



CEDEFOP

European Centre for the Development
of Vocational Training

Area Resources

Finance and Procurement, Procurement Service

Thessaloniki, 30/08/2010

RS/PRO/YSIRAK/2010/566

OPEN INVITATION TO TENDER

AO/RPA/PLI-PSZO/Financing training/017/10

‘Financing training in Europe’

Ref.: Contract notice – 2010/S 167-255566 of 28.08.2010

Dear Sir/Madam,

We thank you for the interest you have shown in this tender.

The purpose of this tender and additional information necessary to present a tender can be found in the attached Tender Specifications. You should note however the following important points concerning the submission of a tender and its implications.

1. Tenders should be submitted preferably in English, but in any case in one (or in any) of the official languages of the European Union.
2. Tenders may be submitted exclusively in one of the following ways:

(a) by post to be dispatched not later than **the date and time specified in the timetable in point 8 below**, in which case the evidence shall be constituted by the date of dispatch on the postmark or the date of the deposit slip, to the following post address of Cedefop:

**European Centre for the Development of Vocational Training (Cedefop),
Procurement Service
Attention of Mr G. Paraskevaïdis
PO Box 22 427
GR – 55102 Thessaloniki, Greece**

Important:

Tenderers shall inform Cedefop by e-mail (c4t-services@cedefop.europa.eu) or fax (+30 2310 490028)

✓ that they have submitted an offer in time, and

✓ that they request Cedefop to confirm receipt of the e-mail or fax.

Do not attach your offer to any of the above information e-mail or fax.

OR

(b1) by courier service to be dispatched not later than **the date and time specified in the timetable in point 8 below**, in which case the evidence shall be constituted by the date of dispatch to the address below or the date of the deposit slip,

OR

(b2) delivered by hand not later than **the date and time specified in the timetable in point 8 below**, in which case a receipt must be obtained as proof of submission, signed and dated by the official in the above mentioned Service who took delivery,

to the following address (for points **(b1)** and **(b2)**):

**European Centre for the Development of Vocational Training (Cedefop),
Procurement Service
Attention of Mr G. Paraskevaïdis
123, Europe Str, GR-57001 Thessaloniki-Pylea,
PO Box 22 427 - Greece
Tel: +30 2310 490111 / 490 064**

Please note that Cedefop is open from 09h00 to 17h00, Monday to Friday. It is closed on Saturday, Sunday and Cedefop holidays.

3. Tenders must be submitted strictly adhering to the following.

Tenders must be submitted in a sealed envelope itself enclosed within a second sealed envelope. If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

The **outer envelope**, addressed simply to Cedefop (address depending on the means of submission, see point 2 above), should only bear additionally **the name and address** of the sender.

The **inner envelope**, addressed to the Procurement Service as indicated under point 2 above, must bear a self-adhesive label with the indication **“Open Invitation to tender – Not to be opened by the internal mail service”** and all the necessary information, as shown below:

OPEN INVITATION TO TENDER CEDEFOP No: AO/RPA/PLI-PSZO/Financing training/017/10 <i>‘Financing training in Europe’</i> Name of tenderer: NOT TO BE OPENED BY THE INTERNAL MAIL SERVICE

The inner envelope must also contain three sealed envelopes, namely, Envelope A – “Supporting Documents”, Envelope B – “Technical Proposal” and Envelope C – “Financial Proposal”. The content of each of these three envelopes is described in point 6 of the attached tender specifications.

4. Tenderers must ensure that their tenders are signed by an authorised representative and that tenders are legible. It is mandatory to include in the offer a cover letter, signed by the person/s that is/are authorised to sign the contract in case of contract award. The absence of a signed cover letter may lead to rejection of the offer.
5. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the specifications and in the draft contract and, where appropriate, waiver of the tenderer’s own general or specific terms and conditions. It is binding on the tenderer to whom the contract is awarded for the duration of the contract.
6. The opening of tenders will take place at Cedefop on **the date and time specified in the timetable in point 8 below**. Each tenderer may be represented at the opening of tenders by one person. The name of the person attending the opening must be notified in writing by fax (Fax No +30 2310 490 028) or by e-mail (C4T-services@cedefop.europa.eu) at least two working days prior to the opening session.
7. Contacts between the contracting authority (Cedefop) and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the final date for submission of tenders:

- At the request of the tenderer, the Cedefop Procurement Service may provide additional information solely for the purpose of clarifying the tender documents. Any request for additional information must be made in writing by fax (fax No +30 2310 490 028) or by e-mail (C4T-services@cedefop.europa.eu).

Requests for additional information/clarification should be received by the date and time as specified in the timetable in point 8 below. No such requests will be processed after that date.

- The contracting authority may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tender.

Any additional information, including that referred to above, will be published on Cedefop's website. Please ensure that you visit regularly the site for updates up to the closing date for receipt of tenders.

After the opening of tenders:

- If clarification is required or if obvious clerical errors in the tender need to be corrected, the contracting authority may contact the tenderer provided the terms of the tender are not modified as a result.
- Tenderers should not contact the contracting authority (i.e. Cedefop) on their own initiative after the tenders have been opened.
- The non-submission with the offer of the mandatory documents required in the Tender Specifications below in regards to the Exclusion and Selection Criteria, will lead to rejection of the respective tender without requesting any clarification. Clarifications during the first phase (exclusion and selection criteria) may be asked only for presented documents.
- If the supporting documents for the assessment of an award criterion are missing, these may not be requested as clarification either, because this would alter the proposal. Any requests for clarification in that regard should not lead to amendment of the terms of the tender. The tenderers' replies must serve solely the purpose to provide the Evaluation Committee with a clarification regarding the offer in relation to the technical proposal or concerning obvious clerical errors in the financial offer. Neither the technical content of the tender nor the financial offer may be changed.
- In case the tenderer alters the total financial offer during a clarification (beyond the correction of any obvious clerical/calculation errors), this offer will be automatically rejected.

8. Timetable:

Timetable:	DATE	TIME
Deadline for request for any clarifications from Cedefop	08/10/2010	n/a
Last date on which clarifications are issued by Cedefop	as soon as possible	n/a
Deadline for submission of tenders (hand delivered)	18/10/2010	17.00h
Deadline for submission of tenders by post / courier		n/a
Tender opening session	02/11/2010	11.00h

9. All costs incurred in preparing and submitting tenders are borne by the tenderers.
10. Up to the point of signature, the contracting authority may either abandon the procurement or cancel the award procedure, without the candidates or tenderers being entitled to claim any compensation. If such decision is taken, the tenderers will be notified accordingly.
11. This invitation to tender is in no way binding on Cedefop. Cedefop's contractual obligation commences only upon signature of the contract with the successful tenderer.
12. Tenderers are informed that for the purposes of safeguarding the financial interests of the European Union, their 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, upon request to Cedefop's Head of Finance and Procurement.

13. Evaluating your tender and your possible subsequent replies to questions in accordance with the specifications of the invitation to tender, will involve the recording and processing of personal data (such as your name, address and CV). Such personal data will be processed by Cedefop's Finance and Procurement Service solely for that purpose and pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of data by the Union institutions and bodies and on the free movement of such data. You are entitled to obtain access to your personal data on request and to rectify any such data that is inaccurate or incomplete. If you have any queries concerning the processing of your personal data, you may address them to the Head of Finance and Procurement. You have the right of recourse at any time to the European Data Protection Supervisor for matters relating to the processing of your personal data.
14. All tenderers will be informed in writing of the results of the tender procedure.

Yours sincerely,

G. Paraskevaidis
Head of Finance and Procurement

Attached: Tender Specifications

OPEN INVITATION TO TENDER

AO/RPA/PLI-PSZO/Financing training/017/10

‘Financing training in Europe’

Tender Specifications

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ANNEXES:

Annex A	Contract Notice(given as a separate file in *.pdf format)
Annex B:	Draft contract (given as a separate file in *.pdf format)
Annex C:	Declaration on Exclusion Criteria and absence of conflict of interest (given as a separate *.doc)
Annex D:	Legal Entity Form
Annex E:	Financial Identification Form
Annex F:	Checklist of mandatory documents
Annex G:	Questionnaires (1-4) (given as a separate *.doc file)
Annex H:	Power of Attorney (Models 1 and 2 (given as a separate *.doc file)
Annex I:	Model of Letter of Intent for Subcontractor/s (given as a separate *.doc file)
Annex J:	Glossary of Terms

Introduction to Cedefop: Strengthening European cooperation in vocational education and training policy

- 1) Founded in 1975 (1) and based in Greece since 1995, the European Centre for the Development of Vocational Training (Cedefop) is an agency of the European Union (EU) supporting European vocational education and training (VET) policy development. Its strategic objective for 2009-11 (2) is to 'contribute to excellence in VET and strengthen European cooperation in developing, implementing and evaluating European VET policy'.
- 2) This strategic objective is supported by four priorities, namely:
 - (a) informing European VET policies;
 - (b) interpreting European trends in and challenges for skills, competences and learning;
 - (c) assessing VET's benefits;
 - (d) raising the profile of VET.
- 3) Cedefop supports the European Commission, Member States (as well as the associated countries of Iceland and Norway) and social partners by:
 - (a) using its expertise, gathered through research, analysis and networking, to identify trends and challenges and propose ideas for VET policies;
 - (b) bringing together policy-makers, social partners, researchers and practitioners to share ideas and debate proposals on the best ways to tackle the challenges we face;
 - (c) encouraging European approaches, principles and tools to improve training and achieve common aims;
 - (d) raising awareness and understanding of how vocational education and training is evolving, and how it contributes to lifelong learning and other policies;
 - (e) disseminating information through websites, publications, networks, study visits, conferences and seminars.

Cedefop carries out its role through the tasks set out in its founding regulation. It disseminates information through its website, publications, networks, study visits, conferences and seminars.

- 4) More information about Cedefop can be found on its website: <http://www.cedefop.europa.eu>

(¹) Council Regulation of 10 February 1975 establishing a European Centre for the Development of Vocational Training (Cedefop) EEC No 337/75, *Official Journal of the European Communities* L39, 13.2.1975 as last amended by Council Regulation EC No. 2051/2004.

(²) Cedefop, *Enhancing European cooperation in vocational education through evidence and expertise: continuity, focus and flexibility - Cedefop's medium-term priorities 2009-11*

1 Overview of this tender

In submitting his tender, the tenderer accepts in full and without restriction the requirements of these Tender Specifications, and the Special and General conditions governing this contract as the sole basis of this tendering procedure, whatever his own conditions of sale may be, which he hereby waives. Tenderers are expected to examine carefully and comply with all instructions, forms, contract provisions and specifications contained in this tender dossier. Failure to submit a tender containing all the required information and documentation may lead to the rejection of the tender. No account can be taken of any reservation expressed in the tender as regards the tender dossier (if necessary, clarification may be requested by the potential tenderer concerned while the tender submission phase is open – see point 7, 2nd bullet, of the Invitation to tender); any reservation may result in the immediate rejection of the tender without further evaluation.

1.1 Description and type of the contract

- a) Title of the contract: ‘Financing training in Europe’
- b) The purpose of this contract is to carry out a study to provide a comprehensive overview of financial instruments used by EU countries to share the costs of training. The study will take stock of Cedefop’s previous research in the field, up-date this information, complement it with data from other sources, and bring together available evidence on effectiveness and efficiency of different financing instruments.
- c) Type of contract: Service contract.

1.2 Place of delivery or performance

The tasks must be performed in the Contractor’s premises.

1.3 Division into lots

This tender procedure is not divided into lots.

1.4 Variants

Tenderers may not offer variant solutions to what is requested in the technical specifications.

1.5 Value or quantity of purchase

The estimated budget for the required services described in this call for tenders is not expected to exceed 200.000 EUR.

1.7 Validity of tenders

Tenderers must maintain the validity of their tender for at least 6 months following the deadline of submission of tenders, i.e. until 18/04/2011.

In exceptional cases, before the period of validity expires, Cedefop may ask the tenderers to extend the period for a specific number of days, which may not exceed 40.

The selected tenderer must maintain his tender for a further period of 60 days from the date of notification that his tender has been recommended for the award of the contract. The further period of 60 days is added to the initial period of 6 months irrespective of the date of notification.

1.8 Duration of the contract

The contract shall enter into force on the date of signature of the last contracting party, and shall be valid for a period of 14 months.

1.9 Main terms of financing and payment

Payments will be made within 30 days of submission of invoices and at the conditions set out in the draft contract.

2 Terms of Reference

2.1 Introduction

Investment in people should be of high priority, especially in times of economic downturn. Raising skills of European workforce is critical for Europe's recovery, sustainable growth and a competitive and inclusive economy, with high levels of employment, productivity and social cohesion.

But countries face severe budgetary constraints due to the current crisis. Public budgets are tight, including budgets for education and training. More money is needed to accommodate more young people staying longer in education and training systems as they lack job prospects. Substantial sums are spent on training to help people keep their jobs and assist those who lost their jobs through redundancy.

Inevitably, governments will be forced to cut spending and make difficult choices about the priorities. This may raise uncertainty about sustainability of financing education and training in the future. Another worrying fact is that there are signs of private sector cutting back investment in training as a result of budgetary constraints.

Meanwhile, the demand for training, up-skilling and retraining European workforce is likely to increase as people will aim at improving their chances to access or stay in the labour market through learning. To respond to this demand countries need, more than ever, to seek ways of sharing costs and responsibilities for training between different stakeholders. As highlighted in the integrated guidelines of Europe 2020 strategy 'investment in human resource development, up-skilling and participation in lifelong learning schemes should be promoted through joint financial contributions from governments, individuals and employers'³.

The urgency of the need to improve skills of Europe's workforce has also been stressed in the Council Conclusions on 'New Skills for New Jobs: the way forward'⁴. Member States have been urged to 'invest in skills and encourage both companies and citizens to do so, including through financial (and non-financial) incentives'.

Further, the new strategic framework for European cooperation in education and training ('ET 2020') emphasises that it is crucial to ensure high quality, efficient and equitable education and training for Europe's success and enhancing employability.

A key issue is therefore to choose the right instruments to ensure more and better funding and provide the right incentives to training. This provides an opportunity to reflect upon the ways training has been financed till now (and what are the results of existing financing schemes) and explore how it could be funded in the most effective, efficient and equitable way.

2.2 General purpose

The purpose of this contract is to carry out a study to provide a comprehensive overview of financing instruments used by EU countries to share the costs of training. The study shall take the stock of Cedefop's previous research in the field, up-date this information, complement it with data from other sources, and bring together available evidence on effectiveness and efficiency of different financial instruments.

The study should be embedded in Cedefop's systematic research and policy analysis to examine developments in financing vocational education and training.

³ European Commission's 'Recommendation for Council Recommendation on broad guidelines for the employment policies of the Member States', of 27 April 2010, Guideline 8: 'Developing a skilled workforce responding to labour market needs, promoting job quality and lifelong learning'.

⁴ Council Conclusions on 'New Skills for New Jobs: the way forward'. 7 June 2010. Available at: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/lssa/114962.pdf

2.3 Description of the tasks

The study has to cover the 27 EU Member States. Contractors should carry out the following tasks:

Task 1: Provide concise background information on training and its financing in Member States

- Present key data on training in Europe (participation, level of expenditure, etc)
- Present the key issues of current national policy debate on financing training; identify trends (shifts in funding, if any), main challenges and future priorities
- Identify the main stakeholders in financing training at national level; indicate the importance of their financial contribution.

Task 2: In a comparative perspective, review and analyse selected instruments to finance training in all Member States

- Focus the analysis on:
 - financial instruments for collective investment (where employers and/ or employees share the costs)
 - financial instrument for public-private investment (where government and employers and/or individuals share the costs).

The analysis should include: training funds (national and sectoral), tax incentives (for individuals and companies), vouchers/individual learning accounts, grants (for companies where co-financing is required), loans, saving schemes, training leave, payback clauses (for individuals and future employers), human capital contracts

- Provide a mapping of the above mentioned financial instruments (i.e. which instrument is used in which country)
- Specify for each instrument:
 - regulatory and administrative framework (legal basis, date of implementation, level of operation, bodies involved, etc.)
 - source of funding and the main mechanisms for collection and distribution of funds
 - main policy objectives(s)/target(s) pursued
 - eligibility: targeted group(s), preferential treatment (if any)

plus other eligibility criteria: type of costs covered (direct, indirect), type of learning supported (technical and/or generic content; certified programmes or any), type of training provider (licensed or any), etc.

 - link between different financial instruments
 - existence of monitoring and evaluation arrangements
 - changes (if any) introduced as a result of the financial and economic crisis
 - other relevant, important features.

Task 3: In a comparative perspective, assess the implementation of financial instruments identified and present and discuss the results of evaluations, and in particular:

- The extent to which financial instruments meet their objectives, are efficient and promote equity
- The extent to which financial instruments reach eligible/ target groups. Who are the actual beneficiaries (number and characteristics of individuals, companies)? Particular attention should be paid to specific groups, such as unemployed, low-skilled, older workers, migrants, SME's
- Deadweight loss/substitution effect

- Determinants of success/failure (including framework conditions, e.g. availability of guidance and information services)
- (Potential) impact of the economic downturn on provision, up-take and effectiveness, efficiency and equity of financial instruments
- Impact of training undertaken (and supported by financial/regulatory instrument) on individuals (e.g. acquisition of new skills, job prospects, qualifications, interest in training, earnings) and companies (e.g. productivity)
- Policy plans/pilot projects/needs to improve/expand implementation of financial instruments.

Task 4: Summarise research findings and draw conclusions and recommendations of European relevance

- Draw lessons (which financial mechanisms work better, under what circumstances and for whom)
- Identify good practices (at least 3 per financial instrument while ensuring, if possible, a balanced distribution of examples per country)
- Recommend how to improve effectiveness and efficiency of financial instruments drawing also on experience of non-European countries, where applicable/possible
- Provide suggestions for further research.

2.4 Indications on the tasks/methodology:

2.4.1 Focus of the analysis

- The focus of the analysis is adult learning, i.e. after the entry into the labour market. Thus, the study will analyse financial instrument that support continuing training for employees, training for unemployed, training for adults to obtain new qualification or higher qualification level, etc.
- The study will cover all 27 EU Member States.

2.4.2 Update of the previous Cedefop's studies

- The research should build upon, up-date and complement information from the following sources:
 - Cedefop (2008). *Sectoral training funds in Europe*. Luxembourg: Publications Office (Cedefop Panorama series; 156).
 - Cedefop (2009). *Individual learning accounts*. Luxembourg: Publications Office (Cedefop Panorama series; 163).
 - Cedefop (2009). *Using tax incentives to promote education and training*. Publications Office (Cedefop Panorama series)
 - Cedefop (2009). *Sharing the costs of vocational education and training. An analysis of schemes in the newer EU Member States*. Luxembourg: Publications Office (Cedefop Panorama series; 182).
- The up-date concerns identifying the most recent changes in operation of the financial instruments. The analysis should be also complemented as to cover all 27 EU Member States.
- The research should also include the most recent evaluations (available at national and international level) on implementation of financial instruments. Particular attention should be paid to the impact of the crisis.

2.4.3 Methods and tools

- The study should combine quantitative and qualitative methods.
- The Contractor should design the study as a comparative analysis. While giving the priority to the issues comparable across the countries, the Contractor shall also include country-specific information (including best practices) where appropriate/of particular interest.
- The up-dated information on operation of financial instruments (see 2.2.2, second bullet) should be collected through the survey of national experts (experts in financing (vocational) education and training, persons involved in operation of respective financial instruments). In case of information gaps, additional interviews should be held.
- Whenever evaluations on implementation of the financial instruments (see 2.2.2, third bullet) are scarce, additional surveys and/or interviews should be held. A number of relevant stakeholders should be addressed, including representatives (at different levels) of public authorities, employers' associations and trade unions as well as individual beneficiaries of training. The Contractor is required to propose a method for collecting this data (subject to Cedefop's approval).
- The Contractor should design research tools for collection and analysis of data (such as questionnaires, interview grids). The Contractor is expected to liaise closely with Cedefop project managers during this stage of the study.

2.4.4 Literature review, data sources

- The study should also build upon the following sources:
 - Cedefop (forthcoming). *The role of loans in financing vocational education and training*.
 - Cedefop (forthcoming). *Training leave in Europe*.
 - Cedefop (forthcoming). *The use of payback clauses to promote training in Europe*.
 - Cedefop (2010). *Employer-provided vocational training in Europe*. Luxembourg: Publication Office (Research paper No 2)
 - Cedefop national VET system database; theme: 'Financing – investment in human resources', available at:
<http://www.cedefop.europa.eu/EN/Information-services/browse-national-vet-systems.aspx>
<http://www.cedefop.europa.eu/EN/Information-services/detailed-thematic-analyses.aspx>
 - Refernet national VET policy reports (2008, 2010 – forthcoming)
- The study shall also present the most relevant literature, including research and policy papers in the field.
- The research should use the most recent statistics, notably of Eurostat (e.g. CVTS, AES, LFS).

2.5 Deliverables and timetable

The selected Contractor will be required to submit:

- A) an **inception report**, **6 weeks** after the date of signature of the contract. The inception report should present – after discussion with Cedefop – a refined version of the methodology proposed in the tender, including a draft proposal of research tools and data sources
- B) an **interim report**, within **4 months** of the date of signature of the contract. The interim report should include:
 - Methodology, including the designed questionnaire templates/ interview grids
 - Intermediate findings
 - Indicative conclusions
 - Information on work carried out, including problems encountered or risks expected, solutions found or proposed and potential impact on preparation of the final report
 - Proposed structure for presenting the final research findings/ final report
- C) a **draft final report**, within **9 months** and a **final report** within **11 months** of the date of signature of the contract. The final report of approximately **200 pages** should include:
 - An executive summary highlighting main findings and key considerations for policy development and research activities, which can also be distributed as a self-standing document (maximum 5 pages);
 - Rationale for study;
 - Detailed methodology;
 - Final findings;
 - Conclusions and recommendations;
 - Annexes, such as a bibliography, list and full set of data used, other relevant information.

Cedefop will provide comments on the inception, interim and draft final reports. The Contractor should address those comments, liaising closely with Cedefop project managers.

The reports must be written in English and submitted in hard copy and in electronic format (Word/Excel). The electronic files should correspond fully to the hard copies. Any tables, figures, graphs created should also be made available as separate files and include the data used in order to reproduce the figures.

The layout and format of the text – in particular rules for citation, bibliography, tables and figures – should comply with Cedefop's style manual (http://www.cedefop.europa.eu/etv/upload/etvnews/news/4424-att2-1-annex_i_2008_march_en_style_manual.pdf).

The Contractor shall ensure that the final report as submitted to Cedefop has been subject to professional proof-reading and editing in English, the cost for which should be included in the Financial Proposal (point. 5.4, item 2c) of Financial proposal table below).

2.6 Meetings and travel expenses

The Contractor will be requested to attend three scheduled meetings, preferably held in Thessaloniki, with project managers to discuss research results and monitor work progress.

All costs incurred, including travel-accommodation related to Cedefop's meetings as well as any travel expenses that may occur in performing the tasks as described in point 2.3, have to be included in the financial offer (see point 5.4).

Any extra travel expenses, that might be needed to perform the tasks related to the contract, shall be subject to Cedefop's prior approval and shall be reimbursed by Cedefop separately, according to its relevant rules (see Annex III of the Draft Contract in Annex B).

3 Specific information concerning participation to this tender

3.1 Exclusion criteria

Participation to this tender is only open to tenderers who are in a position to subscribe in full to the declaration on exclusion criteria and absence of conflict of interest in Annex C. Therefore all tenderers, all group (consortium) members (if any) and the subcontractor/s (if any), identified as per the two bullet-points in the fourth paragraph of point 4.2 below) shall provide the self-declaration found in Annex C duly signed and dated. Failure to provide the declaration(s) on exclusion criteria will lead to the exclusion of the tenderer from further evaluation.

In line with Articles 134.2(a) and 158.1(a) of the Implementing Rules of the general Financial Regulation, in case of recommendation for contract award of a value above 125.000 EUR the tenderer shall be requested to provide the documentation indicated in point (I) of Annex C.

Cedefop reserves the right to check the situations described in points c) and f) of the declaration.

3.2 Selection criteria

The selection criteria concern the tenderer's capacity to execute similar contracts.

The tenderers must submit documentary evidence (or statements, where required) of their economic, financial, technical and professional capacity to perform this contract. The eventual non-submission with the tender of the below required documents / statements will lead to the exclusion of the tenderer from further evaluation.

Each and all requirements for economic and financial capacity should be fulfilled by the tenderer - alone (in the case of single tenderers) or as a whole (in case the tenderer is a grouping/ consortium). Participation in tendering is open to all legal persons bidding either individually or in a grouping (consortium) of tenderers.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which he has with them. He must in that case prove to the contracting authority that he will have at his 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 his disposal. This obligation may be fulfilled by presenting statements from those entities or the consortium agreement.

3.2.1 Economic and Financial capacity

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

Requirements:

- The average annual turnover of the tenderer (of a single company, or of a consortium as a whole, if any) for the last three financial years concerning the type of services covered in this call for tenders should be **at least 200 000 €**.

Proof of economic and financial capacity must be furnished by the following documents:

- Statement(s) of turnover of the tenderer (single tenderer, or statements for each consortium member, in case of a grouping/ consortium) concerning the type of services covered in this call for tenders during each of the last three financial years. The Tenderers are also requested to fill-in Questionnaire 2 in Annex G
- the Profit and Loss Account or equivalent for each of the last three financial years.

In case of contract award the winning tenderer will be requested to prove the above by Audited Financial Statements (Profit and Loss Account or equivalent) for each of the last three financial years if this is foreseen by the respective national legislation.

If, for some exceptional reason the tenderer is unable to provide one or other of the above documents he is required to provide justification for the non provision and may prove his economic and financial capacity by any other document which Cedefop considers appropriate. Cedefop reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

3.2.2 Technical and professional capacity

Requirements:

The Tenderer is required to have sufficient technical and professional capacity to perform the contract:

- The Tenderer should have adequate resources and suitable structure to perform the services described in the Terms of Reference;
- The Tenderer's team of experts, who will be proposed to implement the contract, must have the relevant qualifications, knowledge and professional experience for the successful implementation of the tasks described in the Terms of Reference:

Requirements for the team leader:

- A minimum of five (5) years of professional experience in research project management
- A minimum of five (5) years of experience in comparative analysis at international level
- A minimum of three (3) years of experience in the following fields of research: vocational education and training, financing education and training
- Linguistic ability to communicate and draft to a high standard in English

Requirements for each of the Research team members:

- A minimum of three (3) years of experience in comparative analysis at international level
- A minimum of two (2) years of experience in the following fields of research: vocational education and training, financing education and training
- Linguistic ability to communicate and draft to a high standard in English;
- The Tenderer should have performed at least three (3) contracts in the past three (3) years similar in scope, size and nature of the services with those required in the Terms of Reference.

Proofs / Evidences of Technical and professional capacity

The following documents or information must be presented by the Tenderer as evidence of compliance with the above criteria of technical and professional capacity to perform the proposed contract:

- Brief company profile and structure (please fill in Annex G, Questionnaire 3);
- Detailed CVs (Europass⁵ is recommended) of the proposed team leader and members of the research team, with a description of their qualifications and professional experience, in particular in relation to the above required criteria, including language skills;
- A list of research output/publications related to the subject of the proposed contract, providing evidence of experience in comparative studies in education and training;
- A list of the major and relevant contracts/studies performed in the past five years, specifying the subject of the contracts/studies, dates and commissioning authorities (Annex G, Questionnaire 4, table 1);
- A list of at least three (3) contracts performed in the past three (3) years similar to the scope, size and nature as those required in the Terms of Reference, describing the subjects, the amounts, the dates, the percentage performed by the Tenderer, and the contracting authorities (Annex G, Questionnaire 4, table 2).

In case of consortium or subcontracting, the consortium or the Tenderer with all subcontractors together have to provide evidence of technical and professional capacity as a whole (please see also 4.1 and/or 4.2 below).

⁵ <http://europass.cedefop.europa.eu/europass/home/vernav/Europass+Documents/Europass+CV.csp>

3.3 Legal Position

Tenderers may choose between submitting a joint offer (see 4.1) as a Consortium / Grouping or introducing a bid as a single tenderer, in both cases with the possibility of having one or several subcontractors (see 4.2). Whichever type of bid is chosen, the tender must stipulate the legal status and role of each legal entity in the tender proposed. To identify himself the tenderer must complete a Legal Entity Form found in Annex D which must be accompanied by all documents and information indicated in the form. Tenderers are also requested to complete the respective form (tables) in Annex G.

The Legal Entity Form should be completed and signed by the representative(s) of the tenderer (who sign(s) the cover letter as per point 4 of the Invitation to tender) authorised to sign contracts with third parties.

The Legal Entity Form should not be submitted by sub-contractors (if any).

4 Additional information concerning participation to this tender

Participation in tendering procedures is open on equal terms to all natural and legal persons or groupings of such persons (consortia) falling within the scope of the Treaties. It includes all economic operators registered in the EU and all EU citizens. Pursuant to Article 106 of the general Financial Regulation the participation is also open to all natural and legal persons in any non-EU country which has an agreement with the Union in the field of public procurement on the conditions laid down in that agreement.

A natural or legal person can take part (as an individual tenderer or as a member of a consortium submitting a tender) in only one tender. In the opposite case all tenders in which that person has participated may be excluded from the evaluation.

4.1 Joint Offers/ Groupings (Consortia)

Groupings (consortia), irrespective of their legal form, may submit a tender on condition that it complies with the rules of competition. A consortium may be a legally-established permanent grouping, or informally constituted group of tenderers submitting an offer (joint offer) for a specific tender procedure.

Cedefop does not require consortia (if any) to have a given legal form in order to submit a tender, but reserves the right to require a consortium to adopt a given legal form before the contract is signed (if this change is necessary for proper performance of the contract). This can take the form of an entity with or without legal personality but offering sufficient protection of the contractual interests of Cedefop.

If awarded the contract, the tenderers of the group (consortium) will have an equal standing towards Cedefop in executing it.

A grouping (if any) of firms must nominate one party to be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration, and for coordination.

Tenders submitted by consortia of firms must specify the role, qualifications and experience of each member or of the group (please fill-in the respective Questionnaires in Annex G).

Each member of the group (consortium) must provide the required evidence for the exclusion and selection criteria. Concerning the selection criteria, the evidence provided by each member of the group (consortium) will be checked to ensure that the consortium as a whole fulfils the criteria.

The offer has to be signed by all members of the group (consortium). However, if the members of the group so desire they may grant an authorisation to one of the members of the grouping (consortium). In this case they should attach to the offer a power of attorney (see model in Annex H) authorising this company or person to submit a tender on behalf of the grouping (consortium). For groupings not having formed a common legal entity, Annex H, model 1 should be used and separate legal entity forms (see point 3.3 and Annex D) should be completed and signed by all members. For groupings with a legal entity in place, Annex H, model 2 and one legal entity form (see point 3.3 and Annex D) should be completed and signed only by the single representative of the consortium.

The contract will have to be signed by all members of the group (consortium). If the members of the group (consortium) so desire, they may grant authorisation to one of the members of the grouping by signing a power of attorney. The same model as above duly signed and returned together with the offer (Annex H) is valid also for signature of the contract.

Partners in a joint offer assume joint and several liability towards Cedefop for the performance of the contract as a whole.

4.2 Subcontracting/Subcontractors

Subcontracting is defined as the situation where a contract has been or is to be established between Cedefop and a contractor and where the contractor, in order to carry out that contract, enters into legal commitments with other entities for performing part of the service. If awarded, the contract will be signed by the selected Tenderer (the Contractor), who will be vis-à-vis Cedefop the only contracting party responsible for the performance of this contract. Cedefop has no direct legal commitment with the subcontractor(s).

The contractor retains full liability towards Cedefop for performance of the contract as a whole. Cedefop will treat all contractual matters (e.g. payments) with the contractor, whether or not some tasks are performed by a subcontractor. Under no circumstances can the contractor avoid liability towards Cedefop on the grounds that the subcontractor is at fault.

Any subcontracting/subcontractor must be approved by Cedefop, either by accepting the bidder's tender, or, if proposed by the Contractor after contract signature, in writing by an exchange of letters. In the latter case subcontracting/subcontractor will be accepted only if it is judged necessary and does not lead to distortion of competition.

The tenderer must clearly indicate:

- the identity of those subcontractors only undertaking between 10% and 40% of the work by value,
- the identity of each and every subcontractor if the total subcontracting is above 40% of the work by value, independently of his contribution to the work by value.

For each subcontractor, identified as per any of the above two bullet-points, the tenderer should submit with the offer:

- the Declaration on exclusion criteria and absence of conflict of interest (Annex C) filled-in and signed by the respective subcontractor;
- the required documents to show the economic/financial and technical/professional capacity of the subcontractor as described in points 3.2.1 and 3.2.2;
- the Form in Annex I (Model of Letter of Intent for Subcontractor/s) duly filled-in and signed by each respective subcontractor, stating his unambiguous undertaking to collaborate with the tenderer if the latter wins the contract. Also should be stated the roles, activities and responsibilities of the subcontractor(s) and the extent of the resources that the respective subcontractor will put at the tenderer's /contractor's disposal for the performance of the contract.

N.B. The subcontractor(s) (if any) have to provide the documents to prove their capacity only for the parts of the contract that are relevant to them. The evidence provided will be checked to ensure that the tenderer with the subcontractor(s) altogether fulfil the criteria.

Where no subcontractor is given (meaning that possible individual subcontracting is below 10% by value and the total does not exceed 40%), the work will be assumed to be carried out directly by the tenderer (single tenderer or group of tenderers (consortium)).

5 Award of the contract

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

A quality-price score will be calculated for each tender by using the following formula to obtain the Total Score (out of 100):

$$\text{Score for Tender A} = \frac{\text{Total Quality Score (out of 100) for award criteria of Tender A}}{100} \times (X) + \frac{\text{Cheapest Tender Price}}{\text{Price of Tender A}} \times (Y)$$

The quality criteria weighting is (X), and for this tender procedure it is fixed to (70).

The price weighting is (Y), and for this tender procedure it is fixed to (30).

The contract shall be awarded to the tenderer submitting the tender that offers the best-value-for-money, i.e. that obtains the highest total number of points (score).

5.1 Technical evaluation

The assessment of the technical quality will be based on the ability of the Tenderer to meet the purpose of the contract as described in Terms of Reference.

The following technical award criteria will be applied:

- **Award criterion 1 – Relevance of the proposal to the objective(s) of the contract (30 points)**
 - Understanding of the general objective of the study, its context, nature and results to be achieved (15 points)
 - An in-depth understanding of the policies, concepts and research issues related to the study (15 points)
- **Award criterion 2 – Relevance and adequacy of the methodology suggested to carry out the analysis (40 points)**
 - Relevance of research stages/steps to carry out analysis (10 points)
 - Adequacy of research methods (incl. detailed information on mapping, surveys/interviews; criteria for selection of good practices) (15 points)
 - Identification of potential data sources at national and also European level (incl. potential national experts and justification for their selection) and demonstration of ability to access this data (incl. ability to access national evaluations) (15 points).
- **Award criterion 3 – Appropriateness of the organisation and management arrangements (30 points)**
 - Allocation of tasks; type and degree of involvement of the proposed experts (15 points)
 - Clarity, coherence and feasibility of the work programme and timetable. Risk assessment of likely difficulties in carrying out the work, and proposed actions (15 points).

Tenders scoring less than 65 (of a maximum of 100) points against the award (technical) criteria, will not be considered acceptable and will therefore not have their financial proposal evaluated.

5.2 Technical proposal

Tenderers are requested to organise the technical offer in headings or to structure it in such a way so as to ensure that the content of the technical offer meets the requirements set out in the Terms of Reference as closely as possible and to facilitate the subsequent evaluation of tenders against the technical award criteria.

The tenderer's technical proposal should consist of a clear and comprehensive response to all requirements as per the Terms of Reference in point 2 above providing a practical, detailed description of the goods or services proposed for performance of the contract. It is up to the Tenderer to prepare in his Technical Proposal a detailed organisation and methodology such that they fulfil (comply in full to) all requirements outlined in the Terms of Reference.

NB: All the information and means of proof provided commit the tenderer (and respectively the contractor) throughout the duration of the contract.

The tenderer must provide the following documents and/or information to allow evaluation of their offer according to the technical criteria mentioned above:

For award criterion 1

- discussion of the subject demonstrating in-depth understanding of the concepts and research issues to be addressed in the study

For award criterion 2

- detailed description of the envisaged methodological approach, including a list of steps, research methods, potential data sources, measures employed to ensure access to data at national, mainly, but also European level, selection criteria for the envisaged good practices, etc.

For award criterion 3

- detailed work plan illustrating intended organisation and management of the tasks, including:
 - a list of team members and explanation of the nature and extent of their involvement in the study
 - timetable with descriptions of the deliverables (refer to point 2.5);
- preliminary assessment of likely difficulties (risks) in carrying out the work, proposed actions required to overcome those.

The Tenderer shall identify a Project Manager within his organisation who will represent the single contact point for all administrative and operational communication in regards to the contract implementation. Cedefop will also designate the contact person in charge of handling the contact with the selected Tenderer.

In addition to the above the Tenderer must clearly specify which parts of the work will be subcontracted (if any) and specify the identity of those subcontractors only undertaking more than 10% of the work by value (or of *all* subcontractors if total subcontracting is above 40% of the work by value) as requested in point 4.2.

NB: All the information and means of proof provided commit the contractor throughout the duration of the contract.

5.3 Financial evaluation

Only tenders scoring 65 points or more (of a maximum of 100 points) against the technical award criteria will have their financial proposal evaluated. The evaluation will be made on the basis of the **Total Price** offered in the Financial Proposal table (see point 5.4 below).

The tender with the lowest Financial Proposal receives 100 points. The others are awarded points by means of the following formula:

*Financial score = (cheapest Financial Proposal / Financial Proposal of the tender being considered) * Y.*
Y = price weighting (for this tender procedure it is set to 30).

5.4 Financial proposal / Financial Scenario

The Financial offer must be clear and in compliance with the Terms of Reference.

The Financial Proposal should indicate the total price in order to carry out all the activities indicated in the Terms of Reference. The Tenderer must fill-in the following Financial Proposal table and present a detailed breakdown of the price offered.

The financial proposal should clearly match the Terms of Reference and take into account the estimated of value (see point 1.5). All services that shall be procured should be included.

Financial Proposal Table

1)	Names / positions of the Experts for carrying out the tasks in the Terms of reference	Number of person-days	Unit price (EUR) per person-day	PRICE (in EUR) for experts
	1a) Senior researcher.....			
	1b) - Junior researcher(s).....			
	-.....			
	1c) – Assistant(s).....			
	-.....			
Subtotal 1 (1a+1b+1c+.....)				
2)	2a) Attending 3 meetings at Cedefop (see point 2.6)	Number of persons/meeting	Price (EUR) per person/meeting	PRICE (EUR) for all meetings
				.
	2b) All estimated travel, accommodation, etc. expenses related to performance of the tasks	Number of persons	Price (EUR) per person	PRICE (EUR) for travel, accommodation, etc.
	2c) Other administrative expenses (including professional proof-reading and editing in English of final report – see last paragraph of point 2.5)	Number of Units (if applicable)	Unit price (EUR) (if applicable)	PRICE (EUR) for other administrative expenses
Subtotal 2 (2a+ 2b+2c)				
3)	Total PRICE = Subtotal 1 + Subtotal 2			

The VAT amount must be indicated separately here (this applies to tenderers established in Greece only): ... EUR.

Reimbursement of travel expenses

All costs incurred (travel, accommodation etc) related to Cedefop's meetings have to be included in the financial offer, point 2a) of the Table above. Any other travel, accommodation etc. expenses that may occur in performing the tasks as described in the Term of Reference have also to be included in the financial offer, point 2b) of the Table.

Any extra travel, accommodation etc expenses besides those mentioned above, that might be needed to perform the tasks related to the contract, shall be subject to Cedefop's prior approval and shall be reimbursed by Cedefop separately, according to its relevant rules (see Annex III of the draft contract).

Information concerning price

- The prices quoted must be fixed and not revisable.
- Prices must be quoted in EUR and include all expenses.
- Under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities, Cedefop is exempt from all charges, taxes and dues, including value added tax (VAT). Such charges shall therefore not be included in the calculation of the price quoted.

6 Information on presentation and content of tender

It is important that tenderers provide all documents necessary to enable the evaluation committee to assess their tender. Tenderers should fully respect the instructions indicated under points 2, 3 and 4 of this open invitation to tender.

In addition, below you will find details of the required documentation.

6.1 Envelope A - Supporting documents

One original and one copy of:

- cover letter, signed by the person/s (name and position) that is/are authorised to sign the contract in case of contract award;
- the exclusion criteria declaration requested in point 3.1 and standard template found in Annex C;
- the legal entity form as requested in point 3.3 and found in Annex D;
- the financial identification form as found in Annex E;
- the checklist found in Annex F;
- the selection criteria documents as requested in points 3.2, 4.1, 4.2;
- Questionnaires 1 – 4 as found in Annex G;
- Power of Attorney (Model 1 or 2), as required in point 4.1 (if applicable) and found in Annex H;
- Model of Letter of Intent for Subcontractor/s as required in point 4.2 (if applicable) and found in Annex I.

In the case of tenders submitted by groupings (consortia) or involving contribution by subcontractors, envelope A should also contain all relevant documentation as requested in points 4.1 and 4.2 respectively (with reference to points 3.1, 3.2 and 3.3).

6.2 Envelope B – Technical proposal

One original signed unbound version and three bound copies of:

- the technical proposal providing all information requested in point 5.1, including information relevant to subcontracting as requested in point 4.2.

6.3 Envelope C – Financial proposal

One signed Original and three copies of:

- the financial proposal containing all information requested in point 5.4.

ANNEX A

CONTRACT NOTICE

(Given as separate file in *.pdf)

ANNEX B

DRAFT CONTRACT

(Given as separate file in *.pdf)

ANNEX C

**Declaration of honour with respect to
the Exclusion Criteria and absence of conflict of interest**

(Given as separate file in *.doc format)

ANNEX D

LEGAL ENTITY FORM

Legal Entity Form to be downloaded, depending on the nationality and legal status of the tenderer, from the following website:

http://europa.eu/comm/budget/execution/legal_entities_en.htm

Legal Entity Form to be completed and signed by a representative of the tenderer (name and function) authorised to sign contracts with third parties. It should not be signed by sub-contractors (if any).

ANNEX E

FINANCIAL IDENTIFICATION FORM

To be downloaded, depending on the nationality of the tenderer, from the following website:

http://ec.europa.eu/comm/budget/execution/ftiers_en.htm

and completed and signed by an authorised representative of the tenderer (with indication of name and function), but not by subcontractors.

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PLEASE NOTE:

Please indicate the BIC (Bank Identification Code) in the REMARKS box of the downloaded form.

ANNEX F

CHECK LIST OF MANDATORY DOCUMENTS

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

Please Tick ✓ the boxes provided

Mandatory documents to be included as part of the tender	Reference paragraph	Included		If the document is not included, please provide an explanation for the reason
		Yes	No	
<u>Envelope 'A' must contain</u>				
one original and one copy of:	6.1	☐	☐	
- Cover letter, signed by the person/s that is/are authorised to sign the contract in case of contract award (name and position of the individual(s) entitled to sign contract)	Art. 4 of Invitation to tender; 6.1	☐	☐	
- this Checklist	6.1 & Annex F	☐	☐	
- Exclusion Criteria Declaration (including those of consortium members and subcontractors, if applicable)	3.1, 6.1 & Annex C	☐	☐	
- Legal Entity Form	3.3, 6.1 & Annex D	☐	☐	
- Financial Identification Form	6.1 & Annex E	☐	☐	
- selection criteria documents (If applicable, including those of consortia and subcontractors)	3.2, 4.1, 4.2, 6.1	☐	☐	
- Annex G (Questionnaires 1-4)	3.2, 3.2.1, 3.2.2, 4.1, 6.1 & Annex G	☐	☐	
- Power of attorney of partners in joint bid / Consortium (if applicable)	4.1, 6.1 & Annex H (models 1 or 2)	☐	☐	
- Letter of intent of subcontractor (if applicable)	4.2, 6.1 & Annex I	☐	☐	
<u>Envelope 'B' must contain</u>				
one original and three copies of:	6.2	☐	☐	
- the technical proposal	2, 5.2, 6.2	☐	☐	
<u>Envelope 'C' must contain</u>				
one original and three copies of:	6.3	☐	☐	
- the financial proposal	5.4, 6.3	☐	☐	

The tenderers should also ensure that:

☐	the offer is formulated in one of the official languages of the European Union.
☐	both the technical and financial proposals of the offer are signed by duly authorised agent.
☐	the offer is perfectly legible in order to rule out any ambiguity.
☐	the offer is submitted in accordance with the envelope system as detailed in the invitation to tender point 3.
☐	the outer envelope bears the information mentioned in the invitation to tender point 3.

ANNEX G –

Questionnaires 1-4

(Given as separate file in *.doc format)

ANNEX H

MODELS 1 and 2 - POWER OF ATTORNEY

(Given as separate file in *.doc format)

ANNEX I

MODEL OF LETTER OF INTENT FOR SUBCONTRACTOR/S

(Given as separate file in *.doc format)

ANNEX J

GLOSSARY OF TERMS

Budget breakdown	The schedule which breaks down the contract value according to the different items or services, stating out fee rate, unit prices and lump sums for each item provided (Services, Supplies, Works).
Consortium	A grouping of eligible natural and legal persons or public entities which submits a tender or an application, under a tender procedure or in response to a Call for Tenders. It may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific tender procedure. All members of a consortium (i.e., the leader and all other partners) are jointly and severally liable to the Contracting Authority (Cedefop).
Contract	Direct Contract: contract containing all the details necessary to implement it
Contracting Authority	Cedefop
Evaluation committee	A committee made up of an odd number of members (at least three) with the necessary technical and administrative expertise to give an informed opinion on tenders.
Fee-based contract	A contract under which the services are provided on the basis of fixed fee rates for each day worked by experts (SERVICES).
Financial offer	The part of a tender which contains all the financial elements of the tender, including its summary budget and any detailed price breakdown or cash-flow forecast required by the tender dossier.
General conditions	The general contractual provisions setting out the administrative, financial, legal and technical clauses governing the execution of all contracts of a particular type.
Open procedure	Calls for tenders are open where all interested economic operators may submit a tender.
Project	The project in relation to which the services/works/supplies are to be provided under the contract.
Project manager	The person responsible for monitoring the implementation of a project/contract on behalf of Cedefop.
Service contract	A contract between a service provider and Cedefop for the provision of services such as technical assistance or studies (SERVICES).
Services	Activities to be performed by the Contractor under the contract such as technical assistance, studies, training and designs (SERVICES).

Special Conditions	The special conditions laid down by Cedefop (the Contracting Authority) as an integral part of the tender specifications (tender dossier), including amendments to the General Conditions, clauses specific to the contract and the terms of reference (for a service contract) or technical specifications (for a supply or works contract).
Successful Tenderer	The tenderer selected at the end of a tender procedure for the award of contract.
Tender	A written or formal offer to supply goods, perform services or execute works for an agreed price and under agreed conditions.
Tender dossier	The set of tender specifications which contains all the documents needed to prepare and submit a tender.
Tender specifications	Document or set of documents giving full details of the conditions, organisation and subject of the procurement procedure (includes technical specifications).
Tender Price	The sum stated by the tenderer in his tender for carrying out the contract.
Tender procedure	The overall process of putting a contract out for tender, starting with the publication of a contract notice and ending with the award of the contract (contract award notice).
Tenderer	A natural or legal person or consortium thereof submitting a tender with a view to concluding a contract.
Terms of Reference (ToR)	The document drawn up by Cedefop (the Contracting Authority) setting out its requirements and/or objectives in respect of the provision of services, specifying, where relevant, the methods and resources to be used and/or results to be achieved (SERVICES).
Warranty obligations	The warranty of the Contractor towards Cedefop that the supplies are new, unused, without defects, of the most recent models and incorporate all recent improvements in design and materials.

Where Services, Supplies or Works are not specified the definition applies to all types of contracts.