced with a conflict of interest;
- (h) they have been guilty of misrepresentation in supplying the information required or have failed to supply this information.

Applicants must certify that they are not in one of the situations listed under point 5.2 by means of the standard declaration form on eligibility.

⁽¹⁾ In compliance with Articles 93 and 94 of the Financial Regulation applicable to the general budget of the European Communities.

5.3. Administrative and financial penalties

1. Without prejudice to the application of penalties laid down in the contract, candidates or tenderers and contractors who have been guilty of making false declarations or have been found to have seriously failed to meet their contractual obligations in an earlier procurement procedure shall be excluded from all contracts and grants financed by the Community budget for a maximum of two years from the time when the infringement is established, as confirmed after an adversarial procedure with the contractor. That period may be extended to three years in the event of a repeat offence within five years of the first infringement.

Tenderers or candidates who have been guilty of making false declarations shall also receive financial penalties representing 2 % to 10 % of the total value of the contract being awarded.

Contractors who have been found to have seriously failed to meet their contractual obligations shall receive financial penalties representing 2 % to 10 % of the total value of the contract in question. That rate may be increased to 4 % to 20 % in the event of a repeat offence within five years of the first infringement.

2. In the cases referred to in points 5.2(a), (c) and (d) the candidates or tenderers shall be excluded from all contracts and grants for a maximum of two years from the time when the infringement is established, as confirmed after an adversarial procedure with the contractor.

In the cases referred to in points 5.2(b) and (e), the candidates or tenderers shall be excluded from all contracts and grants for a minimum of one year and a maximum of four years from the date of notification of the judgment.

Those periods may be extended to five years in the event of a repeat offence within five years of the first infringement or the first judgment.

3. The cases referred to in point 5.2(e) shall be the following:
 - (a) cases of fraud as referred to in Article 1 of the Convention on the protection of the European Communities' financial interests drawn up by the Council Act of 26 July 1995;
 - (b) cases of corruption as referred to in Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997;
 - (c) cases of participation in a criminal organisation, as defined in Article 2(1) of Joint Action 98/733/JHA of the Council;
 - (d) cases of money laundering as defined in Article 1 of Council Directive 91/308/EEC.

6. SELECTION CRITERIA

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out. They must have the professional competences and qualifications required to complete the proposed action or work programme.

6.1. Financial capacity of applicants

Applicants must have the financial capacity to complete the proposed action and must provide their balance sheets and profit and loss accounts for the last two financial years for which the accounts have been closed. This provision does not apply to public bodies and international organisations.

6.2. Operational capability of applicants

Applicants must have the operational capability to complete the proposed action and should provide the appropriate supporting documentation.

The following criteria will be used to assess the applicant's ability:

- at least three years' proven experience in preparing and carrying out surveys,
- proven experience in evaluating survey results and addressing methodological questions (samples, questionnaires and scheduling),

- ability to apply the methodology of the Joint Harmonised EU Programme of Business and Consumer Surveys and to comply with the international guidelines on the conduct of business and consumer surveys jointly developed by the European Commission and the OECD (see point 2.2.2), as well as with the Commission's instructions: to meet the monthly reporting deadlines, implement improvements and changes to the survey programme as requested by the Commission services, in line with agreements reached at coordination meetings with representatives of collaborating bodies/institutes.

7. AWARD CRITERIA

The following criteria will be used to award the agreement to successful candidates:

- the candidate's degree of expertise and experience in the areas mentioned under point 6.2,
- the candidate's degree of expertise and experience in constructing indicators based on survey results and in using survey results for cyclical and economic analysis and research, including analysis by sector,
- the effectiveness of the proposed survey methodology including sample design, sample size, coverage rate, response rate, etc.,
- the candidate's level of competence and knowledge of the special survey features of the sector and country where they intend to carry out the survey(s),
- the efficiency of the candidate's work organisation, in terms of flexibility, infrastructure, qualified staff and facilities for carrying out the work, reporting the results, participating in preparing the surveys under the joint harmonised programme and liaising with the Commission.

8. PRACTICAL PROCEDURES

8.1. Drawing-up and submission of proposals

Proposals must contain the completed and **signed standard grant application form** and all supporting documents referred to in the form. Applicants can submit proposals for one or several surveys.

The proposals must be presented in three sections:

- administrative proposal,
- technical proposal,
- financial proposal.

In case of submission of proposals for several surveys, it is sufficient to include in the application only one administrative proposal and, where appropriate, only a technical proposal, or a common part thereof.

The following standard forms can be obtained from the Commission:

- standard grant application form,
- standard budget statement for providing estimates of the survey costs and financing plan,
- standard financial identification form,
- standard legal entity form,
- standard declaration form on eligibility,
- standard declaration form indicating willingness to sign the framework partnership agreement and the specific grant agreement,
- standard form regarding subcontracting,
- standard form for the description of the survey methodology,

as well as documentation regarding the financial aspects of the grant:

- *aide-memoire* for drawing up financial estimates and financial statements,
- model of the framework partnership agreement,
- model of the specific annual grant agreement,

(a) by downloading them from the following Internet address:

http://ec.europa.eu/economy_finance/procurements_grants/grants7989_en.htm

(b) in case the previous option is not possible, by writing to the Commission at:

European Commission
Directorate-General for Economic and Financial Affairs
Unit ECFIN-A-3 (Business surveys)
Call for proposals — ECFIN/2008/A3-042
BU-1 3/146
B-1049 Brussels
Fax (32-2) 296 36 50
E-mail: ecfin-bcs-mail@ec.europa.eu
Please mention 'Call for proposals — ECFIN/2008/A3-042'

The Commission reserves the right to amend these standard documents in line with the needs of the joint harmonised EU programme and/or budget management constraints.

Proposals must be submitted in one of the official languages of the European Community together with a translation in English, French or German, where appropriate.

One signed original proposal and three copies, preferably not stapled must be supplied by the applicant. This would facilitate the administrative work when preparing all the necessary copies/documents for the selection committee(s).

Proposals must be sent in a sealed cover contained in another sealed envelope.

The outside envelope should bear the address given at point 8.3 below.

The sealed inner envelope containing the proposal must be marked 'Call for proposals — ECFIN/2008/A3-042, not to be opened by the internal mail department'.

The Commission will notify candidates that their proposal has been received by returning the acknowledgement of receipt slip submitted with the proposal.

8.2. Content of proposals

8.2.1. *Administrative proposal*

The administrative proposal must include:

- a duly signed standard grant application form,
- a duly completed and signed standard legal entity form and the requested supporting documentation proving the legal status of the body or institute,
- a duly completed and signed standard financial identification form,
- a duly signed standard declaration form of the applicant's eligibility,
- a duly signed standard declaration form indicating willingness to sign the framework partnership agreement and the specific grant agreement, if selected,
- the organisation chart of the body or institute, showing the names and positions of the management and of the operational service responsible for conducting the surveys,
- proof of sound financial situation: balance sheets and profit and loss accounts from the previous two financial years, i.e. 2007 and 2006 for which the accounts have been closed, should be attached.

8.2.2. *Technical proposal*

The technical proposal must include:

- a description of the activities of the body or institute, enabling the assessment of its qualifications and the scope and duration of its experience in the requested areas under point 6.2. This should mean any relevant studies, service contracts, consultancy work, surveys, publications or other work previously carried out, indicating the name of the client and stating which, if any, were done for the European Commission. The most relevant studies and/or results should be attached,
- a detailed description of the operational organisation for carrying out the surveys. Relevant documentation should be attached regarding the infrastructure, facilities, resources and qualified staff (concise CV's of the staff the most involved in carrying out the survey(s)) at the applicant's disposal,
- duly completed standard form(s) providing a detailed description of the survey methodology: sampling method, sampling error, targeted sample size, coverage rate, targeted response rate, etc.,
- a duly completed standard form regarding subcontractors involved in the action, including a detailed description of the tasks to be subcontracted.

8.2.3. *Financial proposal*

The financial proposal must include:

- a duly completed and detailed standard budget statement (in euro), covering a period of 12 months, for each survey, containing a financing plan for the action and a detailed breakdown of the total and unit eligible costs for conducting the survey, including subcontracting costs,
- a certificate of non-liability for VAT, if applicable,
- a document certifying the financial contribution from other organisations (co-financing), if applicable.

8.3. Address and closing date for submission of proposals

Applicants interested in these grants are invited to submit their applications to the European Commission.

Applications may be submitted:

- (a) either **by registered post or private delivery service** postmarked **no later than 20 February 2009**. The evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip of the delivery service at the following address:

By registered post:

European Commission
Directorate-General for Economic and Financial Affairs
For the attention of Mr Johan VERHAEVEN
Call for proposals ref. ECFIN/2008/A3-042
Unit R2, Office BU24-4/4/11
B-1049 Brussels

By private delivery service:

European Commission
Directorate-General for Economic and Financial Affairs
For the attention of Mr Johan VERHAEVEN
Call for proposals ref. ECFIN/2008/A3-042
Unit R2, Office BU24-4/11
Avenue du Bourget, 1-3
B-1140 Brussels (Evere);

(b) or **by delivery to the central mail service of the European Commission** (personal delivery or delivery by any authorised representative of the applicant, including private delivery services) at the following address:

European Commission
Directorate-General for Economic and Financial Affairs
For the attention of Mr Johan VERHAEVEN
Call for proposals ref. ECFIN/2008/A3-042
Unit R2, Office BU24-4/11
Avenue du Bourget, 1-3
B-1140 Brussels (Evere)

no later than 20 February 2009 by 16.00 (Brussels time). In this case, proof of submission will be by means of a dated and signed receipt issued by the receiving official in the above mentioned department.

9. WHAT HAPPENS TO THE APPLICATIONS RECEIVED?

All applications will be checked to assess whether they meet the formal criteria of eligibility.

Proposals considered eligible will be evaluated according to the award criteria specified above.

The process of selecting the proposals will take place during **February/March 2009**. A selection committee is to be set up for this purpose under the authority of the Director-General for Economic and Financial Affairs. It will be made up of at least three persons representing at least two different specialised units with no hierarchical link between them and will have its own secretariat responsible for handling communication with the successful candidate following the selection procedure. Unsuccessful candidates will also be notified individually.

10. IMPORTANT

This call for proposals does not constitute any sort of contractual obligation on the part of the Commission towards any body/institute submitting a proposal on the basis of it. All communication regarding this call for proposals must be in writing.

Applicants should take note of the contractual provisions which will be obligatory in the event of award.

For the purposes of safeguarding the financial interest of the Communities, your personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel and/or to the European Anti-Fraud Office (OLAF).

Data of economic operators which are in one of the situations referred to in Articles 93, 94, 96(1)(b) and 96(2)(a) of the Financial Regulation may be included in a central database and communicated to the designated persons of the Commission, other institutions, agencies, authorities and bodies mentioned in Article 95(1) and (2) of the Financial Regulation. This refers as well to the persons with powers of representation, decision making or control over the said economic operators. Any party entered into the database has the right to be informed of the data concerning it, up on request to the accounting officer of the Commission.
