

European Commission

Call for Tenders TAXUD/2010/AO-13

**Provision of services to cover IT service management for
the IT systems**

(ITSM2)

Tendering Specifications

(This document is common for the three Lots)

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1. Foreword

The present Call for Tenders will be managed as described in the **Guidebook for Tenderers** *"Submitting an offer in response to a call for tenders for IT services issued by the Directorate General for Taxation and Customs Union"* (Annex IV), which is an integral part of the present tendering specifications. Supplementary information to the Guidebook is listed in section 2 below or is subject to other provisions laid down in other sections of the present tendering specifications or their annexes.

2. Supplementary information to the Guidebook "Submitting an offer in response to a call for tenders issued by the Directorate-general for Taxation and Customs Union"

By way of derogation from the Guidebook *"Submitting an offer in response to a call for tenders issued by the Directorate-General for Taxation and Customs Union"*, the following specific conditions apply to this call for tenders.

This call for tenders is divided into three (3) lots:

- **Lot 1: IT Service Management**
- **Lot 2: Trans-European Systems Management**
- **Lot 3: Operations Integration and Control**

For a full description of the 3 lots, see **Annex II Service requirements**.

Tenderers can bid for one or more lots. The bids for each lot should be completed and submitted separately.

Economic operators may not tender for a given contract both individually and as a member of a consortium.

Submission or participation by a tenderer in more than one tender for a contract will result in the disqualification of all those tenders for that contract in which the party is involved.

The same economic operators cannot participate as subcontractors in different tenders.

3. Description of the services covered by the call for tenders

3.1. Background

Since the end of the 1980s, the Directorate-General for Taxation and Customs Union (DG TAXUD) and the administrations concerned of the Member States and associated countries have developed and operated a portfolio of IT systems in support of the fiscal and customs policies of the European Union. There are a total of more than 50 IT systems centrally hosted and 18 distributed trans-European systems (TES) that have been implemented; some of these systems are centralised and operated by DG TAXUD, others use a fully-distributed architecture and their components are developed and operated by the National Administrations (NA) of the Member States and of the associated countries (Candidate Countries/Third Countries). These systems are critical for the functioning of the internal market in fiscal and customs matters.

All of these systems use a common middleware infrastructure for their interoperability, the Common Communication Network/Common System Interface (CCN/CSI) that has been operational since 1999 and is fundamental for their functioning. In particular, the fully-distributed IT systems that support the functioning of regimes such as VAT, excise duties, transit, import, export, etc., use CCN for the totality of their data exchanges, without which they cannot function. In 2010, there were over 1020 million data exchanges on CCN/CSI.

The existing contractual structure for IT in DG TAXUD comprises:

- a) Framework contract for the specification, development and maintenance of IT systems - ref. FITSDEV2 and CUSTDEV2;
- b) Framework contract for the operation of the applications and of infrastructure hosting these applications - ref. ITSM;
- c) Framework contract for the specification, development, maintenance and operation of CCN - ref. CCN/TC;
- d) Framework contract for the provision of network services to CCN — ref. CCN/WAN2;
- e) Framework contract for quality assurance - ref. QA2.

Customs and tax administrations face major challenges that will require continued and improved support of IT. The introduction of the modernised Customs Code as of 2013 and the eCustoms initiative are examples of these business challenges.

In order to respond to these challenges, it is considered necessary:

- a) to continue the consolidation of its IT service management, so as to increase the effectiveness and efficiency of the services it supplies to its beneficiaries;
- b) to renovate CCN so as to modernise the existing facilities and create the new facilities necessary for the support of the political and operational objectives. A study for the next generation of CCN, i.e. CCN2, is being performed and a call for tenders concerning the development of CCN2 will be anticipated in the end of 2011 /beginning of 2012. It will concern the provision of services, software licences and hardware for CCN2 and the maintenance of CCN/CSI, including its software and hardware.

3.2. Purpose

This invitation to tender covers the procurement of services and deliverables in the area of IT Service Management applied to Customs, Taxation and Excise Applications and trans-European Systems under the management of the Directorate-General for Taxation and Customs Union.

In order to do so, this IT service management call for tenders comprises 3 lots for the execution of services:

- 1) **Lot 1:** IT service management, covering applications management, operations, hardware infrastructure and building infrastructure for both CCN and central applications;
- 2) **Lot 2:** trans-European systems management. This lot will provide support services for the coordination of implementation of trans-European systems in Member States;
- 3) **Lot 3:** Operations integration and control. This lot aims at providing advice for IT architecture, service management, service control, service improvement, change management and benchmarking.

A complete description of the area of activities is given in Annex II.

4. Implications of submitting an offer

4.1. Impact on other calls for tenders and/or current contracts

The attention of the tenderer is drawn to the fact that he should declare any situation of conflict of interest in accordance with Article 94 of the Financial Regulation, in particular in relation to the current contracts that the Commission has signed in the area of taxation and customs IT projects – see Annex VI to these specifications..

The Commission requires a strict segregation of duties between the services to be delivered under the ITSM2 contracts and the ones delivered under current contracts signed in the area of taxation and customs IT projects. The tenderers who are involved in the provision of services under any one or several of these current contracts are required to provide **the measures that they commit to take** in case they would be awarded the contract, in order to provide the Commission with the guarantee of absence of a situation of conflict of interest as specified under Article 94 of the Financial Regulation. The tenderers for whom the measures proposed to avoid the conflict of interest are considered to be, or proved to be, insufficient, will be excluded from the award of the contract on the basis of Article 94.a of the Financial Regulation.

4.2. Impact on each lot

Tenderers' attention is drawn to the fact that **there could be a potential** conflict of interests between the services to be given for Lot 1 and Lot 3, on the one hand, and between the services to be given for Lot 2 and Lot 3, on the other hand.

As stated above in Section 2 (Supplementary information to the Annex IV – Guidebook), tenderers are able to submit tenders for one or several lots.

However, a tenderer submitting a tender for Lot 3 **and** any other lot (Lot 1 or Lot 2), or for Lot 3 **and** both remaining lots (Lot 1 and Lot 2), needs to provide the Commission with evidence of **compensatory measures** that they commit to take to segregate duties regarding the services and/or products to be provided under Lot 3, **as opposed to** the services and/or products to be provided under any other lot (Lot 1 or Lot 2) or under both remaining lots (Lot 1 and Lot 2).

This is compulsory in the case of:

- **one tendering party** submitting a tender for Lot 3 and a tender for Lot 1;
- **one tendering party** submitting a tender for Lot 3 and a tender for Lot 2;
- **one tendering party** submitting a tender for Lot 3, a tender for Lot 1 and a tender for Lot 2.

Tenderers submitting a tender only for Lot 3 do not have to provide evidence of those compensatory measures.

Tenderers submitting a tender only for Lot 1 or only for Lot 2 do not have to provide evidence of those compensatory measures.

Tenderers submitting tenders for both Lot 1 and Lot 2 do not have to provide evidence of those compensatory measures.

A separate bid should be submitted for each individual lot, specifying the number of the lot. Each tender must cover all tasks of the lot to which it refers to.

The tenderers for whom the measures proposed to avoid the conflict of interests are considered to be, or proved to be, insufficient, will be excluded from the award of the contract on the basis of Article 94.a of the Financial Regulation.

4.3. Duration of the offer

The tenderer is reminded that, by submitting an offer, he commits to maintain his offer for a period of 12 (twelve) months (see Annex IV, Guidebook, section 4.2.2) and to sign the framework contract in case of award.

4.4. Total estimated budget

The total estimated budget for the contract is split up into 3 (three) lots. The total estimated budget for each lot is comprised within a price range of +/- 20%:

- Lot 1: 130.000.000 EUR (+/-20%);
- Lot 2: 46.000.000 EUR (+/-20%);
- Lot 3: 13.000.000 EUR (+/-20%).

5. Collaborating with other companies (see also Annex IV, Guidebook, Section 5)

5.1. Joint offers

Tenders from consortia of firms or groups of service providers, contractors or suppliers must determine the primary contractor and specify the role, qualifications and experience of each member of the tendering party.

Joint offers will be assessed as follows:

- the exclusion criteria (see Section [7.1](#)) will be assessed in relation to each company individually,
- the selection criteria:
 - a) for economic and financial capacity:
 - [1st and 2nd indents](#) (see Section [7.2.1](#)) will be assessed in relation to each company individually,
 - [3rd and 4th indents](#) (see Section [7.2.1](#)) will be applied to the tendering group as a whole,
 - b) for technical and professional capacity (see Section [7.2.2](#)), will be assessed in relation to the tendering group as a whole,
- the award criteria (see Section [7.3](#)) will be assessed in relation to the tendering group as a whole.

5.2. Subcontracting

As mentioned in section 5.2 of the Guidebook in Annex IV, the Commission approves subcontracting for the current tendering specifications under the following conditions:

- a clear indication of the **proportion of the contract value that the tenderer intends to subcontract must be given (see Annex IV, section 5.2.2);**
- subcontracting requires prior written consent of the Commission. The contractor remains solely liable for a correct performance under the contract;

- the exclusion criteria (see section [7.1](#)) will be assessed for each proposed subcontractor.

6. Information on the contract resulting from the present call for tenders

6.1. Duration

The framework contracts (1 framework contract per lot) resulting from the present call for tenders will have an initial duration of three (3) years as from the date of signature and may be renewed up to two (2) times, each for an additional period of one (1) year.

6.2. Payment conditions

The following types of remuneration methods will be available with respect to different deliverables and services (Article I.5.1 of the Framework Contract Model, Annex X to these specifications):

- **Fixed Price (FP)** (default method): invoicing on deliverables acceptance according to the terms of the corresponding Specific Contract (SC);
- **On Demand (OD)** (typically to cover Requests for Action (RFA) concerning services with unit prices): unless otherwise specified in the RFA, quarterly invoicing of the RFAs closed and accepted during the past quarter.
- **Travel and subsistence costs (T&S)**: The expenses, when not specified to be part of service prices, of missions and of meetings will be invoiced quarterly, supported by detailed justifications, split between travel and subsistence and calculated following the rules specified in Annex X.B, Reimbursement of Travel and subsistence expenses.
- **Quoted Time and Means (QTM)** (typically to cover RFAs concerning services quoted as man-days): unless otherwise specified in the RFA, quarterly invoicing of the RFAs closed and accepted during the past quarter.
- For the provision of any equipment (**P**): 100 % invoiced on completion and acceptance of the action following a RFA.

The last payment term of a SC should, as a principle, not be less than 20% of the total amount of the SC and it must be linked to the acceptance of all the deliverables and reports and services ordered under the SC, including all Monthly or Quarterly progress reports.

6.3. Prices

Prices must be quoted in EUR using, when needed, the conversion rates published in the C series of the *Official Journal of the European Union* on the day when the notice of invitation to tender was published.

Unit prices must be quoted for services listed in Annex III - Price Table.

These prices will **include** travel and subsistence expenses for missions (trainings, workshops, meetings, etc...) at the Commission's premises (Brussels and Luxembourg) and/or at any other contractor's premises within a distance of ≤ 50 km of the Commission's premises. Therefore, no additional travel and subsistence expenses will be reimbursed **between** Commission's premises (Brussels and Luxembourg).

Travel and subsistence expenses for all other missions will be reimbursed according to the rules specified in the Framework Contract. The cost of such missions is to be calculated on the basis of Annex X.B - Reimbursement of travel and subsistence expenses to these specifications and will be quoted by the Commission in a separate budgetary provision.

Prices quoted should be constant. The provisions of article I.3.3 of the Framework Contract Model apply as regards indexation.

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

N.B: The unit prices quoted in the tendering of Framework Contract by a Tenderer will be reference unit prices valid also for the purposes of Specific Contracts.

6.3.1 Benchmarking

The Tenderers are aware of the obligation to provide the possibility of regular benchmarking according to Article 1.1 of the General Terms and Conditions for Information Technologies Contracts (for Lot 1, see also section 9.3 of the "To be definition" document of the Technical specifications – Annex II.A).

6.3.2 Indexation

Prices shall be fixed and not subject to revision for Specific Contracts placed during the first year of performance of the Framework Contract or Amendment (see Annex X Model Framework Contract Article I.3.3. Prices).

Only the following prices may be subject to revision on the basis of indexation:

- (1) annual *Software* licences;
- (2) *Product* maintenance that is calculated at a fixed price expressed in an absolute;
- (3) Prices or fees relating to *Services*.

From the beginning of the second year of performance of the Framework Contract or Amendment, prices may be revised upwards or downwards each year, where such revision is requested by one of the contracting parties by registered letter no later than 31st July in order that the new rates may take effect on 1st January of the following year.

Specific Contracts shall be placed on the basis of the prices in force on the date on which they are signed. Such prices shall not be subject to revision, unless and only when the duly signed Specific Contract provides that it will be in force after the 1st January of the following year.

This revision shall be determined by the trend in the harmonised consumer price index EU27 published for the first time by the Office for Official Publications of the European Union in the Eurostat Monthly Bulletin at <http://www.ec.europa.eu/eurostat/> [HICP – Harmonized Indices of Consumer Prices; DATA; Database, HICP- Monthly Data].

Revision shall be calculated in accordance with the following formula:

$$Pr = Po \left(\frac{Ir}{Io} \right)$$

where:

- Pr = revised price;
- Po = price in the original tender;
- Io = index for the month [in which the validity of the tender expires] [corresponding to the final date for submission of tenders] [corresponding to the date of signature of this Framework Contract];
- Ir = index for the month [corresponding to the date of receipt of the letter requesting a revision of prices].

6.4. Security assessment

Tenderers are informed of the obligations laid down in the Commission Decision of 16 August 2006 C (2006) 3602 concerning the security of information systems used by the European Commission and the Commission Decision of 29 November 2001 2001/844/EC, ECSC, Euratom).

The Commission draws the tenderers' attention to the contractual provisions on security (Article III.2.2) of the General Terms and Conditions for Information Technologies Contracts and confidentiality (Article II.16 of the General Conditions of the framework contract).

The tenderer's attention is also drawn on the fact that all third party personnel and Commission contractors must undergo pre-employment and/or pre-contractual screening carried out in accordance with relevant laws and regulations, and proportional to the business requirements, the classification of the information to be accessed, and the perceived risks.

Additionally, the awarded contractor shall authorise, upon request, the Security Directorate to perform background checks on its proposed personnel from outside the EU before they are allowed to work on Commission projects.

7. Evaluation of the offers

The evaluation of the offers will be conducted based on the rules set out in Annex IV; Guidebook *"Submitting an offer in response to a Call for Tenders for IT services issued by the Directorate General for Taxation and Customs Union"*, section 9 – Assessment of tenderers and offers.

The Commission reserves its right not to select an offer which does not conform to the conditions laid down in the present document and its annexes.

7.1. Exclusion Criteria

The exclusion situations are listed in Annex IV; Guidebook *"Submitting an offer in response to a call for tenders issued by the Directorate-General for Taxation and Customs Union"*, section 9.1. – Phase 1: Exclusion

In case of a joint offer, these evidences need to be provided for each company.

The attention of the Tenderer is drawn to the fact that the exclusion criteria are applicable to any subcontracting party proposed by the Tenderer. The subcontractors will have to supply the evidence that they satisfy those criteria.

7.2. Selection Criteria

7.2.1. Economic and financial capacity

Tenderers are required to prove that they have sufficient economic and financial capacity to perform the contract.

The required documentation in that respect is listed in Annex IV; Guidebook *"Submitting an offer in response to a call for tenders issued by the Directorate-General for Taxation and Customs Union"*, section 9.2.1. – Phase 2: Selection.

- Evidence of professional risk indemnity/and /or third party /civil liability insurance;
- Balance sheets or extracts from balance sheets for at least the last three financial years for which accounts have been closed;
- A statement of the average overall annual turnover, during the last three years, equal to or superior to:
 - Lot 1: 100.000.000 EUR;
 - Lot 2: 35.000.000 EUR;
 - Lot 3: 10.000.000 EUR.
- A statement of the average annual turnover concerning the goods and services to be covered by the contract during the last three years, during the last three years, equal to or superior to:

- Lot 1: 60.000.000 EUR;
- Lot 2: 20.000.000 EUR;
- Lot 3: 6.000.000 EUR.

These thresholds will be verified based on the turnover figures for at least the three (3) last years (2008, 2009 and 2010). In case of consortium, these thresholds will be verified on the level of the consortium.

7.2.2. Technical and professional capacity

Tenderers are required to prove that they have sufficient technical and professional capacity to perform the contract. To this end they should fill in the questionnaire in Annex I and provide documentation which confirms that they meet the following criteria:

Technical and professional capacity selection	Lot 1	Lot 2	Lot 3
1. Vision, strategy and service culture	√	√	√
2. References in relation to similar projects/contracts	√	-	√
3. References in relation to similar services/contracts	√	√	√
4. Tenderer organisation and manpower relevant for the provision of the required services	√	√	√
5. Qualifications and experience of the managerial staff	√	√	√
6. Methods, processes and automated tools	√	√	√
7. Certificates and Measurement	√	√	√

Detailed explanations are given in the questionnaire per lot (Annex I). Please note that questionnaires are not common to all lots but **specific to each lot** (as specified in section 7.3.1 of these tendering specifications).

7.3. Award Criteria

7.3.1. Technical evaluation

Please refer to Annex IV – Guidebook *"Submitting an offer in response to a call for tenders issued by the Directorate-General for Taxation and Customs Union"*, section 9.3.1. – Phase 3: Evaluation

Tenderers have to fill in the Technical Evaluation Questionnaire in Annex I of this Tendering Specifications (relevant for the lot for which they are submitting an offer) and provide the supporting documentation. The technical evaluation of the offers will be based on a rating of the quality criteria below, with the indicated weighting:

The following table is valid for:

Lot 1

Award Criteria	Weight	Max. points	Min points to obtain
1) Capacity to take over, hand over, set up and sustain operational activities	20 %	200	100
2) Fitness of the proposed organisation, methods, processes and services to sustain operational excellence	40 %	400	200
3) Fitness of the proposed transformations	30 %	300	150
4) Structure, clarity and level of completeness of the proposal	10 %	100	50
TOTAL	100 %	1000	

Lot 2

Award Criteria	Weight	Max. points	Min points to obtain
1) Fitness of the proposed strategy to meet the required level of quality of services over the duration of the contract	10 %	100	50
2) Fitness of the proposed organisation to sustain operational excellence	40 %	400	200
3) Fitness of the proposed methods and processes	30 %	300	150
4) Fitness of the proposed ICT infrastructure	10 %	100	50
5) Structure, clarity and level of completeness of the proposal	10 %	100	50
TOTAL	100 %	1000	

Lot 3

Award Criteria	Weight	Max. points	Min points to obtain
1) Fitness of the proposed approach and strategy to implement requirements and foreseen activities	20 %	200	100
2) Fitness of the proposed organisation	30 %	300	150
3) Fitness of the proposed methods, processes and services	40 %	400	200
4) Structure, clarity and level of completeness of the proposal	10 %	100	50
TOTAL	100 %	1000	

The technical evaluation will be made per lot by establishing an overall technical score for each technical proposal that takes into account the individual scores for the award criteria listed above.

The quality of the offers will be evaluated by the degree to which they fulfil the requirements specified for the work and supply adequate solutions to the tasks to be implemented. The marks in brackets indicate the importance given to each award criterion is stated in weight (percentage) and points. The maximum overall score is 1000.

Selected companies will have to score at least 50% for each award criterion.
An overall score of 600 points or more is also required.

The offer found to be the best quality will receive a normalised quality indicator of 100 points. The remaining offers will receive lower normalised quality indicators in proportion to their quality.

7.3.2. Financial evaluation

Please refer to the Guidebook *"Submitting an offer in response to a call for tenders for IT services issued by DG Taxation and Customs Union"*, section 9.3.2 and section 6.3.6.

The financial evaluation will be performed per lot on the basis of the prices stated in the relevant questionnaire in Annex I.

Price assessment

The basis for the price assessment is the total price.

Offers for which the technical quality assessment score is less than 600 points or offers for which less than half the points are scored on an individual criterion will not be considered for the price assessment and for the award of the contract.

The offer found to be the cheapest will receive a normalised price indicator of 100 points. The remaining offers will receive lower normalised price indicators in proportion to their prices.

7.3.3. Award

Please refer to Annex IV Guidebook (*"Submitting an offer in response to a call for tenders for IT services issued by DG Taxation and Customs Union"*), section 9.4. – Phase 4: Award.

The offer **presenting the best value for money** will be identified in the following way:

A weighting factor of **70%** will be applied to the **normalised quality indicator** and a weighting factor of **30%** will be applied to the **normalised price indicator**. The highest result will indicate the offer presenting the best value for money:

$(\text{Normalised quality} * 70\%) + (\text{Normalised Price} * 30\%) = \text{Normalised result}$

The highest normalised result will establish the offer presenting the best value for money.

For each lot, a separate award decision will be made.

8. Preparing and submitting the offer and additional information

8.1. Preparing and submitting the offer

Please refer to the Guidebook "*Submitting an offer in response to a call for tenders for IT services issued by DG Taxation and Customs Union*"(ANNEX IV), section 6 and section 7.

8.2. Additional information

8.2.1. Baseline

The baseline is provided on DVD-ROM as Annex XI.
The DVD-ROM provided by the Commission is available only on written request,

by email to the mailbox: Taxud-tenders@ec.europa.eu

or by mail to the following address:

European Commission,
Directorate-General Taxation and Customs Union
Unit R1, "Finances and Human Resources"
For the attention of Mr Jean-Louis Vergnolle (J79 6/40)
Avenue du Bourget 1
B-1140 Evere
Belgium

The information and the documents on the DVD-ROM are the sole property of the Commission (unless otherwise specified), are provided without prejudice and for the exclusive use of the tenderer.

ANNEXES

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BASELINE