



EIGE/2012/OPER/20

TENDER SPECIFICATIONS

Study on area H of the Beijing Platform for Action – Institutional Mechanisms

OPEN PROCEDURE

These Tender Specifications provide instructions and guidance to tenderers about the nature of the Offer they should submit and serve as the Contractor's mandate throughout the project implementation. The purpose of the Specifications is to ensure that the project is properly conceived by the Contractor, that the work is carried out on schedule and that resources will not be wasted.

The Tender Specifications will become part of the contract that may be awarded as a result of this tender.

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1 TECHNICAL SPECIFICATIONS

1.1 CONTRACTING AUTHORITY

Equality between women and men is a fundamental value of the European Union, enshrined in its Treaties¹ and in the Charter of Fundamental Rights of the European Union. Mainstreaming the principle of equality between women and men is a major part of all its activities and represents the general approach to the implementation of all EU policies.

The European Institute for Gender Equality (hereafter referred to as "EIGE" or as "the Institute")² is a regulatory agency of the European Union which has been given objectives to contribute to and strengthen the promotion of gender equality, including gender mainstreaming in all EU policies and the resulting national policies, and the fight against discrimination based on sex, and to raise EU citizens' awareness of gender equality by providing technical assistance to the EU institutions, in particular the Commission, and the authorities of the Member States³.

In order to meet these objectives, the Institute shall collect, analyse and disseminate relevant objective, comparable and reliable information and data on equality between women and men at the European Union level and shall develop methods to improve the objectivity, comparability and reliability of data at European level by establishing criteria that will improve the consistency of information and take into account gender issues when collecting data⁴.

Within the scope of its mandate, EIGE also provides technical support to the EU Presidency countries as part of the on-going follow-up to the Beijing Platform for Action (BPfA) adopted at the United Nations World Conference on Women in 1995 and, in particular, reviews existing indicators previously adopted by the Council of the EU and develops benchmarking information on critical areas of concern of the BPfA.

The study commissioned through this Invitation to Tender is undertaken within the scope of the Institute's Work Programme 2012 and its Mid-Term Programme 2010 - 2012. It is a part of the Institute's wider framework of activities aimed at providing support to the Presidency countries of the Council of the EU and reviewing areas of concern of the BPfA. The overall activity aims at:

- analysing and reviewing the area of concern selected by the upcoming EU Presidency;
- providing advice on updating and improving existing indicators or proposing new ones;
- developing a report on the progress made in the implementation of the BPfA in the selected area;
- promoting the visibility and dissemination of the information within the selected area.

In order to contribute to the implementation of the aforementioned tasks, EIGE is launching this invitation to tender for a services contract regarding the following project: Study on area H of the Beijing Platform for Action - Institutional Mechanisms. The objective of this tender is to issue a contract for a study to provide EIGE with the necessary background knowledge and data about the current status of the institutional mechanisms that facilitate the implementation of gender policies, their adequacy in promoting gender mainstreaming in all sectors, and the state of institutional mechanisms and implementation of gender mainstreaming in the EU-27 and Croatia as part of the review of the BPfA.

¹ Articles 2 and 3(3) TEU and Article 8 TFEU.

² Established by the European Parliament and of the Council Regulation (EC) No 1922/2006 of 20 December 2006 (OJ L 403/9 of 30.12.2006)

³ Article 2, Idem 2

⁴ Article 3, Idem 2

1.1.1 EIGE'S SUPPORT TO THE PRESIDENCIES OF THE COUNCIL OF THE EUROPEAN UNION

Within the scope of its mandate, from 2011 onwards, EIGE provides technical support to the rotating Presidency of the Council of the European Union as part of the on-going follow-up to the BPfA adopted at the United Nations World Conference on women in 1995 intending to consistently and systematically monitor and assess the implementation of the BPfA. Forthcoming Council Presidencies take up selected issues within the critical areas of concern identified in the BPfA.

In this context, EIGE reviews existing indicators previously adopted by the Council of the European Union, proposes new ones when relevant, and develops benchmarking information in the selected critical areas of concern.

The purpose of the present study is to address the issue of Institutional Mechanisms for the advancement of women in the context of the BPfA in support of the Lithuanian Presidency of the EU in the second semester of 2013. The study will review the current stage of implementation of objectives H1 and H2 of the BPfA based on existing indicators, will redefine the content of the indicator measuring objective H2 and will develop new indicator(s) to monitor the progress of implementing objective H3 of the BPfA.

In addition, this study will be used as an instrument to identify the gaps and strengths in this critical area of concern, laying the basis for a further research project. Based on the overview provided by this study, at a later stage during 2012, EIGE will undertake a second research study, which will aim at collecting and disseminating the relevant methods, tools and good practices (MTGP) for the effective implementation of gender mainstreaming, developed and used in the EU27 and Croatia.

1.2 BACKGROUND INFORMATION

1.2.1 INTRODUCTION

The European Union is based upon the fundamental importance of human rights and values, including the right to equality between women and men. The Treaty of the European Union stipulates in its Article 2 that "the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail." Article 8 of the Treaty on the Functioning of the European Union clearly specifies that "in all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women." The gender mainstreaming obligation contained in the Lisbon Treaty should be fully implemented into all European policies and programmes.

The Commission's Strategy for Equality between Women and Men 2010-2015 pays particular attention to the governance and tools of gender equality as a horizontal issue, and entrusts EIGE with the important task of supporting the implementation of the BPfA, including the development and updating of indicators in areas of concern.

1.2.2 EU COMMITMENT TO THE BEIJING PLATFORM FOR ACTION

The 4th World Conference on Women, held in Beijing in 1995, officially adopted the *Beijing Declaration and Platform for Action for Equality, Development and Peace*⁵. The BPfA outlines the strategic objectives and actions to be taken by the international community, national governments and civil society for the promotion and protection of human rights for women and the girl child as inalienable, integral and indivisible elements of universal human rights and fundamental freedoms of all women throughout their lives⁶. Its objectives and actions are arranged throughout twelve critical areas of concern: (A) women and poverty, (B) education and training of women, (C) women and health, (D) violence against women, (E) women and armed conflict, (F) women and the economy, (G) women in power and decision-making, (H) institutional mechanisms for the advancement of women, (I) human rights of women, (J) women and the media, (K) women and the environment, and (L) the girl child.

All 27 EU Member States and Croatia have signed the document and thus have recognised their responsibility to take actions to implement the BPfA. Besides the primary responsibility for the advancement of women lying with the national governments, the European Union has been involved in the formulation of the Beijing Declaration and supports its Member States insofar as taking action is concerned. In December 1995, the European Council acknowledged the European Union's commitment towards the BPfA and expressed its intent to review its implementation across the Member States on a yearly basis. Since 1999, quantitative and qualitative indicators have been developed by successive Presidencies of the Council of the European Union for the purposes of monitoring progress towards achieving the BPfA goals. By 2010, the Council of the European Union had adopted indicators in nine out of twelve critical areas. Furthermore, in order to review the development in the implementation of BPfA at the EU level, two overview reports have been produced: *Beijing +10. Progress made within the European Union* by the Luxembourg Presidency of the Council of the European Union in 2005⁷ and *Beijing+15: The Platform for Action and the European Union* by the Swedish Presidency in 2010.⁸

In the context of the 10-year review of the BPfA, the EU ministers responsible for gender equality, meeting in Luxembourg on 4 February 2005, adopted a common declaration which, inter alia, reaffirms their strong support for and commitment to the full and effective implementation of the BPfA. In June 2005, the Council invited Member States and the Commission to strengthen institutional mechanisms for promoting gender equality and to create a framework to assess the implementation of the BPfA in order to create a more consistent and systematic monitoring of progress and invited the Commission to include the assessment of relevant Beijing indicators in its annual report to the Spring European Council.

Institutional mechanisms for the advancement of women were defined as the critical area of concern H in the UN Beijing Platform for Action of 1995, and three strategic objectives were put forward in this area: (H1) Create or strengthen national machineries and other governmental bodies; (H2) Integrate gender perspectives in legislation, public policies, programmes and projects; (H3) Generate and disseminate gender-disaggregated data and information for planning and evaluation.

1.2.3 INSTITUTIONAL MECHANISMS

⁵ Beijing Declaration and Platform for Action <http://www.un.org/womenwatch/daw/beijing/platform/>

⁶ Mission Statement, <http://www.un.org/womenwatch/daw/beijing/platform/plat1.htm#concern>

⁷ <http://ec.europa.eu/social/BlobServlet?docId=3683&langId=en>

⁸ <http://www.eige.europa.eu/content/document/beijing-15-platform-action-and-european-union-report-swedish-presidency-council-eur>

National mechanisms for gender equality is traditionally regarded (paragraph 201 of the BPfA, such as a Ministry, Department, or Office) as the central policy-coordinating unit inside government and its main task is to support government-wide mainstreaming of a gender-equality perspective in all policy areas. There are variations in the types of structure and location of national machineries. They can be a stand-alone ministry or part of a ministry; department/division/services under a ministry; unit in the office of the head of government; or autonomous bodies.

The necessary conditions for an effective functioning of such national structures include: (a) location at the highest possible level in the government; (b) institutional mechanisms or processes that facilitate the involvement of non-governmental organisations from the grass roots upwards; (c) sufficient resources in terms of budget and professional capacity; and (d) the possibility to influence the development of all governmental policies.

In addition to this, national mechanisms for gender equality include bodies and institutions within different branches of the State (legislative, executive and judicial branches) as well as independent, accountability and advisory bodies. Besides the national machinery for the advancement of women within Government, the mechanisms which are increasingly being established since 1995 include, but are not limited to, focal points/working groups in sectorial/line ministries; inter-ministerial/multi-sectorial bodies (e.g. task forces/working groups or similar arrangements); mechanisms in state, municipal and local governments; committees/commissions/caucuses in parliament; committees/working groups within the judiciary; accountability institutions; advisory/consultative councils with multi-stakeholder participation; gender equality observatories; and, gender equality ombudspersons.

Conclusions and reports of the Council of the EU: 2006 – Institutional mechanisms for women (FI)⁹

In 2006, the Finnish Presidency of the Council of the EU undertook a study on the institutional mechanisms in the Member States. In its Conclusions, the Council adopted the following indicators concerning objectives H1 and H2 of the BPfA:

- (1) Status of governmental responsibility in promoting gender equality;
- (2a) Personnel resources of the governmental gender equality body;
- (2b) Personnel resources of the designated body or bodies for the promotion of equal treatment of women and men;
- (3) Gender mainstreaming.

It was the aim of the Finnish Presidency that the proposed indicators would measure the attainment of two key objectives of the BPfA critical area H, and at the same time focus on relevant political targets of the EU and the Member States. What is still lacking is an indicator that is related to strategic objective H3 – generating and disseminating data and information disaggregated by sex. The development of an additional indicator to assess the implementation of the third strategic objective is necessary as a tool for a comprehensive evaluation of the implementation of the BPfA in this area as it also complements the evaluation of the other two objectives.

Several Council Conclusions referring to the review of the implementation of the BPfA encouraged Member States to take measures to strengthen the governmental gender equality bodies, to

⁹ <http://register.consilium.europa.eu/pdf/en/06/st14/st14376-ado1.en06.pdf>

upgrade them to the highest possible level of government, and to provide them with adequate human and financial resources.

Additionally, the Council encouraged the Member States to adopt, monitor and evaluate national action plans or a set of high level strategic targets for gender equality, and to report, on a regular basis, to legislative bodies on the progress made in the promotion of gender equality in order to increase the accountability and visibility of the policies. The recommendation of the Council to the Member States was to continue active cooperation with, and to promote the involvement of civil society actors in the pursuit of equality between women and men.

As regards gender mainstreaming, the Council called on all Member States to monitor and evaluate the concrete implementation of this commitment and to further develop coordinating structures that have a clear mandate to implement the strategy of gender mainstreaming throughout the governmental administration, including regional and local government and public institutions, and to monitor their activities.

Noting that formal commitment and formal structures for gender mainstreaming are not enough and that practical action in all relevant areas is needed, the Council of the EU also urged all Member States and the Commission to improve and strengthen the development and regular use of mainstreaming methods, particularly gender budgeting and gender impact assessment, when drafting legislation, policies, programmes and projects.

Finally, the Council encouraged the Member States and the Commission to provide national and EU statistical offices with institutional and financial support so that all relevant official statistics related to individuals were collected, compiled, analysed, and presented by sex and age, and reflect problems and issues relating to women and men and the promotion of gender equality.

Conclusions and reports of the Council of the EU: 2009- Beijing +15 review (SE)¹⁰

A thorough review and appraisal at the EU-level of the implementation of the BPfA was carried out during the Swedish Presidency of the Council of the European Union in 2010. Building on previous follow-ups by the EU in 2000 and on the report from the Luxembourg Presidency in 2005, the report "Beijing + 15: The Platform for Action and the European Union" describes the development of institutional gender mechanisms in the Member States as well as the development of indicators in this particular critical area of concern (H).

Thorough analyses of the developments in the EU Member States in the critical area of concern (H) were conducted on the basis of existing indicators and the answers from the Member States to the UNECE Questionnaire on the Implementation of the Beijing Declaration and Platform for Action sent out in January 2009 (UNECE Report)¹¹. Drawing conclusions from the analysis, the Swedish Presidency report concluded that an increasing number of Member States had both a Minister responsible for gender equality issues and gender equality bodies, units or departments placed on a high level in the government. The responsibility, status and agency of these gender equality bodies

¹⁰ <http://www.eige.europa.eu/content/document/beijing-15-platform-action-and-european-union-report-swedish-presidency-council-eur>

¹¹ Strengthening National Mechanisms for Gender Equality and the Empowerment of Women — National Mechanisms for Gender Equality in EU Member States and candidate Countries and other Developed Economies of the UNECE Region
http://www.unece.org/fileadmin/DAM/Gender/publication/UNECE_2010_Regional%20study_EU%20et%20al.pdf
<http://www.eige.europa.eu/internal/bpfa/results#/85/moreinfo>

in relation to different policy areas varied greatly between the Member States and there was still a need to enhance the status of these bodies in order to bring the policy area of gender equality to the forefront.

Importantly, the report emphasised that the replacement of the independent bodies for protection against discrimination on the ground of sex with bodies for protection against multiple discrimination seemed to be a trend among the EU Member States, whose impact was still to be seen. Whereas the importance of acknowledging the heterogeneity of women in terms of age, class, disability, ethnicity/race, religion and sexual orientation seemed to be crucial to the recognition of all groups of women, the risk of downplaying gender as a structural dimension and reducing the understanding of gender relations at an individual level needs to be assessed.

Finally, the report warned on the importance of not taking a linear development for granted in the implementation of gender mainstreaming and the overall institutionalisation of gender equality machineries. Not all Member States had increased their efforts regarding their gender machineries during the five years prior to the report. In some Member States the National Action Plan for Gender Equality had not been updated. Not many new initiatives had been taken, for example in the development of gender mainstreaming strategy in the case of those Member States that had been working with gender equality and gender mainstreaming for a longer period of time.

In the Council Conclusions on the review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action 'Beijing +15: a Review of Progress'¹² it is stressed that although gender equality and gender mainstreaming are recognised in the Lisbon Strategy as being essential for progress, the National Reform Programmes (NRPs) for 2008 revealed that gender mainstreaming is not always sufficiently implemented across policy domains. The Council called on the Member States and the Commission to implement and monitor gender mainstreaming more systematically, where appropriate, including in legislative, financial and other key processes, strategies, programmes and projects in different policy fields, including economic policy and integration policies, in the Open Method of Coordination for both employment and for social protection and social inclusion, in the Renewed EU Sustainable Development Strategy, in the Framework of European cooperation in the youth field, in external and development policies, and in the European Security and Defence Policy, especially in the context of the United Nations Security Council Resolutions 1325, 1820, 1888 and 1889; to assess the impact of gender mainstreaming in all these fields; and to encourage the systematic use of the indicators developed for the follow-up of the BPfA in all relevant policy areas and processes.

1.3 SCOPE OF THE STUDY

The study to be carried out under this contract will focus on the institutional mechanisms for gender equality in the EU Member States and Croatia defined within the critical area H of the BPfA and its strategic objectives.

The study shall explore national and, where relevant, regional machineries and governmental bodies for gender equality. The study shall cover, but not be limited to: governmental gender equality bodies and independent bodies for promotion of equal treatment for women and men in accordance to the Directive 2002/73/EC; other national bodies for the promotion of gender equality; actors collecting and disseminating sex disaggregated data and information, and the involvement of civil society actors in governmental work for gender equality.

¹² <http://www.consilium.europa.eu/uedocs/NewsWord/en/lisa/111584.doc>

The study shall develop methodologies in order to evaluate the conditions for an effective functioning of national structures, such as location at the highest possible level in the government, mandate, sufficient resources in terms of professional capacity and budget, and the possibility of influencing the development of governmental policies; the commitment and responsibility of the structures for promoting gender equality; gender mainstreaming; national action plans and gender equality strategies, reports to parliaments and other relevant bodies; gender mainstreaming commitments, including gender impact assessment and gender budgeting; and the collection and dissemination of sex disaggregated data and information in each of 27 EU Member States and Croatia. Firstly the report shall provide a background overview of legislative and policy developments in the area of institutional mechanisms at international, European Union and national level. The background overview shall be based on the analysis of literature and data available through open sources. The study shall provide detailed information about developments since 2006 and, where possible, to provide comparable analysis in time and across the Member States and Croatia.

Furthermore, the study shall focus on the collection of quantitative and qualitative data in area H of the BPfA in all 27 EU Member States and Croatia in order to review existing indicators, to redefine the indicator measuring objective H2, to suggest a method for measuring the effectiveness of institutional mechanisms and to propose new indicator(s) for objective H3. The study is expected to collect and review data for strategic objectives H1 and H2 according to the indicators developed by the Finnish Presidency in 2006; to redefine the scope of the indicator on second objective of area H in order to better ground the indicator and to have a better comparability in the future; to develop and apply a methodological approach for collecting data and information and to propose an indicator(s) for the third objective of area H; and to propose a concept for indicator measuring effectiveness of institutional mechanisms. The report and questionnaire of the Finnish Presidency (2006) should be taken as a departure point, complemented with an in-depth review, based on a sound and comparable methodology. The Report 'Beijing + 15: The Platform for Action and the European Union' developed under the Swedish Presidency of the EU in 2009 may also serve as a documentation and reference point for the update and as a complement of existing information on the status of institutional mechanisms to facilitate the implementation of gender equality policies and the progress made to date. The study shall provide detailed information about developments since 2006 and, where possible, to provide comparable analysis in time and across Member States and Croatia.

The study will monitor the compliance and progress of Member States on the recommendations issued by the Council of the European Union in the Council conclusions of the Review of the implementation by Member States and the EU institutions of the BPfA in 2006¹³ and 2009¹⁴ with respect to Institutional Mechanisms. It will also analyse the implications of key trends in the current development of institutional mechanisms for gender equality, including a specific analysis of the impact and changes brought about by the economic crisis.

¹³ Council of the European Union, Draft Council conclusions 'Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action — Indicators in respect of Institutional Mechanisms', Brussels, 30 October 2006 (<http://register.consilium.europa.eu/pdf/en/06/st14/st14376-ado1.en06.pdf>).

Council of the European Council conclusions on Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action — Indicators in respect of Institutional Mechanisms, Brussels, 30 November and 1 December 2006 (http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lisa/91957.pdf).

¹⁴ Council of the European Union, Union, Draft Council conclusions 'Review of the implementation by Member States and the EU institutions of the Beijing Platform for Action — Beijing + 15: A review of progress', Brussels, 10 November 2009 (<http://register.consilium.europa.eu/pdf/en/09/st15/st15487-ado1.en09.pdf>).

1.4 OBJECTIVES

1.4.1 GENERAL OBJECTIVE

The aim of the study is to produce a report on the current stage of implementation of the strategic objectives formulated in **area H of the BPfA: Institutional Mechanisms**, with a focus on national machineries and other governmental bodies on gender equality, gender mainstreaming and collection and dissemination of sex-disaggregated data and information. The study will cover all 27 EU Member States and Croatia.

1.4.2 SPECIFIC OBJECTIVES AND TASKS

The specific objectives and tasks of the study are:

Objective 1. On the basis of a literature and documentation review, to develop an overview of the background situation on institutional mechanisms for gender equality in the European Union, 27 EU Member States and Croatia, with an emphasis on existing of national machineries and designated governmental bodies for gender equality, gender mainstreaming, and the collection and dissemination of sex-disaggregated information.

Tasks:

- 1.1. Describe the methodology used for the literature and documentation review;
- 1.2. Provide an overview of the international framework in the area of institutional mechanisms and its influence and relationship with developments on institutional mechanisms for the promotion of gender equality in European Union;
- 1.3. Provide a general overview of the legislative and policy developments in the area of institutional mechanisms and gender mainstreaming at the EU level, EU Member States and Croatia;
- 1.4. Elaborate on developments of institutional mechanisms for gender equality and identify and describe institutional mechanisms at the EU level, EU Member States and Croatia and supranational level (for example, Nordic Council of Ministers);
- 1.5. Provide an overview of data and research on institutional mechanisms, national machineries and other governmental bodies, gender mainstreaming and the generation and dissemination of sex-disaggregated information;
- 1.6. Provide an assessment of the impacts of the economic crisis on institutional mechanisms, where relevant, at the EU level, EU Member States and Croatia;
- 1.7. Analyse existing trends on the development of institutional mechanisms and gender mainstreaming and the potential implications in the near future for gender equality policies and achievements;
- 1.8. Provide a list of bibliographical sources addressing the topic.

Objective 2. To collect data on institutional mechanisms for the promotion of gender equality in 27 EU Member States and Croatia. The data collection for objectives H1 and H2 of the BPfA should be based on and comparable to the methodology used by the Finnish Presidency (2006). Regarding objective H3 of the BPfA, the Contractor is expected to develop and present a methodological approach for data collection in the 27 EU Member States and Croatia for the existing mechanisms and state of play. The collected data should enable a comparability analysis over time (since 2006) and among Member States, including Croatia.

Tasks:

- 2.1. Describe the methodology for data collection and analysis;
- 2.2. Collect data and information on (but not limited to):

- 2.2.1. Status of bodies for gender equality in each EU Member State and Croatia:
- Existence of a governmental bodies for gender equality;
 - Location of institutional responsibility for promoting gender equality;
 - Level of location of the governmental body for gender equality in the governmental hierarchy;
 - Mandate, role, functions and structure of the governmental body for gender equality;
 - Existence of an independent body for the promotion of equal treatment for women and men designated in accordance to Directive 2002/73/EC;
 - Mandate, role, functions and structure of the independent body for the promotion of equal treatment of women and men;
 - Existence of other national bodies for the promotion of gender equality, for example, bodies for gender equality within Parliament (committees) and the judiciary, gender equality observatories, advisory bodies, interministerial bodies, etc.;
 - Existence of strategies in specialised parliamentary bodies and commissions to implement gender mainstreaming and advance gender equality goals;
 - National Action Plans or Strategies on gender equality;
 - Reporting by governmental bodies for gender equality, by independent body for the promotion of equal treatment of women and men and other bodies for the promotion of gender equality (if applicable) to legislative bodies (such as Parliament) on the progress of gender equality;
 - Involvement of civil society actors and social partners in the governmental work for gender equality;
- 2.2.2. Resources available for gender equality:
- Personnel resources (in person years) of the governmental body for gender equality;
 - Personnel resources (in person years) of the independent body for the promotion of equal treatment of women and men;
 - Financial resources for gender equality of the governmental body for gender equality (earmarked and on an annual basis);
 - Financial resources for gender equality of the independent body for the promotion of equal treatment of women and men (earmarked and on an annual basis);
 - Financial resources available in other national bodies for the promotion of gender equality (earmarked and on an annual basis);
- 2.2.3. Gender mainstreaming:
- Status of the commitment of the national bodies responsible for gender mainstreaming;
 - Structures of gender mainstreaming in the national public administration;
 - Existence of structures and methodologies for gender mainstreaming in relevant sectorial areas, such as National Action Plans on Women, Peace and Security, Rural Development, Women & Science, Women & Health, etc.;
 - Gender impact assessment in the drafting of laws, programmes, action plans, projects;
 - Gender budgeting or gender impact assessment of state budgets;
 - Existence of structures and strategies for monitoring and evaluation of gender mainstreaming effectiveness and gender equality achievements;
 - Existence of structures and strategies for systematic training and capacity building of all concerned actors/structures;
- 2.2.4. Generating sex-disaggregated data and information:
- Structures and strategies for the collection of sex-disaggregated data and information;
 - Structures and strategies for the dissemination of sex-disaggregated data and information;
- 2.2.5. Effect of the economic crisis to the status, mandate and resources of gender equality bodies and gender mainstreaming activities.

- 2.3. Develop country sheets based on the collected information, providing a detailed description of the situation and map out the institutional mechanisms in each of the Member States and Croatia; analyse the trends in the development of institutional mechanisms for gender equality in each of the Member States and Croatia. Include general conclusions on the aggregated trends in the overview about the overall situation in the EU.
- 2.4. Build a database where all data collected during the data collection exercise shall be stored. The database shall allow further data analysis and shall allow data extraction by selected variables.

Objective 3. To provide qualitative and quantitative analysis of the collected data.

Tasks:

- 3.1. Analyse quantitatively and qualitatively the collected information, providing a review of the situation in the EU Member States and Croatia;
- 3.2. Analyse the content and implementation of the gender mainstreaming activities as a follow up of the typology developed and presented in the Finnish Presidency report (2006) and consider revisions and improvements;
- 3.3. Provide a detailed overview of the accessibility, reliability and the comparability of the collected data; identify gaps and provide recommendations to improve the objectivity, comparability and reliability of data at European level and Member States in the area of Institutional Mechanisms;
- 3.4. Provide comparative analysis over time and at national level;
- 3.5. Based on collected primary and secondary data to provide initial analysis of effectiveness of institutional mechanisms;
- 3.6. Provide conclusions and recommendations based on data analysis;
- 3.7. Review the conclusions and recommendations presented in the reports provided by the Finnish (2006) and Swedish (2009) Presidencies as regards Institutional Mechanisms and analyse progress and implementation of the agreed-upon recommendations;
- 3.8. Identify changes brought about by the economic crisis;
- 3.9. Identify trends within countries as regards the developments of Institutional Mechanisms for gender equality, and, in particular, the relationships and connection between the different bodies, especially between gender equality machineries and equal treatment bodies.

Objective 4. To provide a review, analysis and expansion of the indicators proposed by the Finnish Presidency and adopted by the Council of the European Union in 2006 on the basis of the collected data and information.

Tasks:

- 4.1. Describe the methodology used for the review and analysis;
- 4.2. Review the current situation in the EU Member States and Croatia based on the indicators adopted during the Finnish Presidency of the Council of the European Union in 2006;
- 4.3. Assess the accessibility, reliability and the comparability of the available and collected data for review;
- 4.4. Assess possible expansion of the indicators established by the Finnish Presidency in 2006;
- 4.5. Provide a concept for an indicator measuring effectiveness of institutional mechanisms;
- 4.6. Identify gaps in data collection and provide recommendations to improve the objectivity, comparability and reliability of data at European Union, EU Member States and Croatia level regarding indicators in area H.

Objective 5. To develop new indicator(s), including sub-indicators if necessary, that would facilitate the monitoring of progress in the implementation of objective H₃ of the BPfA on the basis of the data and information collected.

- 5.1. Describe the methodology used for the development of the new indicator(s);
- 5.2. Assess the accessibility, reliability and comparability of the available and collected data for the development of new indicator(s);
- 5.3. Propose and describe new indicator(s) for objective H₃ of the BPfA, containing for each indicator a justification, a title, a definition and concept, a data source, data overview and periodicity, the place of publishing, and notes, if necessary;
- 5.4. Collect existing data on new indicators since 2006, if available, to establish the trends and developments at European Union level, EU Member States and Croatia.

Objective 6. To prepare a detailed report based on an explanatory background description and literature review, collected data, a review of existing indicators, descriptions of the proposed new indicators and recommendations and conclusions based on the literature review and data analysis (Objectives 1-5).

Objective 7. To prepare specific knowledge-based products to facilitate the dissemination and accessibility of the results of the study in a concise and user-friendly way. These products shall be ready for dissemination to EIGE's stakeholders. The overview provided in the dissemination products should be clear and explicit and should be illustrated with relevant graphics/images. They should be supplied in a publishable form.

Tasks:

- 7.1. The Contractor is expected to develop two factsheets presenting the results of the study in area H of the BPfA - Institutional Mechanisms. The themes for the factsheets will be discussed and agreed upon in consultation with EIGE during the project implementation. The tenderer is expected to propose tentative themes for the factsheets in the technical proposal.
- 7.2. The Contractor is expected to develop a summary report (main findings) of the study. It shall summarise the main aspects of the study and be developed for wider distribution;
- 7.3. The Contractor is expected to develop an abstract of the study and identify key words in order to facilitate classification and identification of the areas covered by it.

The implementation of the objectives and tasks set in these tender specifications should be fully reflected in the interim report, final report, summary report and the abstract. In the course of the implementation of the study, EIGE might adjust the tasks without changing the objectives.

1.5 METHODOLOGY

The methodological framework shall be developed by the tenderer and provide a sound approach to the collection and analysis of data within the scope and time defined in these technical specifications. The tenderer shall propose a methodology which would ensure the achievement of the defined objectives and the collection of reliable information and data in the field. The tenderer shall clearly indicate how the information (literature, documents, etc.) and data existing in any of the EU official languages will be identified, collected and analysed and how the providers of data and information will be reached. The methodology should cover the following parts:

- 1) Description of the methodology of literature and documentation review. The background overview of Institutional Mechanisms shall include the overview of legislative and policy developments at EU level and state measures to promote gender equality. It shall also include the review of data and research on the main thematic aspects of the study. A

literature and documentation review shall cover the sources of data and information in all 27 EU Member States and Croatia.

- 2) Description of the methodology to be applied for the data collection, review and development of indicators. The collection and analysis of data shall reflect institutional mechanisms and aspects of the three objectives of the critical area H of the BPfA in all 27 EU Member States and Croatia. In data collection, the impacts of the economic crisis should be taken into consideration. For objectives H₁ and H₂, the methodology for data collection should be based on, and comparable to, the methodology used by the Finnish Presidency of the Council of European union in 2006, and further expanded, where relevant. It should ensure the delivery of comparable data from the EU MS and Croatia. For objective H₃, the Tenderer is expected to develop and apply a methodological approach for collecting information and proposing new indicator(s). The Tenderer should propose relevant and feasible indicator(s) and sub-indicators, if necessary, to monitoring objective H₃ of the BPfA. Data analysis shall consider both qualitative and quantitative aspects and should enable comparison over time and at national level.

The proposed methodology should be described in detail in the bid.

1.6 DELIVERABLES

The Contractor shall work closely with EIGE through regular exchange of information. Throughout the implementation of the study the following deliverables shall be provided:

1. An Inception report, summarising the discussion of the inception meeting (week 3);
2. An Interim report on the first findings of the literature and documentation review, the collection of data and analysis, the progress so far and the next steps (week 16 for the report and week 18 for the meeting);
3. A Final report covering all the items described in specific objectives 1, 2, 3, 4, 5, 6 and 7 together with necessary statistical annexes (week 28);
4. A Summary report understandable for non-specialised readers (week 30);
5. An Abstract (week 30);
6. Two factsheets on area H of the BPfA – Institutional Mechanisms (week 30);
7. 28 country sheets describing situation in each of 27 EU MS and Croatia (week 28);
9. Database of collected information (week 12, week 28).

All the deliverables listed above must be submitted in English (UK).

The reports must be written in a clear and simple way, providing information and analysis that can be understood by non-specialists. The reports and the abstract must be in MS Word (and PDF) format. The format of Annexes may vary depending on the type of information presented.

For the preparation of the deliverables, EIGE's guidelines on abbreviations, ordering of countries, referencing, text layout, editing, etc. must be taken into account. The guidelines will be provided to the Contractor at the Inception meeting.

The final versions of all deliverables must be professionally edited and proofread, preferably by an English native speaker. The documents must be delivered in an appropriate layout and they shall contain visual elements (e.g. tables and graphs).

All deliverables must be revised by the Contractor according to the Institute's recommendations, as necessary, and returned within the deadline mentioned in the Contract. When necessary, activities

aimed at producing deliverables, must run in parallel to ensure smooth operation of the project within the given timeframe.

EIGE will have the exclusive rights to publish the results of the study. The Contractor must ensure that there are no restrictions on confidentiality and/or intellectual property rights, expected from the third party.

All the reports with corresponding Annexes must be provided in three hard copies and in an electronic copy, with the exception of the final deliverables (detailed analytical final report, executive summary and abstract) which must be provided in four hard copies and in an electronic copy.

Deliverable 1: Inception meeting and Inception report
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Within two weeks from the contract signature EIGE will organise an Inception meeting with the Contractor in Vilnius to discuss the Technical Specifications and the contractor's offer. The project manager and the senior researcher(s) from the Contractor's team shall attend the meeting.

In the Inception meeting, the Contractor shall present in detail the methodology for data collection and analysis to be used, including key informants and actors, analytical tools, how the methods proposed are going to be implemented in light of the initial assessment of available information and data, and in particular, how the specific objectives and tasks will be implemented.

The contractor shall also present the results of the initial analysis, including:

- The main findings of the preparatory work undertaken;
- A description of the methodology to be used and the problems encountered;
- A typology of data to be collected in each of the 27 EU Member States and Croatia;
- A proposed structure for the interim report, final report, summary report, factsheets and abstract;
- An updated work-plan ensuring the submission of the deliverables within the contractual deadline.

Based on the agreements reached during the meeting, the Contractor shall draw up an Inception report which is to be submitted to EIGE for approval within five days after the inception meeting. The Inception report shall present the results of the initial analysis, the agreed methodology to be used for further research, the organisation of work, the planning and timeline for all activities of the project within the contractual deadline and information on the project staff members and their contact details.

The Inception report, with corresponding Annexes, must be provided in two hard copies and in an electronic copy.

Size: minimum 10 pages and relevant annexes

Language: English (UK)

Deadline: Two weeks after the date of signature of the contract the Inception meeting shall take place in Vilnius. The Contractor shall prepare an Inception report summarising the elements above and submit it to EIGE within five days after the inception meeting. EIGE will have five working days from receipt to approve or comment on the report. Within five days after receiving EIGE's comments, the

Contractor shall submit additional information and the Inception report in the definitive form by electronic and regular mail.

Deliverable 2: Interim report and Mid-term meeting

The Interim report, showing the progress of work undertaken, shall be submitted to EIGE and a mid-term meeting will take place in Vilnius in order to present preliminary findings and to discuss further details of the study.

The interim report shall include the following, but not limited to:

- A definition of the key terms and concepts;
- A description of the methodologies used;
- A draft background overview of the situation in 27 EU Member States and Croatia (objective 1);
- A draft overview of the collected data (objective 2)
- Preliminary database with country data (objective 2)
- Preliminary quantitative and qualitative analysis of the collected data and overview on the reliability and the comparability of the collected data (objective 3);
- A draft review of indicators proposed by the Finnish Presidency in 2006 and a proposal for new indicator(s), which would facilitate the monitoring of progress of implementation of the objective H3 of the BPfA on basis of the collected data and information (objectives 4, 5)
- A preliminary list of topics to be covered in the factsheets. The topics are subject to change during the implementation of the project, in accordance with the preliminary findings (objective 7);
- A visual presentation in a ppt format reflecting the structure and content of the Interim report;
- A provisional structure for the final report, based on the Contractors improved understanding of the study developed during the preliminary phase;
- An updated work-plan ensuring the submission of the final report, summary report, factsheets and abstract within the contractual deadlines.

The Interim report shall provide preliminary information covering specific objectives 1, 2, 3, 4, 5 and 7 and tasks described under each specific objective, listed under 1.4.2

The Interim report, with corresponding Annexes, must be provided in two hard copies and in an electronic copy.

Size: minimum 30 pages and relevant annexes

Language: English (UK)

Deadline: 16 weeks after the date of signature of the contract the Contractor shall provide the Interim report to EIGE and participate in the mid-term meeting in Vilnius (W18). EIGE will have ten working days from receipt of the report to approve or comment. Within ten days of receiving EIGE's comments, the Contractor shall submit additional information and the Interim report in its definitive form by electronic and regular mail.

Deliverable 3: Final report and Final meeting

The Final detailed analytical report shall be in line with the methodology proposed and agreed. It shall answer all the requests raised in the general and specific objectives and the related tasks as well as requests regarding the Final report as agreed during inception meeting and mid-term meeting. The analysis, conclusions and recommendations provided shall be clear and explicit. A Final meeting will take place in Vilnius in order to present the findings of the study and the report and to discuss the final details of the study.

The Final report shall include the following, but not limited to:

- Definitions of the key terms and concepts;
- Detailed description of the methodologies used;
- Background overview of the situation on Institutional Mechanisms for gender equality in the 27 EU Member States and Croatia with an emphasis on the existence of national machineries and designated governmental bodies, gender mainstreaming and the generation and dissemination of sex-disaggregated information (objective 1);
- Overview of the data collected (objective 2);
- Quantitative and qualitative analysis of the data on institutional mechanisms in each of 27 EU Member States and Croatia (objective 3);
- Overview of the accessibility, reliability and comparability of the data collected, identified gaps and recommendations to improve the objectivity, comparability and reliability of data at European level in the area of Institutional Mechanisms (objective 3);
- Review of indicators proposed by the Finnish Presidency and adopted by the Council of the European Union in 2006, and description and justification of the quantitative and/or qualitative indicator(s), including the sub-indicators if necessary, containing the title of the indicator, definition and conceptualisation, data source, data overview, place of publishing, and notes, as needed (objectives 4, 5);
- Conclusions and recommendations based on the literature review and data collection;
- A visual presentation in a ppt format reflecting the structure and content of the Final report;
- All the data collected and analysed presented in tables and graphs (as an Annex);
- All the references and sources reviewed or consulted during the project (as an Annex).

The Final report shall cover the specific objectives 1, 2, 3, 4, 5, 6 and 7 and tasks described under each specific objective, listed under 1.4.2, together with necessary statistical annexes. The analysis of indicators and sub-indicators will be used for the follow-up of the BPfA in area H: Institutional Mechanisms. The Final report shall include, but not limited to, the following sections: Introduction; Background overview; Methodology; Data and analysis of Institutional Mechanisms in the EU MS and Croatia; Conclusions and recommendations; Appendices; References.

In a separate file all data used for calculations, analysis and visualisations must be presented. The document shall be MS Excel format (or compatible).

The Final report, with corresponding Annexes, must be provided in four hard copies and in an electronic copy.

Size: minimum 60 pages and relevant annexes

Language: English (UK)

Deadline: 28 weeks after the date of signature of the contract the Contractor shall provide the final report to EIGE. EIGE will have 20 working days from receipt of the report to approve or comment. Within ten days of receiving EIGE's comments, the Contractor shall submit additional information and the Final report in its definitive form by electronic and regular mail. The Contractor is expected to ensure smooth and efficient communication with EIGE after submission of the Final report in case clarification regarding provided information is needed.

Deliverable 4: Summary report

An extended summary will outline the main findings in a concise format and will be developed for wider dissemination. The Summary report shall bring together the key findings of the final report in a reader friendly format, understandable for wider public, with an appropriate lay-out, relevant graphic elements, such as text boxes, graphics, photos, etc. to enhance its readability and maximise its impact. The overview provided shall be clear and explicit. The Summary report shall be supplied in a publishable form.

The Summary report, with corresponding Annexes, must be provided in four hard copies and in an electronic copy.

Size: minimum 20 pages

Language: English (UK)

Deadline: 30 weeks after the date of signature of the contract the Contractor shall provide the Summary report to EIGE. EIGE will have ten working days from receipt of the report to approve or comment. Within ten days of receiving EIGE's comments, the Contractor shall submit additional information and the Summary report in its definitive form by electronic and regular mail.

Deliverable 5: Abstract

The Abstract shall provide a brief summary of the study and it shall help the reader quickly ascertain the study's purpose. Proposed structure of the Abstract:

- The focus of the study;
- Methodologies used;
- Main results and findings;
- Main conclusions and recommendations.

The Abstract, must be provided in four hard copies and in an electronic copy.

Size: two pages

Language: English (UK)

Deadline: 30 weeks after the date of signature of the contract the Contractor shall provide the Abstract to EIGE. EIGE will have ten working days from receipt of the report to approve or comment. Within ten days of receiving EIGE's comments, the Contractor shall submit additional information and the Abstract in definitive form by electronic and regular mail.

Deliverable 6: Two factsheets on area H of the BPfA - Institutional Mechanisms

The contractor is expected to develop two (2) factsheets presenting the results of the study in the areas of Institutional Mechanisms. The themes for the reference sheets will be discussed and agreed upon with EIGE. The tenderer may propose the themes for the factsheets in the technical proposal.

The prepared information shall be ready made for a possible future publication of EIGE.

Size: four pages per each factsheet.

Language: English (UK)

Deadline: The Contractor shall provide two factsheets to EIGE 30 weeks after the date of signature of the contract. EIGE will have 10 working days from receipt of the factsheets to approve or comment. Within 10 days of receiving EIGE's comments, the Contractor will submit additional information and the factsheets in their definitive form.

Deliverable 7: 28 Country sheets

The country sheets should provide information collected under the objectives 1, 2, 3, 4 and 5 in a concise and clear manner on the 27 EU Member States and Croatia. The structure of the country sheets should be presented to EIGE and agreed upon during the Interim meeting. The tenderer may propose the structure for the country sheets in the technical proposal.

Size: minimum four pages per each country, 28 country sheets (27 EU MS and Croatia)

Language: English (UK)

Deadline: The structure of the country sheets shall be presented to EIGE during the Interim meeting. The contractor shall provide 28 country sheets to EIGE 28 weeks after the date of signature of the contract. EIGE will have 10 working days from receipt of the country sheets to approve or comment. Within 10 days of receiving EIGE's comments, the Contractor will submit additional information and the country sheets in their definitive form.

Deliverable 8: Database

All data collected during the data collection exercise should be stored in a database. The database should allow further data analysis and should allow data extraction by selected variables. Prior to data collection, the proposed structure of the database should be presented to EIGE and agreed upon.

Size: according to the collected information during data collection exercise

Language: English (UK)

Deadline: The draft structure of the database shall be presented to EIGE during the Inception meeting. A draft database containing results from questionnaire and data collection exercise should be delivered immediately after closing the field work. The finalised database should be delivered as soon as possible, but not later than 28 weeks after the date of signature of the contract. EIGE shall

have 15 working days from receipt of the database to approve or comment. Within 15 days of receiving EIGE's comments, the Contractor will revise and resubmit the database.

1.7 PROVISIONAL TIMELINE

Milestone	Week
Inception meeting	W2
Inception report	W3
Interim report	W16
Interim meeting	W18
Final report	W28
Summary report	W30
Abstract	W30
Factsheets	W30
Country sheets	W28
Database	W12 (indicative); W28

1.8 RESPONSIBILITY

The overall responsibility for executing the contract, including the implementation of all measures necessary to provide the Institute with deliverables of the highest quality on time, lies with the Contractor.

1.9 PROJECT TEAM

The organisation of the project team is of high importance. The required experience of the project team shall be explicitly described in their CVs included in the tenderer's offer (as referred in section 2.4.3.B of the tender specifications).

The team:

- Must include a project manager with at least five years of experience in research management;
- Must include at least five researchers with at least five years of experience in gender equality research, preferably with an expertise in gender mainstreaming of whom one should act as a senior researcher, responsible for the content of the research;
- Must include at least one researcher with knowledge and experience in quantitative and/or qualitative data analysis and development of indicators;
- Must include one editor with experience in arranging, writing, editing and overseeing the production of texts for publications.

The team working on the project must possess strong analytical and drafting capacities and have a very good knowledge of English language. Knowledge of English shall be minimum Level C1 based on Common European Framework of Reference (CEF).

The project manager is in charge of the coordination and administrative tasks of the project, as well as being responsible for contacting and informing EIGE about all aspects related to the execution of the contract. The project manager shall provide EIGE with frequent updates on the progress of the study and other relevant aspects of the work. The full team is responsible for the content and quality of all the deliverables.

The implementation of the Contract will require knowledge and expertise in the following areas:

- Experience, understanding and knowledge (on a EU and national level) of the European Union's policies and strategies on gender equality and gender mainstreaming;
- Experience in comparative research related to Institutional Mechanisms and gender equality either at EU level or Member States level;
- Experience in working with statistical databases and data;
- Ability to assess the quality, measurability, reliability, comparability of data and interpretation of data;
- Experience in the synthesis and analysis of large amounts of information;
- Experience in drafting analytical reports in a European context.

1.10 COMMUNICATION

Communication between the Contractor and the Institute shall be possible by phone, email and video-conference during EIGE's working days and hours.

During the course of the contract period, and in addition to the inception meeting to be held at EIGE's premises in Vilnius, at least two more meetings are envisaged between the Contractor and representatives of EIGE. At the inception meeting the objectives of the project will be discussed in detail, and, in particular, the research methodology and the project timeline as defined in the technical proposal submitted by the Contractor during the tendering process. At the mid-term meeting the representatives of EIGE and the Contractor will discuss the interim report. At the final meeting the findings of the study and the draft final report will be discussed. These meetings will serve as a platform to exchange information and project development in regard to quality control and will supplement other communicated information. All meetings will take place in Vilnius at EIGE's premises.

The project manager and the senior researcher(s) shall attend all meetings.

All costs for participation at the above mentioned meetings are to be borne in full by the Contractor.

In addition to these meetings/events, EIGE may, at its own cost, send representatives to the Contractor's headquarters for any additional ad hoc meetings that may be required. Video conferences might be organised when needed.

The Contractor is expected to ensure smooth and efficient communication with EIGE during the contract life-span and beyond during the following six months after the end of the contract. EIGE will have a follow-up focused on the collection of good practices, methods and tools developed and used by the EU institutions, the governments of the 27 Member States and Croatia. The follow-up tender will be based on the entry points and existing resources identified by the research study conducted under the present tender.

In order to maximise and streamline communications between future contractors and the information sources identified by this research study, the Contractor shall ensure sustainability of the communications also in the six months period following the end of the contract.

The contractor is expected to clarify in the cover letter sent to all information sources that a second demand of information will be soon coming whenever positive responses are given on the existence of structures, methods, tools and promising practices on gender equality mainstreaming.

Contacts made with Member States to gather information should be fully documented and shared with EIGE in order to help to iron out problems related to information request fatigue. Full results of

questionnaires should be made available to EIGE directly after the end of the data collection exercise.

A meeting between both research teams might be deemed necessary under the framework of scheduled meetings in order to coordinate multiple requests for information to the same information sources in the most effective manner.

1.11 MONITORING OF PROJECT IMPLEMENTATION

EIGE will monitor the project in technical and administrative terms. The Contractor shall report immediately in writing any problems encountered during the implementation of the contract to the Institute.

The Contractor shall expect that the European Court of Auditors and the European Anti-Fraud Office (OLAF) have the right to gain access to all documentation relating to the project and, therefore, must keep copies of all relevant and related documents.

EIGE's staff may, during the duration of the project, visit the Contractor's offices and/or the sites where the project is carried out to assess the quality of the work.

2 THE TENDER

2.1 SUBMISSION OF THE TENDER

Participation in tendering procedures is open on equal terms to all natural and legal persons falling within the scope of the Treaties (this includes all economic operators registered in the EU and all EU citizens). Participation is also open to all natural and legal persons in any non-EU country which has an agreement with the European Union in the field of public procurement on the conditions laid down in that agreement.

Tenders must be submitted in accordance with the specific requirements of the Letter of Invitation to Tender and, without fail, within the deadlines laid down therein.

Late delivery will lead to the exclusion of the tender from the award procedure for this contract. Offers sent by e-mail or by fax will also be non admissible. Envelopes found open at the opening session will also lead to non-admissibility of the tender. Consequently, tenderers must ensure that their bids are packed in such a way as to prevent any accidental opening during its mailing.

The tender must remain valid for a period of **6 months** from the final date for submission of the tenders.

This invitation to tender is intended to be competitive. Any attempt by a tenderer to obtain confidential information, enter into unlawful agreements, collude or make arrangements with competitors, canvass or solicit EIGE staff or influence the evaluation committee or its individual members in any way during the tendering process will render tender invalid.

Submission of a tender implies that the Contractor accepts all the terms and conditions set out in these specifications (including the annexes and the technical specifications) and waives all other terms of business.

Submission of a tender binds the Contractor to whom the contract is awarded during performance of the contract. Once EIGE has accepted the tender, it shall become the property of the Institute that shall treat it confidentially.

EIGE shall not reimburse expenses incurred in preparing and submitting tenders. No compensation may be claimed by tenderers whose tender has not been accepted, including when the Institute (the contracting authority) decides not to award the contract.

The Protocol on the Privileges and Immunities of the European Union shall apply to this invitation to tender.

2.2 OPENING OF TENDERS

Tenders will be opened on

22/08/2012 at 10:00 EET (Vilnius time)

at the following location:

European Institute for Gender Equality Švitrigailos g. 11M, 03228 Vilnius, Lithuania
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One authorised representative of each tenderer may attend the opening of the bids as observer. Companies wishing to attend are requested to notify their intention at the latest 2 working days in advance to the following e-mail address: procurement@eige.europa.eu. The reference number of the procurement procedure should be clearly indicated.

This notification must contain an authorisation document signed by an authorised officer of the tenderer and specify the name of the person who will attend the opening on the tenderer's behalf. The credentials of the representative will be checked by EIGE.

2.3 CONTACTS with EIGE

In principle, no contact is permitted between the Institute and the tenderer during the tendering procedure. However, contacts may exceptionally be permitted – these cases are specified in the Letter of Invitation.

Under the conditions described in the Letter of Invitation, further information can be obtained by sending a request to:

e-mail: procurement@eige.europa.eu

Provided it has been requested in good time, such additional information will be supplied simultaneously to all economic operators by posting it onto EIGE web-site, Internet address <http://eige.europa.eu>. The Institute is not bound to reply to requests for additional information received less than five working days before the final date for submission of tenders.

EIGE will inform interested parties of the existence of an error, a lack of precision, an omission or any other type of defect in the documents relating to this call for tenders by supplying information on the Internet address <http://eige.europa.eu>.

During assessment procedure, EIGE may require some clarification in connection with a tender, or if obvious clerical errors in the tender must be corrected. In any event, such contact must not lead to any amendment of the terms of the tender.

2.4 CONTENT OF THE TENDER

All tenders must contain all the information and all the supporting documents required by these Specifications. In the absence of the required information or documents, the Institute may disqualify the bid. EIGE reserves the right, however, to request additional evidences in relation to the bid submitted for evaluation or verification purposes within a time-limit stipulated in its request.

Tenders must be clear and concise, with continuous page numbering, and assembled in coherent fashion (e.g. bound or stapled).

Tenders shall be submitted in an official EU language if possible in English, the working language of EIGE.

All tenders must include:

A. Covering letter signed by the tenderer or his/her duly authorised representative

B. Table of contents

C. Five sections:

Section One: Administrative information,

Section Two: Documents related to the Exclusion criteria

Section Three: Documents related to the Selection criteria

Section Four: Technical offer addressing technical specifications and award

Section Five: Financial offer

Standard submission forms are annexed to these specifications.

2.4.1 SECTION ONE: ADMINISTRATIVE INFORMATION

The Tenderer must provide the following identification documentation:

- Tenderer identification Form
The tenderer identification form is to be provided in original, signed by a representative of the Tenderer authorised to sign contracts with the third parties
- Legal entity Form
The legal entity form is to be provided in original signed by a representative of the Tenderer authorised to sign contracts with the third parties. This form (individuals, private entities or public entities) is available at:
http://ec.europa.eu/budget/execution/legal_entities_en.htm
- Financial identification Form
The original **bank identification form** must be filled in and signed by an authorised representative of the Tenderer and his/her bank. A standard form is available at:
http://ec.europa.eu/budget/execution/ftiers_en.htm

The above forms must be accompanied by the evidence as indicated at the bottom of each form (for private entities: proof of registration, VAT registration etc; for individuals: copy of passport, proof of registration/VAT if applicable; for public entities: official document on establishment etc).

Joint Offers

A joint tender is a situation where an offer is submitted by a group of tenderers (consortium). If awarded the contract, each member of the consortium will be jointly and severally liable towards EIGE for the performance of the contract.

A consortium can be a permanent, legally established grouping or a grouping which has been constituted for this tender procedure.

Consortia members in joint tenders may submit only one tender for a single contract. All members of the consortium shall sign the tender or one of the consortium members which is designated as the representative authorised to undertake commitments on its behalf (copy of the authorisation must be provided with the offer).

The tender must indicate which member (lead consortium partner) will represent the consortium in dealing with the contracting authority. The tender must describe the form the cooperation is to take in order to achieve the desired results and how technical, administrative and financial aspects will be organised.

If the tender does not mention that all members are jointly and severally liable, all other parties included in the tender than the party signing the tender (Tenderers) will be considered subcontractors.

In case of submission of a joint offer, the Tenderers are asked to provide an original of filled in and duly signed one of the attached **Powers of attorney** of the Standard Submission Forms depending on the set up that has been chosen by the Tenderers, and specify the role of the group, as well as who has been appointed by the others as the group leader.

In case of a joint offer, only the group leader must return the financial identification form.

Subcontracting

Subcontracting is the situation where the Contractor in order to implement the contract, enters into legal commitments with other legal or natural persons for performing part of the service (in particular, any work performed by a person who is not an employee of the tenderer will be considered as subcontracted).

The Contractor shall remain bound by his obligations to EIGE and shall bear exclusive liability, sole and fully responsibility for the performance of the contract. EIGE has no direct legal relationship with the subcontractor(s).

If the Tenderer envisages subcontracting, the tender must include, using models in Standard Submission Forms:

- a **subcontracting form** by Tenderer clearly stating the roles, activities and responsibilities of the proposed subcontractor(s), and the reasons why subcontracting is envisaged;
- a **letter of intent** by each proposed subcontractor stating its intention to collaborate with the tender if the Tenderer wins the contract and their willingness to accept the tasks and the terms and conditions of the contract.

The Tenderer must indicate clearly in their methodology, which parts of the work will be subcontracted.

The main contractor retains full liability towards EIGE for performance of the contract as a whole. Accordingly:

- EIGE will treat all contractual matters (e.g. payment) exclusively with the main Contractor, whether or not the tasks are performed by a subcontractor;
- under no circumstances can the main Contractor avoid liability towards the agency on the grounds that the subcontractor is at fault.

Prior written approval from EIGE is necessary in order to replace a subcontractor and/or have work which was not originally subcontracted in the original tender carried out by third parties.

In case the identity of subcontractors is not known at the time of submitting the offer, any future subcontract may be awarded according to the provisions of the contract.

2.4.2 SECTION TWO. EXCLUSION CRITERIA DOCUMENTATION

A. Tenderers (including consortium members in case of a joint offer and subcontractors in case of subcontracting) or their representatives, shall provide an original **Declaration on honour**, duly signed and dated in which they:

- state whether or not they are in one or more of the situations referred to in Articles 93 and 94 of the Financial Regulation and detailed in the SSF;

- undertake to submit to EIGE any additional document relating to the exclusion criteria, that the Institute considers necessary to perform its checks, within seven calendar days following the receipt of the agency's request.

By returning the above-mentioned Declaration, duly signed, Tenderers confirm that they have been notified of the following points:

- Administrative or financial penalties may be imposed by the Institute on Tenderers who are in one of the cases of exclusion provided for in Articles 93 and 94 of the Financial Regulation after they have been given the opportunity to present their observations.
- These penalties are detailed in Article 96 of the Financial Regulation and Articles 133a and 134b of the Regulation laying down the rules for implementing the Financial Regulation (2342/2002/ of 23.12.02).

B. The tenderer to whom the contract is awarded shall provide, within 15 days following the dispatch of the letter informing him of the proposed award of the contract and preceding the signature of the contract, the following evidences confirming the statements referred to in the Declaration.

EIGE will accept, as satisfactory evidence that the tenderer is not in one of the situations described

- in point **(a), (b) and (e) of the Declaration**, production of a recent extract (dated no earlier than 4 months before the deadline for submission of tenders) from the judicial/criminal records or, failing this, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance attesting that these requirements are satisfied;
- in point **(d) of the Declaration**, a recent certificate (dated no earlier than 6 months before the deadline for submission of tenders) issued by the competent authority of the State concerned. These documents must provide proof of payment of all taxes and social security contributions for which the tenderer is liable, including VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions.

Where no such certificate or document is issued in the country concerned, it may be replaced by a sworn or, failing this, solemn statement by the interested party before a judicial or administrative authority, a notary or a qualified professional organisation in his/her country of origin or provenance.

EIGE will accept, as satisfactory evidence that the tenderer is not in one of the situations described:

- in points **(c) and (f) of the Declaration**, recent certificates issued by competent national authorities;

If the tenderer is a legal person and the national law of the country in which he is established does not authorise legal persons to provide such documents, the documents (such as the judicial/criminal records) must be provided by natural persons with powers of representation in relation to the tenderer.

Where they have doubts as to whether tenderers are in one of the situations of exclusion, EIGE may itself apply to the abovementioned competent authorities to obtain any information they consider necessary about that situation.

EIGE may waive the obligation of a tenderer to submit the abovementioned documentary evidence if such evidence has already been submitted to it for the purposes of another procurement procedure and provided that the issuing date of the documents does not exceed one year and that they are still valid. In such a case, the tenderer shall declare on his honour that the documentary evidence has already been provided to EIGE in a previous procurement procedure and confirm that no changes in his situation have occurred. The tenderer shall indicate in its tender all the references necessary to allow the EIGE services to check this evidence.

2.4.3 SECTION THREE: SELECTION CRITERIA DOCUMENTATION

This part of the tender concerns the evidences relating to the economic and financial capacities, as well as technical and professional, capacities of the service provider(s) involved in the bid.

The proper implementation of the contract requires a multiplicity of skills, capacities and different types of expertise to be combined in the performance of the various tasks and activities.

An economic operator may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. In that case, evidence must be provided, that it will have at its disposal the resources necessary for performance of the contract, for example by producing a clear undertaking on the part of those entities to place those resources at its disposal.

In the case of joint tender (consortium) or subcontracting, the technical and professional capacity shall be assessed in relation to the combined capacity of all the parties involved in the tender.

EIGE reserves the right to request additional information for the evaluation of the economic and financial capacity of each member of a consortium.

In case on of subcontracting not more than 30% of the contract, provided the main Contractor does not rely on the subcontractor's economic and financial capacities, the subcontractor(s) does not have to provide the economic and financial capacity form. However, EIGE reserves the right to request additional information for the evaluation of the economic and financial capacity.

2.4.3. A. Economic and financial capacity

Tenderers must provide EIGE with sufficient proof of their financial standing, and more importantly that they have the necessary resources and financial means to carry out the work involved. The tenderer must prove they are viable for the duration of the contract.

Evidence on compliance with the economic and financial capacity requirement must be provided by the following document:

The tenderer which according to the law of the country in which it is established is required to publish the balance sheet shall complete and include in the offer a **statement "Economic and financial capacity"** as presented in the Standard submission forms. Please observe the following aspects in completing this financial statement:

It should be presented in original and certified by means of a signature of the chief accounting officer of the tendering organisation.

EIGE has the right during the tendering process and before awarding the contract to request further evidence on the tenderer's compliance with the economic and financial capacity requirement, in which case balance sheets and profit and loss accounts for the past financial years may be requested.

The tenderer which according to the law of the country in which it is established is not required to publish the balance sheet shall provide the extract from the budget.

In the case of a consortium submitting an offer, the consortium may rely on the capacities of members of the consortium. It must prove in its offer that it will have their resources at its disposal.

The statements of Economic and financial capacity should be included in the offer for all consortium partners.

In the case of a physical person the financial statement should be included into the offer for where only two lines on Turnover need to be filled in and the financial statement can be signed by the physical person only.

The **average annual turnover** of the tenderer must be not lower than **EUR 300.000** during the past 3 years.

2.4.3. B. Technical and professional capacity required and their documentary presentation

The technical and professional capacity of the tenderers to provide the services required will be assessed with regard to their know-how, efficiency, effectiveness, experience and reliability in providing the required expertise as it is described in section 1.9.

The tenderer needs to demonstrate in the Offer the capacity to:

- set up the appropriate organisational structure to carry out all the tasks concerned with this contract and have a proven capacity to manage the administrative and financial aspects of such a contract;
- must demonstrate the capacity to liaise with the relevant parties in all Member States and at EU level;
- must demonstrate significant professional experience in a EU (or international) context, and, if needed, the capacity to rely on national competences and/or experiences to collect the necessary information for all 27 Member States;
- must demonstrate a high level of competency in written English.

In the case of joint offer (consortium) or subcontracting, the technical and professional capacity shall be assessed in relation to the combined capacity of all the parties involved in the tender. Evidence of the technical and professional capacity shall be presented as indicated in Standard Submission Forms by the following:

- Reference list (including contact details) of minimum 5 and maximum 15 current and past costumers to whom the Tenderer has supplied services related to tasks described under this tender, in the past 5 years; specifying the Tenderer's share in provision of the services and if subcontractors were used for any of the services.
- Samples of one to five EU and/or international projects implemented during last five years
- Statement of the average annual workforce (only permanent staff) of the service provider broken down by management staff and research staff over the past 3 years.
- The Curricula Vitae (CVs), preferably in a common European format, of the proposed members of the team must be enclosed and must clearly show evidence of the experience and skills required. The form can be downloaded from:

<http://europass.cedefop.europa.eu/europass/home/hornav/Downloads.csp>

The successful tenderer may be requested to provide the diplomas and professional qualifications of the persons designed to provide the services under this contract, including any publications and/or studies and/or any other type of relevant work in the field that is the object of this contract.

2.4.4 SECTION FOUR: TECHNICAL OFFER

This section is of a great importance in the assessment of the bids, the award of the contract and the future execution of any resulting contract. Attention is also drawn to the award criteria, which define those parts of the technical offer to which the tenderers should pay particular attention. The technical offer should address the tenderer's approach to and solutions for all matters laid down in the technical specifications while the tenderer should be aware, that a simple repetition of the Technical specification will result in a very low technical score. The level of detail of the tender will be very important for the evaluation of the tender.

To grant equal treatment of all tenders, it is not possible to modify offers after their submission. As a consequence, incompleteness in this section can only result in negative impact for the evaluation of award criteria. Please note also, that offers deviating from the Technical Specifications may be rejected for non-conformity.

The Technical Specifications and the tenderer's bid shall be integral parts of the contract and will constitute annexes to the contract, while in case of contradictions the Technical Specifications prevail.

The tenderer must submit its Technical Offer which contains the tenderer's proposal to reach the objectives and fulfil the tasks described in Section 1.4 of these technical specifications, to establish and use the methodology as specified in Section 1.5 and to deliver high quality deliverables described in Section 1.6.

The technical proposal should refer to the award criteria described in section 3 and should enable their application during the assessment procedure.

Tenderers must clearly show in their technical offer how they will ensure that the research will comply strictly with national and EU data protection legislation, especially Regulation (EC) No 45/2001 and Directive 1995/46/EC, as well as Regulation EC No 322/97 on the processing of data for statistical purposes.

If the tenderer intends to subcontract any part of the services, a description of the extent to which tasks will be sub-contracted, as to how subcontracting will be effectively monitored, must be provided.

In the Technical offer, the style and presentation must, as far as possible, be simple and clear, and free of jargon that obscures rather than promotes meaning to readers unfamiliar with it.

VARIANTS

Variants are not allowed.

Variant means a solution technically or economically equivalent to a model solution known to the contracting authority. Variants may relate to the whole contract or to certain parts or aspects of it.

2.4.5 SECTION FIVE: FINANCIAL OFFER

All tenders must contain a financial offer section which shall be:

The Financial Offer Form (template presented in "Standard Submission Forms").

The maximum volume of the contract is estimated at EUR 300.000,00 excluding VAT. Tenders presenting a total price superior to this maximum amount will be excluded.

Tenderers must provide fixed price including all fees and project related costs (project administration, quality control, back-up resources, etc.) directly or indirectly connected with the provision of the service.

The tenderer must specify the category of staff to be involved in the project and:

- The total number of days (person-days) each member of project team will contribute to the project;
- Professional fees should be expressed as the number of person-days multiplied by the unit price per working day for each team member proposed. The unit price should cover fees and all administrative expenditures;
- Other costs shall include direct costs such as travel costs, translation expenses or other costs relative to the deliverables.

The tenderer's attention is drawn to the following points:

- Prices must be quoted in euros.
- Prices should be quoted free of all duties, taxes and other charges e.g. free of VAT, as the European Institutions are exempt from such charges in the EU under Articles 3 and 4 of the protocol on the Privileges and Immunities of the European Union of 8 April 1965 (OJ L 152 of 13 July 1967). Exemption is granted to the agencies by the governments of the Member states, either through refunds upon presentation of documentary evidence or by direct exemption. For EIGE the Lithuanian national legislation provides an exemption by means of a reimbursement. The amount of VAT is to be shown separately.

In case of doubt about the applicable VAT system, it is the tenderer's responsibility to contact the national authorities to clarify the way in which the European Union is exempted from VAT.

3 THE ASSESSMENT PROCEDURE

3.1 EVALUATION OF THE TENDERERS

Stage 1 - Application of exclusion criteria

The aim is to check whether tenderers can be admitted to the tendering procedure.

The (non-)exclusion of the tenderer will be evaluated on the basis of the documents submitted as indicated in Section 2.4.2 Exclusion criteria.

In case of joint offers or/and subcontracting, the exclusion criteria will be assessed in relation to each consortium member and subcontractor individually.

If a member of a consortium is subject to exclusion, the rest of the consortium will be excluded.

If a subcontractor is subject to exclusion, the tenderer shall be excluded.

Stage 2 - Application of selection criteria

The aim is to check the technical and professional capacity and economic and financial capacity of each tenderer who has passed the exclusion stage.

The eligibility of the tenderer will be evaluated on the basis of the documents submitted as indicated in Section 2.4.3 Selection criteria. All tenderers will undergo strict evaluation of conformity to selection criteria laid down in the Tender Specifications. The Tenderers not satisfying the selection criteria will not be selected and their offers will not be further evaluated against award criteria.

In case of joint offers or/and subcontracting:

- For minimum viability standards on financial and economic standing an individual evaluation shall take place
- For the overall turnover or turnover a consolidated assessment shall be made.
- The selection criteria for technical and professional capacity will be assessed in relation to the combined capacities of all members of the consortium and subcontractors, as a whole.

3.2 EVALUATION OF THE TENDERS

Stage 3 - Application of award criteria

The aim is to assess, on the basis of the award criteria, the technical and financial offers and establish a ranking list in order of merit.

A. Technical evaluation

The quality of Technical Offers will be evaluated according to the following technical award criteria:

A.1 Project Management (30 %)

Points 1 and 2 below explain how the 30 % for the project management is allocated.

A.1.1 Organisation of the project team

The tenderer should present a proposal outlining the organisation and composition of the project team, specifying each member's respective role and task assigned. The tenderer should present how the project team, including one project manager, at least five researchers with extensive research experience in gender equality, preferable with research experience in gender mainstreaming, and also at least one researcher that has experience in working with qualitative and quantitative data and analysis, will be organised how information flow will be ensured and tasks coordinated. The tenderer should also present how the different tasks are distributed within the project team and the time allocated to each task. The tenderer should indicate clearly the distribution of the responsibilities and internal communication within the team and the means of interaction with EIGE to carry out the tasks set out in these tender specifications.

The tenderer should demonstrate the capacity to set up the appropriate organisational structure to carry out all the tasks of this contract and have a proven capacity to manage the administrative and financial aspects of such a contract. The tenderer should describe how it will liaise with the relevant target groups and data providers in all 27 EU Member States and Croatia, and at EU level to carry out the tasks specified in these tender specifications.

A.1.2 Work Plan

The tenderer should present a detailed Work Plan in the technical proposal, indicating key stages of the project, their duration and expected milestones. The Work Plan should be based on these technical specifications and should indicate how the project activities will be implemented.

The technical proposal must also show what measures will be in place to assure the quality of the collected policy documents, statistics and initiatives.

For this criterion, the evaluation committee will assess the general management approach, including work organisation and the work plan proposed; whether the tenderer is following the set timeframe and preventing delays; the plan for risk management; and the approach and method of coordination proposed to ensure contact with the experts involved and the setting up and monitoring of the quality of work.

The tenderer must present clear logic structure of planned activities. A short and precise presentation with tables and examples will be a distinct asset..

A.2 Project Methodology and Tools (70 %)

The tenderer must justify their proposed methodologies and must describe in detail their proposed approach(es). The choice must be well grounded in established social science research methodologies. The tenderer should demonstrate experience of having used the chosen methodology in performing gender analysis.

Efficacy, efficiency, and quality of the methodology and tools with regard to the proposed deliverables will be assessed. Appropriateness of application of methods for processing and interpretation of collected data will be assessed.

Points 1, 2, 3 and 4 below explain how the 70 % for the methodology is allocated.

A.2.1 Understanding of the general approach and the specific objectives of the work to be performed

Tenderers must present their understanding of activities envisaged for this contract in the context of the area H of the Beijing Platform for Action – Institutional Mechanisms and the tasks described.

For this criterion, the evaluation committee will assess to what extent the tenderer has understood the context of the assignment to be carried out and is able to explain this clearly in proposal submitted.

This criterion will also assess the logic, structure, completeness and readability of the proposal in its entirety with regard to the activities to be implemented and the deliverables to be produced under this project.

A.2.2 Methodologies for literature and documentation review

Tenderers must describe in detail their proposed methodology for literature and documentation review, including overview of legislative and policy developments and review of research done on the main thematic aspects of this study. The tenderers must also describe how relevant sources and documentation will be identified.

For this criterion, the evaluation committee will assess the proposed methodologies for collecting, analysing and presenting the literature and documentation review for background overview. In addition provisions stated under section A.2 on page 33 will be assessed.

The tenderers shall also address how the difficulties in the process, if any, will be tackled.

A.2.3 Methodologies for the data collection, review and development of indicators

Tenderers must describe in detail their proposed methodology for each of the following tasks: the collection and analysis of data on Institutional Mechanisms in EU Member States and Croatia, the grid of analysis to be applied to the data collected; the development of a country sheets and database. The tenderers should clearly explain the reasons for their specific methodological choice.

Tenderers should explain in detail how they will ensure that the same methodological guidelines are applied across the different countries and how the researchers engaged in the fieldwork will be briefed to ensure the application of the same approach.

The tenderers shall give particular attention to the data collection tools used by the Finnish Presidency to ensure that the data and information is delivered in a systematic way, is comparable, user-friendly and useful.

The presented methodology for data collection in the area of institutional mechanisms, review of existing indicators and development of new indicator(s) with sub-indicators, if necessary, will be assessed.

Under this criterion the evaluation committee will assess the ability of the tenderer to propose a valid and clear methodological framework to implement a cost effective and well-performing solution for an effective implementation of tasks as defined by the technical specifications. In addition provisions stated under section A.2 on page 33 will be assessed.

A.2.4 Outline of the report

Tenderers should present an outline of the reports (Interim report, Final report, Summary report) and factsheets, describing how the analysis of information collected will be presented. The proposal

should describe how the reports will achieve a balanced overview of results across the Member States and Croatia with reference to similarities and differences among them.

A.2.5 Language standard

The tenderer should describe how they will ensure the highest language standard. Tenderers should explain copy editing, transcription and translation arrangements.

Criteria Nr.	Criteria description	Maximum points per criteria
1.1	Organisation of the project team	15
1.2	Work Plan	15
2.1	Understanding of the general approach and specific objectives of the work to be performed	20
2.2	Methodologies for literature and documentation review	15
2.3	Methodologies for the data collection, review and development of indicators	25
2.4	Outline of the reports	5
2.5	Language standard	5
Total		100

Tenders scored either below the minimum score (70%) required per criterion and below 70% out of total 100 points will be rejected and thus not be considered for the next step of the evaluation

Tenders should elaborate on all points addressed by these specifications in order to score as many points as possible. If certain essential points of these specifications are not expressly covered by the tender, EIGE may decide to give a zero mark for the relevant qualitative award criteria.

B. Financial evaluation

The evaluation of Financial Offers is based on the total price.

3.3 AWARD OF THE CONTRACT

3.3.1 AWARD PRINCIPLE

The contract will be awarded to the most economically advantageous offer on the basis of the quality / price ratio, in accordance with the following formula:

$$\text{Final score for Tender} = \text{Technical score} \times 100.000 / \text{Price}$$

The tenderer having the highest score will be awarded the contract under condition of respect of requirements on absence of conflict of interest and other requirements linked to criteria on exclusion from award.

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

3.3.2 INFORMATION TO TENDERERS

Upon respective written requests made by the tenderers, EIGE will inform all rejected tenderers of the reasons for their rejection and all tenderers who submitted an admissible tender of the characteristics and relative advantages of the tenders selected for the contract award and the name of the successful tenderers.

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.

3.3.3 STANDSTILL PERIOD

EIGE shall not sign the contract with the successful tenderer until a standstill period of 14 calendar days has elapsed, running from the day after the simultaneous dispatch of the award decisions and letters to unsuccessful tenderers.

3.3.4 EVIDENCE BY CONTRACTOR

The tenderer to whom the contract is to be awarded shall provide, within 15 days following the receipt of the letter informing him of the proposed award of the contract and preceding the signature of the contract, the **evidence** on exclusion criteria, defined in section 2.4.2. If this evidence is not provided or proved to be unsatisfactory, the Institute reserves the right to cancel the award procedure or to change the award decision to the benefit of the next best ranked tenderers on condition that s/he provides the evidence on exclusion.

3.3.5 NO OBLIGATION TO AWARD THE CONTRACT

The tendering procedure shall not involve EIGE in any obligation to award the contract. EIGE may, before the contract is signed, either abandon the procurement procedure or cancel the award procedure without the Tenderers being entitled to claim any compensation.

In the event of cancellation of the tender procedure, Tenderers will be notified. In no event shall the Institute be liable for any damages in any way connected with the cancellation.

4 THE CONTRACT

4.1 NATURE OF THE CONTRACT

Fixed price Service contract.

4.2 STARTING DATE OF THE CONTRACT AND DURATION OF THE TASKS

The contract shall commence on the day following signature by EIGE as the last contracting party. The Contract is expected to be signed in October 2012. The duration of the tasks shall not exceed **11 months**.

The execution of the tasks may not start before the contract has been signed. The period of execution of the tasks may be extended before the end of the period originally stated in the contract, but only with the written agreement of the contracting parties.

4.3 PLACE OF PERFORMANCE

The tasks will be performed on the Contractor's premises or places indicated in the tender. Meetings between the Contractor and EIGE will be held on EIGE premises in Vilnius.

4.4 VOLUME OF THE CONTRACT

The maximum amount available for the contract is **300.000,00 EUR**, excluding VAT. Any bid exceeding this amount will not be considered.

4.5 TERMS OF PAYMENT

Payments shall be made in accordance with Articles I.4 of the Draft Service Contract.

Payments shall be executed only if the Contractor has fulfilled all the contractual obligations by the date on which the invoice is submitted. Payment requests may not be made if an earlier payment has not been executed as a result of default or negligence on the part of the Contractor.

4.6 GUARANTEES

No guarantees are required by the contract.

4.7 DATA PROTECTION

See Section I.8 in the Draft Service Contract and the Invitation to Tender.