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Unit A3 - EMFF

CALL FOR TENDERS

N° EASME/2019/OP/0002

**Study on integrating an ecosystem-based approach into
maritime spatial planning, in particular in the context of the
implementation of the Directive 2014/89/EU**

TENDER SPECIFICATIONS

TABLE OF CONTENTS

1.	1. TECHNICAL SPECIFICATIONS.....	4
1.1.	INTRODUCTION.....	4
1.2.	BACKGROUND INFORMATION AND CONTEXT.....	4
	The concept of Maritime Spatial Planning	4
	The concept of ecosystem-based approach (EBA).....	5
	EBA under the EU MSP Directive and other EU environmental legislation.....	6
1.3.	GENERAL AND SPECIFIC OBJECTIVES	8
	General objective and overall purpose of the study.....	8
	Specific objectives	8
1.4.	TASKS AND GEOGRAPHICAL SCOPE	9
1.4.1	Tasks	9
1.4.2	Geographical scope of the tasks.....	9
1.5.	INPUT BY THE CONTRACTING AUTHORITY.....	9
1.6.	GENERAL GUIDANCE ON METHODOLOGY	10
	Place of performance	14
1.7.	PERFORMANCE AND QUALITY REQUIREMENTS.....	15
	Quality requirements	15
	Green public procurement and EASME environmental policy	15
1.8.	STARTING DATE OF THE CONTRACT AND DURATION	15
1.9.	VOLUME OF THE MARKET	16
1.10.	PLANNING, OUTPUTS AND DELIVERABLES	16
	1.10.1 Intermediate outputs and deliverables	16
	1.10.2 List of meetings	17
	1.10.3 Final outputs and deliverables	17
1.11.	INTELLECTUAL PROPERTY RIGHTS	20
	Parts of results pre-existing the contract	20
	Plagiarism in the tender	20
2.	CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE DELIVERABLES.....	20
2.1.	CONTENT	20
	2.1.1 Final study report	20
	2.1.2 Publishable executive summary	20

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

2.1.3 Requirements for publication on Internet.....	21
2.1.4 Structure.....	21
2.1.5 Graphic requirements.....	21
3. INFORMATION ON TENDERING.....	22
3.1. PARTICIPATION.....	22
3.2. CONTRACTUAL CONDITIONS	22
3.3. COMPLIANCE WITH APPLICABLE LAW	22
3.4. JOINT TENDERS.....	22
3.5. SUB-CONTRACTING	23
3.6. COSTS	23
3.7. CONTENT OF THE TENDER	23
3.8. IDENTIFICATION OF THE TENDERER.....	24
4. EVALUATION AND AWARD	25
4.1. EVALUATION STEPS	25
4.2. VERIFICATION OF NON-EXCLUSION	25
4.3. SELECTION CRITERIA	26
4.3.1 Declaration and evidence.....	26
4.3.2 Legal and regulatory capacity	26
4.3.3 Economic and financial capacity criteria	27
4.3.4 Technical and professional capacity criteria and evidence.....	28
4.4. AWARD CRITERIA	30
4.5. RANKING OF TENDERS.....	31
4.6. INFORMATION TO TENDERERS ON THE FINAL EVALUATION	31
5. ANNEXES.....	32

1. TECHNICAL SPECIFICATIONS

1.1. INTRODUCTION

The Executive Agency for Small and Medium-sized Enterprises (henceforth "EASME" or "the Contracting Authority")¹, acting under the powers delegated by the European Commission (referred to below also as "the Commission", or "the EC"), is launching this invitation to tender with a view to conclude a service contract for a study on integrating an ecosystem-based approach into maritime spatial planning, in particular, in the context of the implementation of the Directive 2014/89/EU.

The present call for tenders is based on Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council. More specifically, it is based on the Commission Implementing Decision of 8 December 2017 concerning the adoption of the Work Programme for 2018 and the financing of the implementation of the European Maritime and Fisheries Fund, C(2017)8146 final (Action 1.3.1.1.)².

1.2. BACKGROUND INFORMATION AND CONTEXT

The concept of Maritime Spatial Planning

Marine and maritime sectors are crucial drivers for growth and jobs for the EU economy: they represent roughly 5.4 million jobs and generate a gross added value of almost 500 billion euros per year³. The European Commission seeks to promote a sustainable path for the development of EU's Blue Economy⁴.

One of the challenges is that maritime space is in high demand, and increasingly so. The competing needs of renewable energy installations, oil and gas exploration and exploitation, maritime shipping and fishing, ecosystem and biodiversity conservation (Marine Protected Areas), extraction of raw materials, tourism, aquaculture installations and underwater cultural heritage, as well as the multiple pressures on coastal resources by an increasing population, call for an integrated planning and management approach⁵.

Maritime Spatial Planning (MSP) is described⁶ as a process to analyse and organise human activities in marine and maritime space in order to achieve specific ecological, economic and social objectives.

As a planning process, MSP has a vital role to play both in terms of maximising the development potential for crucial activities (such as, offshore renewable energy production), and for

¹ EASME was set up by Commission Implementing Decision (2013/771/EU) of 17 December 2013 establishing the "Executive Agency for Small and Medium-sized enterprises" and repealing Decisions 2004/20/EC and 2007/372/EC (OJ L 341 of 18.12.2013). EASME replaces and supersedes former Executive Agency for Competitiveness and Innovation (EACI).

² Commission Implementing Decision amending Decision C(2017)8146 of 8 December 2017 concerning the adoption of the work programme for 2018 and the financing decision for the implementation of the European Maritime and Fisheries Fund: https://ec.europa.eu/fisheries/sites/fisheries/files/c-2017-8146-annex_en.pdf

³ Declaration on Marine and Maritime Agenda for Growth and Jobs - "The Limassol Declaration" of 2012

⁴ [Communication from the Commission: Innovation in the Blue Economy: realising the potential of our seas and oceans for jobs and growth](#) - COM(2014) 254/2 (13.05.2014)

⁵ Directive 2014/89/EU Of The European Parliament And Of The Council of 23.07.2014 establishing a framework for maritime spatial planning

⁶ *ibid*

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

arbitrating between human activities to ensure that the cumulative and combined effect of current and future activities does not compromise our marine ecosystems.

The concept of ecosystem-based approach (EBA)

The term 'Ecosystem Approach' was first coined at the Rio Summit in 1992. There are varying definitions of what an ecosystem approach, sometimes coined as ecosystem-based approach or ecosystem-based management, might imply. All definitions though agree that it involves the integrated approach to the management of an (eco) system.

In 1998 a workshop on the 'Ecosystem Approach' was held in Lilongwe, Malawi (26-28 January). It resulted in a report describing twelve principles underpinning what an 'Ecosystem Approach' should be⁷. These twelve principles were then endorsed at the Fifth Meeting of the Conference of the Parties (decision V/6).

These twelve principles are:

1. Management objectives are a matter of societal choices;
2. Management should be decentralized to the lowest appropriate level;
3. Ecosystem managers should consider the impact of their activities on adjacent and other ecosystems;
4. Take into account potential gains from management and thus manage the ecosystem in an economic context;
5. Prioritize the conservation of ecosystem structure and functioning, in order to maintain ecosystem services;
6. Manage ecosystems within their limits of functioning;
7. The ecosystem approach should be undertaken at the appropriate spatial and temporal scales;
8. Management objectives should be set for the long term;
9. Management must recognize that change is inevitable;
10. The ecosystem approach should seek balance between, and integration of, conservation and use of biological diversity;
11. The ecosystem approach should consider all forms of relevant information;
12. The ecosystem approach should involve all relevant sectors of society and scientific disciplines.

Based on these principles, EBA was defined by the CBD COP 5 (2000)⁸ as “A strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way”.

Following the need for clearer and structured guidelines on how to implement ecosystem-based management in the marine environment, the IOC-UNESCO which has been leading the way for MSP at international level, developed its first guidelines on implementing ecosystem-based management⁹. The definition of EBA was "An integrated approach to management that considers the entire ecosystem, including humans. The goal of ecosystem-based management is to maintain an ecosystem in a healthy, productive and resilient condition so that it can provide the goods and services humans want and need. Ecosystem-based management differs from current approaches that usually focus on a single species, sector, activity or concern; it

⁷ <https://www.cbd.int/ecosystem/principles.shtml>

⁸ <http://www.cbd.int/decision/cop/?id=7148>

⁹ Ehler, Charles, and Fanny Douvère. Marine Spatial Planning: a step-by-step approach toward ecosystem-based management. Intergovernmental Oceanographic Commission and Man and the Biosphere Programme. IOC Manual and Guides no. 53, iCaM Dossier no. 6. Paris: UNESCO. 2009 (english)

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

considers the cumulative impacts of different sectors”¹⁰. The IOC-UNESCO guidelines focus on the MSP process itself but do not concretely describe how an ecosystem-based approach could be implemented.

EBA under the EU MSP Directive and other EU environmental legislation

The Maritime Spatial Planning Directive¹¹ entered into force in September 2014, with the deadline for transposition and for the designation of the competent authorities set for September 2016.

The Directive requires the implementation of MSP in all EU waters and the establishment by Member States of maritime spatial plans by 2021, but leaves to the discretion of Member States how to do it. The Directive however sets the overarching principles and common requirements by which to organise human activities in the EU maritime space to achieve defined environmental, economic and social objectives.

One of these requirements (Article 5) is the application of an ecosystem-based approach (EBA) in establishing and implementing maritime spatial planning.

The basis for an ecosystem-based approach in MSP takes root in Directive 2008/56/EC establishing a framework for community action in the field of marine environmental policy (the Marine Strategy Framework Directive - MSFD¹²), where Member States are required to establish marine strategies which shall, according to Article 1(3), apply an “ecosystem-based approach to the management of human activities” so that cumulative impacts remains within limits compatible with reaching Good Environmental Status (GES).

The MSFD has just finished its first cycle of implementation. The marine strategies developed by Member States include (i) an initial assessment of marine waters and cost of degradation, the definition of GES and the establishment of environmental targets; (ii) monitoring programmes; and (iii) programmes of measures, including spatial protection measures.

The Commission's assessments with specific recommendations followed each of those steps (the last one reflecting on the programmes of measures published in August 2018). International cooperation at regional or sub-regional level has been crucial along the process, with a central role played by Regional Sea Conventions. The MSFD includes links with and is fed by other EU legislation, such as the Water Framework Directive¹³, the Habitats¹⁴ and Birds¹⁵ directives or the Common Fisheries Policy¹⁶. In a nutshell, the MSFD helps identifying the main

¹⁰ K.L. McLeod, J. Lubchenco, S.R. Palumbi, A.A. Rosenberg, Scientific consensus statement on marine ecosystem-based management, Signed by 221 academic scientists and policy experts with relevant expertise and published by the Communication Partnership for Science and the Sea, 2005, http://compassonline.org/sites/all/files/document_files/EBM_Consensus_Statement_v12.pdf (accessed February 03.02.15)

¹¹ Directive 2014/89/EU of the European Parliament and of the Council of 23.07.2014 establishing a framework for maritime spatial planning

¹² Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of marine environmental policy (Marine Strategy Framework Directive)

¹³ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy

¹⁴ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora

¹⁵ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds

¹⁶ Regulation (EU) No 1380/2013 of the European Parliament and of the Council of 11 December 2013 on the Common Fisheries Policy, amending Council Regulations (EC) No 1954/2003 and (EC) No 1224/2009 and repealing Council Regulations (EC) No 2371/2002 and (EC) No 639/2004 and Council Decision 2004/585/EC

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

pressures and impacts acting on the marine environment, assessing the ecosystem health, and acting on drivers of change to make a sustainable use of our seas.

The Secretariat of the Helsinki Commission (HELCOM) and the secretariat for the Vision and Strategies Around the Baltic Sea (VASAB) also recently produced regional recommendations on the application of EBA in the Baltic Sea¹⁷. These recommendations provide an insight on how to take into account the ecosystem at the different steps of the MSP process.

Complementing such guidelines, another important issue has been how to concretely implement an EBA and the development of methods and tools to do so.

Notably, strategic environmental assessments (SEA) have been identified as potentially important tools to implement the EBA (HELCOM/VASAB). The EU Directive 2001/42/EC¹⁸ further on requires the assessment of likely significant effects of public plans and programmes on the environment and identification of reasonable alternatives of the proposed plan or programme. The public and the environmental authorities are informed and consulted on the draft plan or programme and the environmental report prepared. In the case of spatial planning and plans which may lead to the future development of projects (such as MSP), SEAs can help integrate environmental considerations early in the planning phase. Whilst further down the line, environmental impact assessments (EIA) will also play a role in how individual projects will fit into the broader ecosystem-based management framework. The EU EIA directive (85/337/EEC) and its subsequent amendment (2014/52/EU)¹⁹ lay down the conditions for conducting an EIA.

The assessment of cumulative impacts and effects is also seen as a priority and condition for implementing an EBA. This is embedded in the MSFD, in particular through the implementation of the new GES Decision²⁰. There is an increasing amount of research on this topic, both in relation to the MSFD, and to MSP. Some of this includes the Cumulative Effects Assessment developed by ADRIPLAN²¹ or the Symphony tool developed under Baltic SCOPE²² projects. Work is being further developed in later projects, some of which on-going at the time of publication of this call for tenders. For example, PanBaltic SCOPE²³ further developed the Symphony tool and looked at green infrastructure and strategic environmental assessments as tools to implement EBA.

It is expected that towards 2021 Member States will be gradually advancing in their implementation of Directive 2014/89/EU on Maritime Spatial Planning (MSP). Some Member States have already established national maritime spatial plans; others are making quick progress, while some need more guidance and information.

However whilst the literature on the ecosystem-based approach is growing, there is still a limited understanding on how to apply the ecosystem-based approach in practice.

¹⁷

http://www.helcom.fi/Documents/Action%20areas/Maritime%20spatial%20planning/Guideline%20for%20the%20Implementation%20of%20ecosystem-based%20approach%20in%20MSP%20in%20the%20Baltic%20Sea%20area_June%202016.pdf

¹⁸ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment

¹⁹ Directive 2014/52/EU of the European Parliament and of the Council of 16 April 2014 amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment

²⁰ Commission Decision (EU) 2017/848 of 17 May 2017

²¹ <http://data.adriplan.eu/tools4msp/>

²² <https://www.havochvatten.se/en/swam/eu-international/marine-spatial-planning/symphony---a-tool-for-ecosystem-based-marine-spatial-planning.html>

²³ <http://www.panbalticscope.eu/>

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

Therefore Member States could benefit from additional evidence-based information on how MSP can help them deliver sustainable growth for their maritime economies, and more concretely, how to apply the ecosystem-based approach in MSP.

1.3. GENERAL AND SPECIFIC OBJECTIVES

General objective and overall purpose of the study

EASME wishes to enter into a service contract to conduct a study on the concrete application of the ecosystem-based approach in MSP.

The **main objective** is to propose feasible and practical approaches and guidelines for applying the EBA in MSP with the presently available information **and** a practical method or tool for evaluating, monitoring and review the application of EBA in MSP.

Specific objectives

More specifically, the two main outputs to be produced are:

- A practical method with a set of guidelines and tools for Member States to integrate EBA in MSP (going beyond marine protected areas). This should make the link to the MSFD, be adaptable to different contexts (sea basins, state of development of MSP) and be based on the existing environmental knowledge about EU waters, predominantly through the information collected by the MSFD.

More specifically, this practical method should look at: (1) the use of the marine assessment of MSFD when designing maritime plans; (2) the use of the maritime planning (both the plans and the process) as input for the MSFD programmes of measures. When testing the set of guidelines and tools in the context of the case studies (as described in Task 4), it may be worthwhile to adapt it to take into account case study specific information or knowledge.

- A practical method or tool for evaluating, monitoring and review the application of EBA in MSP, in particular, in the context of the implementation of the MSP Directive and using information provided predominantly in the context of the MSFD implementation.

Additional objectives are to:

- Address ecosystems services in the context of maritime spatial planning. It should assess how ecosystem services (ES) and an ecosystem services approach (ESA) can contribute to the planning and management of marine areas and more specifically, how the use of ES could be used in the context of MSP to comply with the Directive’s EBA requirement;
- Evaluate the economic, social and environmental benefits accrued from the application of the EBA in MSP and any costs, including those from an ecosystem services approach;
- Explore how the implementation, monitoring and reporting of MSFD and the related objectives and measures, as well as any other work or research done in the context of the MSFD and in assessing Good Environmental Status (GES) could be used in applying EBA under the MSP Directive. Notably, the Member States' update of the assessment of marine waters and the determination of good environmental status (following Art. 17) should feed into this study.

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

Indeed, work in the context of the MSFD and MSPD are tightly linked. MSP can support the implementation of the MSFD and the achievement of Good Environmental Status (GES) in EU seas, whilst knowledge gathered under the MSFD can feed into informing MSP.

The link between these two directives and thus objectives also implies the need for coherence between methods and practices.

- Assess how the existing EU instruments (e.g. the MSFD, Water Framework Directive²⁴ (WFD), EIA and SEA Directives) provide the basis for a framework for EBA in the marine environment;
- Explore other relevant methods and practices developed in other contexts (i.e. ecosystem services, cumulative impacts/effects, Integrated Coastal Management or Land Sea Interactions, land planning);
- Explore other practices and tools related to the environment that could also be documented, if relevant, or potentially relevant, to the EU MSP context.

1.4. TASKS AND GEOGRAPHICAL SCOPE

1.4.1 Tasks

Under this study, the following tasks will be conducted:

- Task 1: Baseline review / State of play on existing knowledge, research, tools and practices linked to the application of EBA in MSP;
- Task 2: Critical analysis of the outcome of Task 1;
- Task 3: Development of a set of guidelines and tools for the application of EBA in MSP for EU Member States;
- Task 4: Elaboration of MSP cases studies using an EBA, demonstrating the guidelines and tools developed in Task 3.
- Task 5: Organisation of a closing workshop

1.4.2 Geographical scope of the tasks

The services to be delivered will cover all EU marine waters²⁵.

Other countries such as Australia, Belize, China, New Zealand, Norway, South Africa or USA (non-exhaustive list), could also be covered by the study in so far as their Maritime Spatial Plans provide examples replicable to EU standards and can be used to gathering further evidences and concrete data relevant to the objective of the study.

1.5. INPUT BY THE CONTRACTING AUTHORITY

Not applicable.

²⁴ Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy

²⁵ As defined in Article 3(4) of the EU's Directive on Maritime Spatial Planning 2014/89//EU

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

1.6. GENERAL GUIDANCE ON METHODOLOGY

The Steering Group

The contractor shall work in cooperation and under the guidance of a Steering Group (SG) which will be set up by DG MARE and shall act as an advisory body for the study including activities carried out under the study. Its role will be to review and comment on the deliverables before they are submitted to the contracting authority for approval, and to provide advice on the implementation of tasks yet to be performed. In addition, the SG may also provide to the contractor any information, advice, documentation and instructions deemed relevant for the study.

The study should be based on recognised methodologies and build on work and projects already undertaken.

The contractor should also be prepared to present interim results of the study at external meetings or events upon request by the Steering Group. The maximum number of such presentations is three (3), to take place in the EU. The contractor will bear the costs of participation to these meetings/events.

Detailed description of the Tasks

Task 1: "Baseline review / State of Play" on the existing knowledge, methods, practices and tools linked to the application of EBA in MSP.

The contractor must identify, extract, aggregate and assess knowledge, methods, practices and tools developed in the context of:

- the MSFD which may facilitate the application in practice of the ecosystem-based approach in MSP such as information coming from Articles 8, 9, 10 or 17 of the MSFD;
- other relevant directives such as the Strategic Environmental Assessment Directive 2001/42/EC, the Environmental Impact Assessment Directive (85/337/EEC) or the Water Framework Directive (2000/60/EC);
- cumulative impact assessment tools and area-based management tools such as areas designated for environmental protection or integrated coastal zone management. The study should look at EU and non-EU practices with reference to both marine and land management;
- marine environmental assessments;
- ecosystem services approach (ESA);

This task should provide a schematic compilation building upon the knowledge already collected in the EU MSP Platform, the projects and initiatives mentioned in section 1.2 of these tender specifications, documents provided by the Contracting Authority at the inception meeting, experiences from EU Member States in the development of their MSPs and related legislation to link EBA with MSP, and any other relevant source of information.

This review should also analyse each item in terms of the quality and robustness of the methodology and data sources used, and the results obtained (particularly concerning cause-effect relations between MSP and benefits to the sectors).

In their offer, tenderers must explain their proposed approach for the implementation of Task 1.

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

Task 2: Critical analysis of the "Baseline review / State of Play"

On the basis of the outcomes of Task.1, the contractor must carry a critical analysis of the "Baseline review / State of Play". This critical analysis should look at how the above review/state of play produced under Task 1 may be used to apply the ecosystem-based approach 'in practice' in MSP, and more specifically, how these can be used to comply with the MSP Directive's EBA requirement.

Doing so, the analysis should:

- Look at how different knowledge, research, tools and practices from Task 1 can be used to comply with the MSP Directive's EBA requirement;
- Conduct an assessment of the economic, social and environmental benefits accrued from the application of the EBA in MSP and any costs, including those from an ecosystem services approach (ESA);
- Conduct an analysis and develop recommendations on how to foster EBA in MSP in cross-border areas.

In terms of content, the finalised analysis of the "Baseline review / State of Play" must:

- Detail which are the most relevant of those identified methods, tools or practices for applying EBA in MSP and rigorous in terms of scientific soundness, methodology and reasoning that the Commission may use with confidence;
- Rank the best practices, methods and tools analyses, listing which worked best or least and why.
- Indicate which gaps do still exist on methods and tools and/or which methods and tools would still need to be strengthened or improved by specific further research.

The outcomes of stakeholder consultations and the case studies (see those described in Task 4 below) are to be taken into account where relevant.

In their offer, tenderers must explain their proposed approach for the implementation of Task 2.

Task 3: Development of a practical method with a set of operational guidelines and tools for the application of the ecosystem-based approach into maritime spatial plans, in particular in the context Directive 2014/89/EU and a method or tool for the evaluation, monitoring and review thereof

Using the results from the analysis and the recommendations produced under Task 2, the first part of Task 3 is to propose a practical method with a set of guidelines and tools to support EU Member States in putting in practice an ecosystem-based approach in MSP. It should cover the whole MSP cycle, from the drafting of the plans, to implementation and monitoring, and finally, to assessment and review of the MSPs. This should draw upon EU and non-EU practices with reference to marine but also land management.

This practical method must:

- be easy to use (simple format, user-friendliness, minimum reporting,...);

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

- be adaptable to different contexts across Member States (different state of development of MSP, sea basins, etc.);
- allow for the use of data from reporting obligations under other EU environmental legislation (notably the MSFD);
- facilitate Member States' assessment of their compliance with the MSP Directive's EBA requirement;
- help Member States to evaluate the economic, social and environmental benefits accrued from the application of the EBA in MSP, including those from an ecosystem services approach (ESA);
- enable Member States to apply an ecosystem services approach (ESA) to the planning and management of marine areas;
- address how to integrate EBA in the cross-border context, including third countries.

The outcomes of stakeholder consultations and the case studies (see those described in Task 4 below) are to be taken into account where relevant.

The second part of Task 3 is to develop a method for evaluating, monitoring and reviewing the way the ecosystem-based approach is being implemented in MSP by Member States (notably, whether such has been implemented and, if yes, how).

In their offer, tenderers must explain their proposed approach for the implementation of Task 3.

Task 4: Elaboration of MSP case studies using an EBA

The contractor shall conduct five (5) case studies on the application of the EBA in MSP.

The first three case studies will test what has been developed under Tasks 2 and 3 above. The contractor shall then see how the results of these case studies compare with what has already been done in applying the EBA in MSP (using the "Baseline review" from Task 1).

- The first case study should focus on EBA in MSP in a national context,
- The second and third case studies should focus on EBA in MSP in an EU cross-border context.

The fourth case study shall conduct a valuation of ecosystem services, demonstrating the economic, societal and environmental value brought by ES when applying an EBA approach in MSP.

The fifth case study shall analyse how the EBA has been applied to in a non-EU country and shall extract any recommendations which could be relevant when applying the EBA in MSP in the EU context.

Each case study should build on work already undertaken in that cross-border region or country (geographical area covered by the case study) and involve coordination with any ongoing initiatives and projects in the area of study.

One of the criteria tenderers shall consider during the selection of the countries where case studies will be conducted is the level of progress made in the implementation of the Maritime Spatial Plans. The selected area of the case studies may concern regional or sub federal level (e.g. regions, states, etc.). Another criterion shall be an appropriate variation among the case studies on the coverage of important main MSP challenges, such as concerning fishery,

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

aquaculture, renewable energy, coastal protection, aggregate extraction, tourism and recreation etc. in the respective MSP experiences of the selected countries.

In terms of format, each case study shall:

- Be presented in individual fiches (standalone synthetic 1-2 pager per case study). The draft fiches will be put to the Steering Group for comments before being approved by the Contracting Authority.
- Include: a promotional leaflet including a short summary of the outcomes, maps and illustrative graphics, and all references as well as a list of stakeholders consulted and abbreviations used, where relevant.

In their offer, tenderers shall present their proposals for 8 draft case studies. They will explain their choice in terms of relevance, with reference to the criteria and the purpose described above (including in terms of obtaining concrete evidence of the application of the EBA for MSP, feasibility, choice of geographical area, and added-value).

The final list of 5 case studies shall be established based on the above draft list provided by the contractor and approved by the Contracting Authority no later than at the first interim meeting.

Maximum 2 pages per case study.

Task 5: Organisation of a closing workshop

The contractor shall organise one workshop in Brussels to present the draft Final Study Report (see 1.10 Final outputs and deliverables) to experts²⁶ in the subject matter of the study.

The 10 experts plus the workshop's Chairperson will carry out a peer review of the report at the workshop itself. To facilitate the discussions during the peer review the contractor will provide to the experts, at least 2 weeks in advance of the workshop, a copy of the draft Study Report. This must be specified in the invitation to the workshop. Their comments shall be taken into account for the final version of the report.

The contractor shall also **provide minutes of the workshop** summarizing the main outcomes and comments made, to be submitted as a separate **annex to the Final Study Report**.

The contractor will be **responsible for all the logistics** (including inviting the experts and Chairperson) and **bear all costs** linked to the workshop (including daily rate of the chairperson, venue, catering and transport/accommodation/subsistence of the chairperson and experts). Tenderers should bear this in mind when making their financial offers, no reimbursement of such costs will follow.

²⁶ Experts in ecosystem valuation, ecosystem services, ecosystem based management, marine protected areas, maritime spatial planning, environmental monitoring and assessment, marine conservation.. The expert group should also include individuals who have knowledge and expertise in EU policy instruments linked with the subject matter of the Study, such as the Maritime Spatial Planning Directive, the Marine Strategy Framework Directive, the Water Framework Directive, the Habitats and Birds Directives and Natura 2000, the Strategic Environmental Assessment Directive, Natura 2000 or the INSPIRE Directive. The list provided as part of the tender offer will be reviewed by the Steering Group at the second interim meeting for approval. Should the experts not be available, a suitable replacement will be discussed with the Contracting Authority.

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

The workshop must be organised according to the following criteria:

- Number of participants: 30 participants, which includes the 10 experts and the Chairperson²⁷;
- Language: English
- Duration: 1 day
- Detailed structure (agenda, venue and logistics): to be proposed by the tenderer in their offer and approved by the Contracting Authority

Practical organisation:

- Provision of a workshop’s Chairperson. The Contracting Authority must give its prior agreement on the person to be selected. The Contracting Authority will consult the Steering Group in doing so.
- Invitation of participants and confirmation after validation by the Contracting Authority in consultation with the Commission;
- Covering of travel costs (flight/train ticket plus costs of transfer from airport/station to hotel) and accommodation (hotel) for the 10 experts plus the workshop's Chair.
- Documentation: programme, list of participants, background papers, etc.
- Renting the venue, suitable for the number of participants (30) and the structure of the workshop.
- Catering (coffee breaks and lunch²⁸)

In their offer, tenderers shall:

- provide a list of possible experts for the workshop. This list will be discussed with the Contracting Authority and Steering Group, who will decide on a final list of experts to be invited;
- provide a draft concept note of the workshop, describing in as much detail as possible how they will conduct the workshop (logistics, experts, draft agenda).

Maximum 3 pages.

Place of performance

The tasks are to be performed at the premises designated by the contractor, save where meetings are to be held at EASME or the European Commission’s premises. The meetings with the Steering Group, the Commission and the Contracting Authority, as foreseen under section 1.10.2 below, will be held in Brussels.

Besides these meetings the Contracting authority might require the contractor to organise virtual meetings by video conference or by means of collaborative software tools²⁹.

²⁷ Above mentioned experts and additional participants. The contractor will not bear the cost of those additional participants but must ensure the venue has sufficient capacity.

²⁸ Coffee breaks shall include coffee, tea, soft drinks and sweet snacks for 30 people. Lunch shall include coffee, tea, soft drinks and a selection of cold and warm dishes including a vegetarian option, for 30 people.

²⁹ The contractor shall ensure that it can organise and conduct such meetings, in particular by using tools and products compatible with the Commission and EASME's information technology environment.

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

1.7. PERFORMANCE AND QUALITY REQUIREMENTS

Quality requirements

The contractor shall put in place a quality management / control / assurance system covering all deliverables to be provided under the contract.

All deliverables must be submitted in English at C2 level of the Common European Framework of Reference for languages³⁰ (CEFR).

In addition, all final reports and deliverables must be proofread by an English native speaker or someone with English proofreading credentials.

Failure to comply with this language-quality requirement may lead to the refusal of the deliverables by the Contracting Authority.

Green public procurement and EASME environmental policy

Tenderers are encouraged to take into account the principles of the "EASME's environmental policy" when preparing their tenders. More information about the environmental policy of EASME is provided in Annex 9 to these tender specifications.

In line with Commission's policy on green procurement³¹, besides the necessary face-to-face meetings, any additional meetings are to be organized virtually, via videoconference or other collaborative working tools, as much as possible³². This includes meetings and interviews with stakeholders, for example, in the context of the case studies, or contacts with the Commission and/or the Contracting Authority.

This excludes the kick-off meeting, the interim meetings and the meetings with the Steering Group, which shall be held in Brussels. It also excludes naturally the closing workshop, which shall be organized at a venue proposed by the contractor and agreed with the Contracting Authority.

1.8. STARTING DATE OF THE CONTRACT AND DURATION

It is expected that the contract is signed approximately in the second half of 2019.

The contract shall enter into force on the date on which it is signed by the last Contracting Party. The duration of the tasks shall not exceed 15 months from that date. The execution of the tasks shall not start before the contract has been signed. The work, including meeting, workshops, reports, should follow the indicative timetable detailed below.

³⁰ <https://www.coe.int/en/web/common-european-framework-reference-languages/>

³¹ http://ec.europa.eu/environment/gpp/index_en.htm

³² The contractor shall ensure that it can organise and conduct such meetings, in particular by using tools and products compatible with the Commission and EASME's information technology environment.

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

1.9. VOLUME OF THE MARKET

The total maximum amount for the execution of all the tasks referred to in this call for tenders is EUR 500 000. This amount includes all charges and expenses. No contract offer above this amount will be considered.

1.10. PLANNING, OUTPUTS AND DELIVERABLES

The contractor must provide the required deliverables in accordance with the conditions of these tender specifications and the draft service contract. When requested in the contract the deliverables and supporting documents will accompany the invoices for payments. All deliverables which are written documents or reports (including annexes, presentations and minutes) are to be delivered exclusively in e-format, unless specified otherwise in the tender specifications.

Any printed materials (brochures, programs, etc.) must be printed on recycled paper or paper from sustainable forestry (FSC/PEFC labels are considered as compliant; other equivalent certifications are also acceptable). The paper must also be compliant with the criteria of the EU Ecolabel for copying and graphic paper. Lay-out shall be environmental friendly.

1.10.1 Intermediate outputs and deliverables

List of interim outputs and deliverables expected:

1. Inception report
2. Baseline Study– Task 1
3. Analysis of the Baseline Study – Task 2
4. Draft operational guidelines and tools for the application of EBA in MSP – Task 3
5. Interim Progress Report
6. Case studies fiches and promotional leaflet – Task 4

The Inception Report, taking also into account the outcomes of the kick-off meeting, shall detail how the study will be carried out, including:

- proposed overall approach;
- methods and tools to be used;
- draft list of sources and references;
- draft list of case studies and case study fiche format;
- detailed timeline showing the different tasks, key meetings, events and deadlines

The study may not proceed without the approval of the inception report by the Contracting Authority.

The Interim Progress Report will summarize the progress made in Tasks 1, 2, 3 and provide the detailed planning for the execution of Task 4; it will also present the work plan for the remaining period.

The contractor may not continue with the study and Tasks 4 and 5 without the approval of the Interim Report by the Contracting Authority.

The case studies (Task 4) will be submitted at month 10 and shall include the complete case study fiches, results of the stakeholder consultations, data sources used and complete references, and the promotional leaflet summarizing the case studies, including maps and graphics.

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

The submission of the deliverables for task 4 shall be accompanied by the invoice for interim payment of 50% of the total value of the contract.

1.10.2 List of meetings

Kick-off meeting

A kick-off meeting shall take place within 2 weeks of the signature of the contract.

A kick-off meeting will be held in Brussels between the contractor, the Steering Group and the Contracting Authority, where core elements of the study will be discussed, including the proposed case studies. The final list of case studies will be established upon approval of the Inception Report.

The outcomes of the meeting shall be taken into account in the inception report.

After the kick-off meeting, the contractor shall send the draft minutes within one week.

First interim meeting

A first interim meeting shall take place within 6 months of the signature of the contract.

The first interim meeting shall be organised between the contractor, the Steering Group and the Contracting Authority after the completion of Task 3: The contractor shall present the results and deliverables for Tasks 1, 2 and 3, which will be reviewed at the meeting. The contractor shall make the necessary amendments according to comments raised and changes/additions requested.

After the first interim meeting, the contractor shall send the draft minutes within one week.

Second interim meeting

A second interim meeting shall take place within 10 months of the signature of the contract.

A second interim meeting shall be organised between the contractor, the Steering Group and the Contracting Authority after the completion of Task 4.

The contractor shall present the results and deliverables for Task 4, and, as appropriate, updated versions of the deliverables from Tasks 1, 2 and 3, which will be reviewed by the Steering Group. The contractor shall make the necessary amendments according to comments raised and changes/additions requested.

The contractor may not proceed with the organisation of the closing workshop (Task 5) without the approval of the deliverables for Task 4, and the updated deliverables (as appropriate) for Tasks 1, 2 and 3 by the Contracting Authority.

After the second interim meeting, the contractor shall send the draft minutes within one week.

1.10.3 Final outputs and deliverables

List of final outputs and deliverables expected:

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

1. Report on the closing workshop including a summary to be annexed to the final Study Report – Task 5
2. Final study report – including finalised outputs from Tasks 1-5

The Final Study Report shall include the following:

- A summary of work done (Tasks 1-5, maximum 20 pages);
- An executive summary of the results of the study aimed at professionals in the field (2-3 pages);
- A one page infographic, in printable PDF format, summarising the main outcomes of the Study;
- The finalised guidelines (Task 3);
- The finalized case studies (Task 4) including the complete case study fiches, results of the stakeholder consultations, data sources used and complete references, and the promotional leaflet summarizing the case studies, including maps and graphics;
- The report of the closing workshop (Task 5);
- As annex, any additional material produced during the study including: presentations made, minutes of meetings, detailed reports from Tasks 1 and 2, etc.;
- Bibliographic database compiling all the relevant documents reviewed in the context of the study, such as, academic literature, scientific articles, reports, etc.;

This study aims to provide the Contracting Authority with a reliable list of studies, data, information sources and relevant critical analyses and assessments, which the Contracting Authority and the Commission shall be able to use for policy-making. The database must be established in a format (e.g. BiBTeX, RIS, Endnote, Mendeley) compatible with bibliographic tools (e.g. Endnote, Mendeley, Zotero, Mendeley).

The submission of the Final Study Report shall be accompanied by the invoice for payment of the balance due under the contract.

1.10.4 Timetable

The timetable below sets the deadlines for the deliverables and indicates the timing of meetings. It may need to be adjusted by the Contracting Authority depending on the availability of Steering Group members.

Timetable (months/weeks/days)	Meetings	Actions/Deliverables
Reference date - signature of the contract (T0)		Start date of the contract.
T0 + 2 weeks	Kick-off meeting	Presentation of the detailed project plan by the contractor. This will include any new information that has arisen since the tender

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

		was submitted.
Month 1		Submission of the inception report. The inception report will summarise the kick-off meeting and incorporate any adjustments to the original plan.
Month 5		Submission of the Interim Progress Report and the deliverables for Tasks 1, 2 and 3
Month 6	First interim meeting	Review and comments by the Steering Group on the deliverables for Tasks 1, 2 and 3 and on the Interim Progress Report, as a basis for Contracting Authority's approval.
Month 10		Submission of the deliverables for Task 4. Submission of the invoice for the interim payment of 50%.
Month 11	Second interim meeting	Review and comments by the Steering Group on deliverables for Task 4, as a basis for Contracting Authority's approval.
Month 12		Submission of the draft Final Study Report
Month 12 + 2 weeks		Review and comments by the Steering Group of the draft Final Study Report.
Month 13		Submission of a revised draft Final Study Report based on the comments made the Steering Group.
Between Month 13 and 14	Closing workshop	
Month 15		Submission of the Report on the closing workshop including a summary to be annexed to the revised draft Final Study Report. Submission of the Final Study Report taking into account the outcome of the closing workshop. Submission to the Contracting Authority of all finalised deliverables produced under the contract. Submission of the invoice for payment of the balance.

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

1.11. INTELLECTUAL PROPERTY RIGHTS

The intellectual property rights related to the services/studies are foreseen in the draft Service Contract (Annex 1 to these tender specifications).

Parts of results pre-existing the contract

If the results are not fully created for the purpose of the contract this should be clearly pointed out in the tender. Information should be provided about the scope of pre-existing materials, their source and when and how the rights to these materials have been or will be acquired.

Plagiarism in the tender

In the tender all quotations or information originating from other sources and to which third parties may claim rights have to be clearly marked (source publication including date and place, creator, number, full title etc.) in a way allowing easy identification.

2. CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE DELIVERABLES

The contractor must deliver the following deliverables as indicated below.

2.1. CONTENT

2.1.1 Final study report

The Final Study Report must include:

- ✓ specific identifiers which must be incorporated on the cover page provided by the Contracting Authority;
- ✓ the following disclaimer:

“The information and views set out in report are those of the author(s) and do not necessarily reflect the official opinion of EASME or of the Commission. Neither EASME, nor the Commission can guarantee the accuracy of the data included in this study. Neither EASME, nor the Commission or any person acting on their behalf may be held responsible for the use which may be made of the information contained therein.”

2.1.2 Publishable executive summary

The publishable executive summary must be provided in both English and French, and must include:

- ✓ specific identifiers which must be incorporated on the cover page provided by the Contracting Authority;
- ✓ the following disclaimer:

“The information and views set out in this report are those of the author(s) and do not necessarily reflect the official opinion of EASME or of the Commission. Neither EASME, nor the Commission can guarantee the accuracy of the data included in this study. Neither EASME, nor the Commission or any person acting on their behalf may be held responsible for the use which may be made of the information contained therein.”

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

2.1.3 Requirements for publication on Internet

EASME is committed to making online information as accessible as possible to the largest possible number of users including those with visual, auditory, cognitive or physical disabilities, and those not having the latest technologies. EASME supports the Web Content Accessibility Guidelines 2.0 of the W3C.

For full details on the Commission policy on accessibility for information providers, see:

http://ec.europa.eu/ipg/standards/accessibility/index_en.htm

For the publishable versions of the study, abstract and executive summary, the contractor must respect the W3C guidelines for accessible pdf documents as provided at: <http://www.w3.org/WAI/>.

2.1.4 Structure

The contractor will make a proposal on how to structure the Final Study Report at the second interim meeting. This proposal will be discussed with the Contracting Authority and the Steering Committee at the interim meeting.

2.1.5 Graphic requirements

The contractor must deliver the study in full compliance with the corporate visual identity of the European Commission, by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo. The graphic rules, the Manual and further information are available at:

http://ec.europa.eu/dgs/communication/services/visual_identity/index_en.htm

A simple Word template will be provided to the contractor after contract signature. The contractor must fill in the cover page in accordance with the instructions provided in the template. The use of templates for studies is exclusive to EASME contractors. No template will be provided to tenderers while preparing their tenders.

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

3. INFORMATION ON TENDERING

3.1. PARTICIPATION

Participation in this procurement procedure 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 Union in the field of public procurement on the conditions laid down in that agreement.³³

States covered by the Plurilateral Agreement on Government Procurement concluded within the World Trade Organisation are not included in this call for tenders as the Executive Agencies are not signatories of the Agreement.

In the case of a joint tender (see section 3.4), each member of the group must have access to this procurement procedure.



For British candidates or tenderers:

Please be aware that after the UK's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries will apply to candidates or tenderers from the UK depending on the outcome of the negotiations. In case such access is not provided by legal provisions in force candidates or tenderers from the UK could be rejected from the procurement procedure.

3.2. CONTRACTUAL CONDITIONS

The tenderer should bear in mind the provisions of the draft contract which specifies the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, and checks and audits.

3.3. COMPLIANCE WITH APPLICABLE LAW

The tender must comply with applicable 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/EU³⁴.

Information about the environmental policy of EASME is provided in Annex 9 to these specifications.

3.4. JOINT TENDERS

A joint tender is a situation where a tender is submitted by a group of economic operators (natural or legal persons). Joint tenders may include subcontractors in addition to the members of the group.

³³ Third countries with a special agreement in the field of public procurement that have been given access to procurement procedures of the Union institutions, agencies and bodies regardless of the value of the purchase are: Albania, Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia, Iceland, Montenegro, Norway and Liechtenstein and Serbia.

³⁴ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

In case of 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, i.e. both financial and operational liability. Nevertheless, tenderers must designate one of the economic operators as a single point of contact ("the leader") for the Contracting Authority for administrative and financial aspects as well as operational management of the contract.

After the award, the Contracting Authority will sign the contract either with all members of the group, or with the leader on behalf of all members of the group, authorised by the other members via powers of attorney.

3.5. SUB-CONTRACTING

Subcontracting is the situation where a contract has been or is to be established between the Contracting Authority and a contractor/tenderer only and where the contractor or tenderer, in order to carry out that contract, enters into legal commitments with other entities for performing parts of the contract. The Contracting Authority has no direct legal commitment with the subcontractor(s). In practice, any third party involved in the contract implementation which has no legal link with the Contracting Authority but with the contractor will be considered as subcontractor (e.g. any other company which does not participate in the contract execution but provides financial capacity).

Subcontracting is permitted but the contractor will retain full liability towards the Contracting Authority for performance of the contract as a whole.

The rules of access to EU public procurement (Section 3.1) do not apply to subcontractors.

Tenderers are required to identify all subcontractors whose capacity is necessary to fulfil the selection criteria.

During contract performance, the change of any subcontractor identified in the tender or additional subcontracting will be subject to prior written approval of the Contracting Authority.

3.6. COSTS

Tenderers themselves will bear the costs of drawing up their tenders and EASME will not be liable to pay any compensation if a tender is rejected or if it decides not to select any tender.

3.7. CONTENT OF THE TENDER

- The tenders must be presented as follows:
- Part A: Identification of the tenderer (see Section 3.8)
- Part B: Non-exclusion (see Section 4.2)
- Part C: Selection (see Section 4.3)
- Part D: Technical offer (including Annex 6 - Technical Tender Form)

The technical offer must cover all aspects and tasks required in the tender specifications and provide all the information needed to apply the award criteria. Offers deviating from the requirements or not covering all minimum requirements may be rejected on the basis of non-compliance with the tender specifications and will not be evaluated.

The maximum number of pages for the Technical offer (excluding Annex 6) is fifty (50).

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

For the appraisal, the written submission shall include a clear and detailed description of the organisation, human and technical resources and methodology proposed. The tenderers will provide a practical and detailed description of those resources and the services proposed to achieve the objectives and results set out in Sections 1.3, 1.4 and 1.6 and 1.7 above.

➤ **Part E: Financial offer (Annex 7 - Price and breakdown of prices)**

The financial offer must be presented in the form of Annex 7, duly filled in, dated and signed.

The price for the tender must be quoted in euro. 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.

Prices must be quoted free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union. The amount of VAT may be shown separately.

The quoted price must be a fixed amount that includes all charges and expenses (including travel costs, accommodation costs, subsistence expenses, costs of the workshops and related catering, etc.). Travel costs, accommodation costs, subsistence expenses, costs of the workshops and related catering and other costs are not refundable separately.

3.8. IDENTIFICATION OF THE TENDERER

The tender must include a cover letter (letter of submission of tender - Annex 2) presenting the name of the tenderer (including all entities in case of joint offer) and identified subcontractors if applicable, and the name of the single point of contact (leader) in relation to this procedure.

In case of joint tender, the cover letter must be signed either by an authorised representative for each member, or by the leader authorised by the other members with powers of attorney (Annex 4 - Power of attorney). The signed powers of attorney must be included in the tender as well. Subcontractors that are identified in the tender must provide a letter of intent (Annex 5) signed by an authorised representative stating their willingness to provide the services presented in the tender and in line with the present tender specifications.

The tenderer (and each member of the group in case of joint tender) must declare whether it is a Small or Medium Size Enterprise in accordance with Commission Recommendation 2003/361/EC³⁵. This information is used for statistical purposes only.

In the course of this tender procedure the EU Validation Services may contact tenderers via the *Participant Register* and ask for supporting documents with respect to the legal existence and status. Please note that a request for supporting documents in no way implies that the tenderer has been successful.

Nevertheless, the Contracting Authority may ask, in the course of the procedure, for complementary supporting documents, other than those requested by the EU Validation Services. Such complementary documents may be asked so as to complete the checks on the

³⁵ OJ L 124/36, 20.5.2003

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

compliance of successful entities with the selection criteria and/or to ensure that the entity is not in one of the exclusion situations referred to in this call for tenders.

4. EVALUATION AND AWARD

4.1. EVALUATION STEPS

The evaluation is based solely on the information provided in the submitted tender. It involves the following:

- ✓ 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 set out in these tender specifications
- ✓ Evaluation of tenders on the basis of the award criteria

The Contracting Authority may reject abnormally low tenders, in particular if it established that the tenderer or a subcontractor does not comply with applicable obligations in the fields of environmental, social and labour law.

The Contracting Authority will assess these criteria in no particular order. The successful tenderer must pass all criteria to be awarded the contract.

4.2. VERIFICATION OF NON-EXCLUSION

All tenderers must provide a declaration on honour (Annex 3), signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in that declaration on honour.

In case of joint tender, each member of the group must provide a declaration on honour signed by an authorised representative.

In case of subcontracting, all subcontractors whose capacity is necessary to fulfil the selection criteria must provide a declaration on honour signed by an authorised representative.

The Contracting Authority reserves the right to verify whether the successful tenderer is in one of the situations of exclusion by requiring the supporting documents listed in the declaration of honour.

The successful tenderer must provide the documents mentioned as supporting evidence in the declaration on honour before signature of the contract and within a deadline given by the Contracting Authority. This requirement applies to each member of the group in case of joint tender and to all whose capacity is necessary to fulfil the selection criteria.

The obligation to submit supporting evidence does not apply to international organisations.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the Contracting Authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that that there has been no change in its situation.

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the Contracting Authority can access the document in question on a national database free of charge.

4.3. SELECTION CRITERIA

Tenderers must prove their economic, financial, technical and professional capacity to carry out the work subject to this procurement procedure.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

The tender must include the proportion of the contract that the tenderer intends to subcontract.

4.3.1 Declaration and evidence

The tenderers (and each member of the group in case of joint tender) and subcontractors whose capacity is necessary to fulfil the selection criteria must provide the declaration on honour (see Annex 3), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them. In case of joint tender or subcontracting, the criteria applicable to the tenderer as a whole will be verified by combining the various declarations for a consolidated assessment.

This declaration is part of the declaration used for exclusion criteria (see Section 4.2) so only one declaration covering both aspects should be provided by each concerned entity.

The Contracting Authority will evaluate selection criteria on the basis of the declarations on honour (Annex 3), the information included in the tables in Annex 2.1 - Statement of turnover and Annex 2.2 - Technical capacity, fully completed, and the evidence where requested.

After contract award, the successful tenderer will be required to provide the necessary evidence before signature of the contract and within a deadline given by the Contracting Authority. This requirement applies to each member of the group in case of joint tender and to subcontractors whose capacity is necessary to fulfil the selection criteria.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the Contracting Authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that that there has been no change in its situation.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the Contracting Authority can access the document in question on a national database free of charge.

4.3.2 Legal and regulatory capacity

This section is not applicable to this call for tenders.

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

4.3.3 Economic and financial capacity criteria

The tenderer must have the necessary economic and financial capacity to perform this contract until its end. In order to prove its capacity, the tenderer must comply with the following criterion:

Its average annual turnover for the last two years for which the accounts have been closed³⁶ shall amount to at least one and a half times the volume of the market as specified in point II.1.5 of the contract notice; this criterion applies to tenderer as a whole, i.e. the combined capacity of all members of a group in case of a joint tender and subcontractors whose capacity is necessary to fulfil this criterion.

To this effect, the following should be provided with the tender in eSubmission from all tenderers and subcontractors whose capacity is necessary to fulfil the combined capacity:

- **Statement of Turnover in accordance with Annex 2.1** of these tender specifications completed with the information requested.

For tenderers (including all members of the group) expect subcontractors:

In the course of this tender procedure the EU Validation Services may contact tenderers via the *Participant Register* and ask for supporting documents with respect to their economic and financial capacity. Please note that a request for supporting documents in no way implies that the tenderer has been successful.

Nevertheless, the Contracting Authority may ask, in the course of the procedure, for complementary supporting documents, other than those requested by the EU Validation Services. Such complementary documents may be asked so as to complete the checks on the compliance of successful entities with the selection criteria.

For subcontractors:

Subcontractors contributing to the combined financial and economic capacity of tenderers should submit with the tender the following documents in eSubmission:

- Copy of the Profit and Loss accounts for the last two years for which the accounts have been closed from each concerned legal entity;

Failing that,

- Appropriate statements from banks;

or

- Evidence of professional risk indemnity insurance.

If, for some exceptional reason which the Contracting Authority considers justified, a tenderer is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other document which the Contracting Authority considers appropriate. In any case, the Contracting Authority must at least be notified of the exceptional reason and its

³⁶ In the case of joint tender or identified sub-contractors, the turnover must be provided for the same two years for all the partners/subcontractors.

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

justification. The Contracting Authority reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

4.3.4 Technical and professional capacity criteria and evidence

Tenders must provide in their tender the table in Annex 2.2 of these tender specifications, exhaustively completed with all the necessary information.

The evidence mentioned below must be provided only on request, except evidences B1 and B2 that should be part of the submitted offer.

A. Criteria relating to tenderers:

Tenderers (in case of a joint tender the combined capacity of all members of the group and identified subcontractors) must comply with the criteria listed below.

The project references indicated below consist in a list of relevant services provided in the past years, with the sums, dates and clients, public or private, accompanied by statements issued by the clients.

Criteria relating to tenderers	Evidence
✓ Criterion A1: The tenderer must have experience in the fields of environmental impact assessments, strategic environmental assessments and cumulative impacts assessments.	✓ Evidence A1: The tenderer must provide references for at least 3 projects (i.e. one project per field) completed in the last 10 years, in which the tenderer held a significant role, i.e. as coordinator or leading partner.
✓ Criterion A2: The tenderer must have experience in the fields of maritime spatial planning, marine protected areas designation and management, and ocean governance.	✓ Evidence A2: The tenderer must provide references for at least 3 completed projects (other than desk studies), in at least 2 of the fields. The projects must have been completed in the last 5 years and the tenderer must have held a significant role, i.e. as coordinator or leading partner.
✓ Criterion A3: The tenderer must have experience in the economic valuation of environmental impacts and benefits and notably, in the valuation of ecosystem services.	✓ Evidence A3: The tenderer must provide references for at least 3 projects and/or peer-reviewed publications completed/published in the last 5 years, having relation to the actual economic valuation of environmental impacts and benefits. One of these must be in relation to ecosystem valuation.
✓ Criterion A4: The tenderer must prove capacity to draft reports in English.	✓ Evidence A4: the tenderer must provide one document of at least 10 pages (report, study, etc.) in this language that it has drafted and published or delivered to a client in the last 2 years.
✓ Criterion A5: The tenderer must prove capacity to organise large workshops and conferences.	✓ Evidence A5: the tenderer must provide references for at least 2 workshops and 2 conferences of minimum 25 people that it has organised and facilitated (not helped or

Tender specifications

EASME/2019/OP/0002: “Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU”

	supported) in the past 5 years. The references should be able to demonstrate the exact organisation/facilitation work carried out by the tenderer, the agenda, speakers/facilitation and logistics.
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Any tenderer with a professional conflict of interest will be rejected on the basis not fulfilling selection criteria for professional capacity.

B. Criteria relating to the team delivering the service:

The team delivering the service should include, as a minimum, the following profiles. In addition to the minimum profiles, a tenderer may add other profiles to the team. It should also explain the role and the involvement concerning the task requested by this call for tenders.

Evidence will consist in CVs³⁷ of the team responsible to deliver the service, including those working for identified sub-contractors. Each CV should indicate the intended function in the delivery of the service.

The contractor shall ensure that all members of the team delivering the service, listed in the technical offer, are effectively and fully available, and assigned to the project when it begins.

Criteria relating to the team delivering the service	Evidence
<p>✓ Criterion B1: Project Manager: At least 10 years' experience in the management of projects at EU level, with at least one project budgeted above EUR 250,000 and conducted in different EU countries. Such experience must cover overseeing project preparation and delivery, quality control of delivered service, client orientation, risk management, conflict resolution, and supervision of a team of at least 10 people.</p>	<p>✓ Evidence B1: CV, outlining how their profile meets the different elements under criterion B1.</p>
<p>✓ Criterion B2 - Language quality check:</p> <ul style="list-style-type: none"> - there should be at least one member of the team with C1³⁸ level in the Common European Framework for Reference for Languages, for each of the languages of the countries/regions proposed by the tenderer for the case studies to be conducted (ref. Task 4.) - at least 1 member of the team should have at least 3 years' experience in editing/proofreading and English at C1³⁹ level in the Common European Framework for Reference for Languages proficiency. 	<p>✓ Evidence B2 – CV, outlining how their profile meets the different elements under criterion B2.</p>

³⁷ http://europass.cedefop.europa.eu/europass/preview.action?locale_id=1

³⁸ According to the Common European Framework for Reference for Languages:
http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp

³⁹ According to the Common European Framework for Reference for Languages:
http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

4.4. AWARD CRITERIA

The contract will be awarded based on the most economically advantageous tender, according to the 'best price-quality ratio' award method. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

Tenders that receive less than 60% of the maximum possible mark for the whole quality evaluation or less than 50% for any one of the quality criteria will be eliminated and their final score will not be calculated. Tenders that do not reach the minimum quality levels will be rejected and will not be ranked.

Quality award criteria	Maximum possible mark
<p>Criterion 1: Quality of the proposed approach</p> <p>This criterion will assess the technical quality of the proposal regarding:</p> <ul style="list-style-type: none">- The soundness of the approach and methods proposed to conduct the study and whether these are in line with the policy priorities of the EU;- The relevance and completeness of the information and evidence base proposed for the work, including the type of environmental, socio-economic and human activity data that will be used in the study;- The relevance of the proposed case studies;- The extent to which the offer takes into account other relevant work, agreements, legislation and initiatives such as the work of RSCs, IOC-UNESCO, EU projects, etc.;- The proposed method to fill any knowledge and data gaps encountered during the study, detailing whether this involves new surveys or research and what these will consist of.	60 points
<p>Criterion 2: Organisation of the work and resources:</p> <p>This criterion will assess:</p> <ul style="list-style-type: none">- How the roles and responsibilities of the proposed team and of the different economic operators (including subcontractors) are distributed for each task and to which extent the allocation of time and resources is adequate for the work.- The proposed project management structure - how the organisation and management of the team and work will ensure promptness of deliverables and that deadlines are met; how the organisation and management of the team and work will identify risks for a proper implementation of the project and which remedial measures it is able to propose; how continuity will be ensured in case of absence of a core member of the team.- Details concerning the allocation of time and human resources should be provided as part of the technical offer i.e. the allocation should be indicated for each task and deliverable and should specify the role, the names and the estimated number of days/units for each member of the team. The offer should also include one	20 points

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

performance indicator per task, on which the contractor will report during the project. This is not a request for a budget, as the budget should only be part of the financial offer.	
Criterion 3: Quality control and environmental and social sustainability measures This criterion will assess: <ul style="list-style-type: none">- The quality control system put in place, ensuring the quality and the promptness of the deliverables, the language quality and reader friendliness check. This criterion will also assess how much the offer proposes a detailed and precise quality control system which should be specific the tasks described in the tender specifications. A generic quality control system will result in a low score.- The extent to which the proposal takes into account the Commission's policy on green public procurement⁴⁰ and EASME's environmental policy.	20 points

4.5. RANKING OF TENDERS

The contract will be awarded to the most economically advantageous tender, i.e. the tender offering the best price-quality ratio determined in accordance with the formula below. A weight of 70/30 is given to quality and price.

The price used for the ranking of the tenders is the price quoted under "Total price used for the assessment of the financial offer and total price of the contract" in Annex 7 Price and breakdown of prices.

score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}}$	*	100	*	price weighting (in 30%)	+	total quality score (out of 100) for all award criteria of tender X	*	quality criteria weighting (in 70%)
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The tender ranked first after applying the formula will be awarded the contract.

4.6. INFORMATION TO TENDERERS ON THE FINAL EVALUATION

EASME will inform tenderers of decisions reached concerning the award of the contract, including the grounds for any decision not to award a contract or to recommence the procedure.

EASME will inform all rejected tenderers of the reasons for their rejection and all tenderers submitting an admissible tender of the characteristics and relative advantages of the selected tender and the name of the successful tenderer.

However, certain information may be withheld where its release would impede law enforcement or otherwise be contrary to the public interest, or would prejudice the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

⁴⁰ http://ec.europa.eu/environment/gpp/index_en.htm

Tender specifications

EASME/2019/OP/0002: "Study on integrating an ecosystem-based approach into maritime spatial planning, in particular in the context of the implementation of the Directive 2014/89/EU"

5. ANNEXES

The following documents are annexed to these specifications and form an integral part of them:

Annex 1: Draft contract (for information)

Annex 2: Letter of submission of tender (to be filled in and signed by the tenderer)

- Annex 2.1. – Statement of turnover
- Annex 2.2. – Technical capacity

Annex 3: Declaration on honour (exclusion and selection criteria)

Annex 4: Power of attorney

Annex 5: Letter of intent for sub-contractors

Annex 6: Technical tender form

Annex 7: Financial offer (price and breakdown of costs)

Annex 8: Checklist for Submission

Annex 9: EASME's Environmental Policy