



EBA/2015/07/COMM/SER/OP

5 January 2016

Open Call for Tender

Open Call for Tender

Tender Specifications: Proofreading and Editing Services

Contents

1. Introduction to the EBA: Missions and Tasks	3
2. Presentation of the Tender	4
3. Confidentiality and Protection of Personal Data	5
4. Participation in the Tendering Procedure	6
4.1 Eligibility	6
4.2 Application	6
4.3 Subcontracting	7
5. Contractual Terms and Guarantees	7
6. Subject of the Contract	8
7. Place of Performance	9
8. Type and Volume of Contract	9
9. Price	9
10. Evaluation and Award	10
10.1 Evaluation Steps	10
10.2 Exclusion Criteria	11
10.3 Selection Criteria	11
10.4 Award Method and Criteria	13
11. Performance	16
12. Annexes	16

1. Introduction to the EBA: Missions and Tasks

The European Banking Authority (EBA) is an independent EU Authority which works to ensure effective and consistent prudential regulation and supervision across the European banking sector. Its overall objectives are to maintain financial stability in the EU and to safeguard the integrity, efficiency and orderly functioning of the banking sector.

The main task of the EBA is to contribute to the creation of the EU *Single Rulebook* in banking, a single set of harmonised prudential rules that institutions throughout the EU must respect, with the ultimate aim to establish a level playing field and ensure protection of depositors, investors and consumers. The EBA also plays an important role in promoting convergence of supervisory practices to ensure the harmonised application of those rules. Finally, the EBA is mandated to assess risks and vulnerabilities in the EU banking sector through, in particular, regular risk assessment reports and pan-European stress tests.

Other tasks set out in the EBA's mandate include: investigating alleged incorrect or insufficient application of EU law by national authorities; taking decisions directed at individual competent authorities or financial institutions in emergency situations; mediating to resolve disagreements between competent authorities in cross-border situations; acting as an independent advisory body to the European Parliament, the Council or the Commission; taking a leading role in promoting transparency, simplicity and fairness in the market for consumer financial products or services across the internal market.

To perform all these tasks, the EBA produces a number of regulatory and non-regulatory documents including binding Technical Standards, Guidelines, Recommendations, Opinions, Discussion Papers, Consultation Papers and ad-hoc or regular Reports.

- The **Binding Technical Standards** are legal acts which specify particular aspects of an EU legislative text (Directive or Regulation) and aim at ensuring consistent harmonisation in specific areas, contributing to the creation of the *Single Rulebook*. The EBA develops draft BTS which are finally endorsed and adopted by the European Commission. Contrary to other documents such as Guidelines or Recommendations, the BTS are legally binding and directly applicable in all Member States.
- As part of its task of establishing consistent, efficient and effective supervisory practices across the EU and ensuring uniform application of Union law, the EBA also issues regulatory **Guidelines and Recommendations** in its fields of competence.
- **Discussion Papers** and **Consultation Papers** are also issued to ensure stakeholders and all interested parties provide inputs on future banking standards and Guidelines.

- Moreover, through its **Opinions**, the EBA provides its views on supervisory and regulatory matters to the European institutions and to national authorities. Finally, the EBA also regularly produces **Reports** that result from in-depth analysis and/or assessment of various issues in the area of prudential regulation and supervision.

The EBA aims at ensuring high quality products and, therefore, needs to engage outside service providers possessing specialised competence in a number of areas, including those covered by this call for tender.

The EBA has a Service Level Agreement in place with the *Translation Centre for the Bodies of the European Union (CdT)*, based in Luxemburg which caters for translation services mainly but also for other ad hoc linguistic services such as editing and proofreading of documents. Therefore the provision of English editing and proofreading services by the successful tenderer might be complemented by the linguistic services offered by the CdT in some cases. There shall be no obligation on the EBA as a result of the framework contract to establish exclusive relations with the successful tenderer or to assign to the successful tenderer a specific volume of work.

2. Presentation of the Tender

Tenders shall be submitted in accordance with the double envelope system. The outer envelope or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:

- The call for tenders reference No **EBA/2015/07/COMM/SER/OP**
- The contract title ***“Proofreading and Editing Services”***
- The name of the tenderer
- The indication ***“Tender – Not to be opened by the internal mail services”***
- The address for submission of tender (as specified in the Invitation to Tender letter)
- The date of submission shall be legible on the outer envelope or parcel

The outer envelope or parcel must contain three sealed inner envelopes i.e. envelopes no 1, 2 and 3 corresponding to the following three sections: Administrative Section, Technical Offer and Financial Offer.

(a) Envelope No 1 – Administrative Section shall contain the following:

- The Tender Submission Form drawn up in accordance with the template in Annex 1
- The Declaration of Honour as required under Section 10.2 drawn up in accordance with the template in Annex 2
- The Legal Entity Form as required under Section 10.3.1 drawn up in accordance with the template in Annex 3

- The Financial Identification Form drawn up in accordance with the template in Annex 4
- The evidence and documentation demonstrating the fulfilment of the Selection Criteria as required under Section 10.3.2 and Section 10.3.3

(b) Envelope No 2 – Technical Offer shall contain the following:

The tenderer's technical offer which should provide all the information requested under Section 6 and Section 10.4.1 including information relevant to subcontracting as requested under Section 4.3. The technical offer should include the tenderer's response to the quality award criteria.

(c) Envelope No 3 – Financial Offer shall contain the following:

The financial offer which should provide the information requested under Section 9 and Section 10.4.2 and be drawn up in accordance with the template in Annex 5. Information relating to price must be contained in Annex 5 only and not mentioned in any other part of the tender. Annex 5 must be submitted in hard copy and on separate USB memory stick or CD ROM which must be clearly labelled.

Tenders shall be drafted in one of the official languages of the European Union but preferably in English and submitted in triplicate (one signed original with two copies).

It is important that tenders are submitted in the correct format. A tender must contain all the documents necessary to enable the EBA to evaluate it. Failure to respect these requirements will constitute a formal error and may result in the rejection of the tender.

Tenderers shall observe the information contained in the Invitation to Tender letter to ensure their tender is admissible. For the avoidance of doubt late delivery will lead to the non-admissibility of the tender and its rejection from the award procedure for this contract. Offers sent by e-mail or by fax will also be non-admissible and discarded. Envelopes found opened at the Opening Session will also lead to non-admissibility of the tender. Consequently, tenderers must ensure that their tenders are packed in such a way so as to prevent any accidental opening during mailing.

3. Confidentiality and Protection of Personal Data

For the processing of this tendering procedure the EBA observes the rules set in Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by Community institutions and bodies and on the free movement of such data (OJEU L 8 of 12.1.2001, p. 1).

4. Participation in the Tendering Procedure

Submission of a tender implies acceptance of the terms and conditions set out in the Invitation to Tender letter, Tender Specifications and draft contract attached as Annex 6 and waiver of the tenderer's own general or specific terms and conditions. If awarded, the contract is binding on the successful tenderer for its duration.

4.1 Eligibility

This call for tenders is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons established in a third country which has a special agreement with the European Union in the field of procurement under the conditions laid down in that agreement. The contracting authority can, therefore, accept tenders from economic operators in the European Union Member States, European Economic Area (EEA) countries and any other country which has an international agreement with the European Union in the field of public procurement.

As proof of eligibility, tenderers must indicate in the Tender Submission Form (Annex 1) in which country they have their headquarters, registered office or residence, and provide the necessary supporting documents in accordance with their national law. If the tender is a natural person, he/she must provide a copy of his/her identity card/passport or driving license and proof that he/she is covered by a social security scheme as a self-employed person.

4.2 Application

All eligible natural and legal persons or groupings of such persons (i.e. consortia) may apply.

A consortium may be a permanent, legally established grouping or a grouping, which has been constituted informally for a specific tender procedure. If awarded the contract, the members of the consortium (i.e. the leader and all the other partners) will have an equal standing towards the EBA in executing the framework service contract and they will be jointly and severally liable to the EBA.

The participation of an ineligible natural or legal person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

The EBA will not request consortia to have a given legal form in order to be allowed to submit a tender, but reserves the right to require a consortium to adopt a given legal form before the contract is signed if this change is necessary for the proper performance of the contract. This can take the form of an entity with or without legal personality but offering sufficient protection to

the EBA contractual interests (depending on the member countries concerned, this may be for instance, incorporation or partnership or a temporary association). Consortia must identify one of their members as coordinator who will interface with the EBA.

Each member of a consortium must fulfil the conditions for participation and provide the required documents listed in these Tender Specifications under Sections 10.2 and 10.3 below. Therefore, each member of a consortium shall specify his role, qualifications and experience.

4.3 Subcontracting

A service provider may subcontract part of the services.

Tenderers must state what part of the work, if any, they intend to subcontract, and to what extent e.g. percentage of the total contract value specifying the names, addresses and legal status of the subcontractors. If subcontracting is **not** envisaged, tenderers shall clearly state so in the Tender Submission Form (Annex 1).

Legal persons must provide a document containing a list of the professional qualifications of the subcontractors and statement of the means of confidentiality when subcontractors are used. If awarded the contract the successful tenderer may not choose subcontractors other than those mentioned in its tender unless it obtains the prior written authorization of the EBA. The overall responsibility for the work remains with the successful tenderer/service provider.

Tenderers shall acknowledge (see Annex 1) that the EBA reserves the right to request at a later stage documentation in relation to the Exclusion and Selection criteria for any proposed subcontractors (see Section 10.2 and Section 10.3 below).

If awarded the contract the successful tenderer must ensure that Article II.17 of the draft framework contract (see Annex 6) can be applied to subcontractors. Once the contract has been signed Article II.12 shall govern subcontracting.

5. Contractual Terms and Guarantees

During the drawing up of its tender tenderers should bear in mind the provisions of the contract attached to these Tender Specifications (Annex 6).

Payment shall be made upon delivery and approval of the services requested within 30 (thirty) calendar days upon receipt by the EBA of an invoice and any supporting document relating to the services carried out. In the case of tasks where the successful tenderer/service provider has to bear substantial upfront costs or the execution of the task stretches over a large period of time payment in instalments may be agreed.

The payment periods shall be further detailed in each order form according to the particularities of the service concerned.

No financial guarantee is required.

6. Subject of the Contract

The EBA is seeking to establish a contract with a service provider in the area of English language editing and proofreading in order to improve the linguistic style, accuracy and clarity of EBA outputs.

For the purpose of this Call for Tender the editing functions are defined as follows:

- *Proofreading* comprises checking spelling, grammar, syntax and correct usage of terminology, applying the EBA writing style guidelines as well as the conventions of the EU ***Interinstitutional Style Guide***, checking the accuracy and consistency of references throughout the document and ensuring a consistent structure of chapters and sections.

- *Editing* includes all the elements in proofreading but also refers to improving the structure, clarity and readability of the text by redrafting or reordering text, removing repetitions, querying ambiguities, and, where appropriate, suggesting the addition, deletion or restructuring of whole sections in order to convey the core message more effectively.

After proofreading or editing the author may need to slightly amend the text in order to correct editorial changes or respond to the editor's queries about ambiguities. In such cases, the proof reader or editor will normally review the document to check these corrections and finalize the text.

The work is primarily expected to comprise editing and proofreading (as defined above) of EBA outputs and other communication products including web content, such that finalized texts communicate the core messages as effectively as possible and are fully in accordance with the EBA Writing Style Guide and formatting rules (see Annex 7) , as well as with the writing conventions of the ***Interinstitutional Style Guide*** (Part 4, *House rules for the preparation of the text*: <http://publications.europa.eu/code/en/en-4100000.htm>);

EBA outputs are frequently drafted by more than one author and by non-native English speakers. A core task is therefore to ensure a high quality and consistent writing style throughout the document.

These tasks are to be carried out in close cooperation with the EBA Communications Team, the main point of contact with the responsible EBA policy officers.

7. Place of Performance

The services shall be performed mainly at the successful tenderer's own premises with occasional meetings (estimated one to three meetings for one person per year) at the EBA in London. Other meetings will be organized by video/telephone-conference.

8. Type and Volume of Contract

The successful tenderer will be awarded a framework service contract for an initial period of 12 (twelve) months starting from the date of signature with the possibility of a maximum of three renewals for a period of 12 (twelve) months each. The services will be implemented through order forms detailing the tasks to be performed and the resources to be allocated depending on the EBA's needs. Based on the EBA's current level of activity and estimate of future demand the estimated contract value is **EUR 250,000.00** (two hundred and fifty thousand euros) over a maximum period of 48 (forty eight) months covering all services and travel specified in these Tender Specifications. The abovementioned contract value is an estimate and not binding on the EBA. The table below shows the type and quantity of publications¹ issued by the EBA in 2014 and 2015 and a forecast for 2016:

	2014	2015	2016
Guidelines	17	25	38
Implementing Technical Standards	10	10	8
Regulatory Technical Standards	22	21	23
Opinion/Advice	14	20	14
Reports	23	28	28
Recommendations	1	1	2
Consultation/Discussion Papers	47	38	40

9. Price

Tenderers must quote prices for the services to be provided as follows:

¹ Each publication is estimated to consist of 20 pages (10,000 words) on average with the exception of Reports which are estimated to consist of 40 pages (20,000 words) on average.

- Prices quoted must be **all-inclusive** (i.e. inclusive of all costs involved in the performance of the contract such as management, administration, travel) and **expressed in euro** (including for tenderers established in countries which are not part of the Eurozone in which case prices quoted may not be revised in line with exchange rate movements as it is for the tenderer to select an exchange rate and assume the risks or the benefits deriving from any variation). Tenderers shall quote prices according to the requirements specified in Section 10.4.2 below and Annex 5 to these Tender Specifications.
- No additional expenses incurred in the performance of the services will be reimbursed separately by the EBA.
- The price quoted must be fixed and not subject to revision during the first year of the contract.
- From the beginning of the second year of duration of the contract the prices may be revised upwards or downwards each year where such revision is requested by one of the contracting parties in writing no later than 3 (three) months before the anniversary date of entry into force of the contract.
- The price in force when the order form is signed shall not be subject to revision.
- Price revision is determined by the formula set out in Article II.20 of the contract and using the trend in the harmonized indices of consumer prices (HICP) EICP published for the first time in Eurostat's monthly Data in Focus publication available on the website <http://www.ec.europa.eu/eurostat>.

The EBA is as a rule exempt from all taxes and duties and in certain circumstances is entitled to a refund for indirect tax incurred such as value added tax (VAT) pursuant to the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities. Tenderers must therefore give prices which are exclusive of any taxes and duties and must indicate the amount of VAT separately.

The costs incurred in preparing and submitting the tender shall be borne by the tenderer and cannot be reimbursed.

10. Evaluation and Award

10.1 Evaluation Steps

The evaluation is based on the information provided in the submitted tender and will be carried out in accordance with the following three sequential steps:

- Verification of non-exclusion of tenderers on the basis of the Exclusion Criteria;

- Selection of tenderers on the basis of the Selection Criteria;
- Evaluation of tenders against the Award Criteria (i.e. the technical and financial evaluation).

Only tenders meeting the requirements of one step will pass to the next step.

10.2 Exclusion Criteria

10.2.1 Exclusion from participation and award in the procurement procedure

To be eligible to participate in this contract award procedure tenderers must not be in any of the exclusion situations referred to in Annex 2.

10.2.2 Evidence to be provided

Each tenderer including any sub-contractor or any member of a consortium must provide a Declaration of Honour in accordance with the form attached as Annex 2 duly signed and dated and stating that they are not in any of the situations mentioned under paragraph 10.2.1 above. Prior to the signature of the contract the tenderer to whom the contract is to be awarded will be required to provide the evidence specified in Annex 2.

10.3 Selection Criteria

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities regardless of the legal nature of the links which it has with them. It must in that case prove to the EBA it will have at its disposal the resources necessary for performance of the contract for example by producing an undertaking on the part of those entities to place those resources at its disposal.

If several service providers or sub-contractors are involved in the tender the Selection Criteria will be assessed in relation to the combined capacities of the service providers and sub-contractors as a whole to the extent that service providers or sub-contractors put their resources at the disposal of the tenderer for the performance of the contract.

10.3.1 Legal Capacity

Tenderers are required to prove that they are authorized to perform the contract under national law as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organization, express authorization, or entry in the VAT register.

Each tenderer (including any sub-contractor or any member of a consortium) is required to submit a Legal Entity Form (see Annex 3) duly filled out and signed and accompanied by a copy of inscription in a trade register and/or a copy of inscription in a VAT register, where applicable.

However the sub-contractor(s) shall not be required to fill out or provide those documents when the services provided represent less than 20% of the contract value.

10.3.2 Economic and Financial Capacity

Tenderers must provide sufficient information to satisfy the EBA of their financial standing and that they and any subcontractors have the necessary resources and financial means to carry out the work which is the subject of the contract.

The minimum financial and economic capacity requirement is as follows:

- The tenderer's annual turnover for each of the last three financial years must be no less than **€125,000 (one hundred and twenty five thousand euros)**.

The evidence of economic and financial capacity shall be furnished by the following:

- Copy of the profit and loss account and balance sheet for the last three years for which accounts have been closed;
- Failing that, appropriate statements from banks.

If, for some exceptional reason which the EBA considers justified, a tenderer is unable to provide one or other of the above documents, it may prove its economic and financial capacity by any other document which the EBA considers appropriate. In any case the EBA must at least be notified of the exceptional reason and its justification in the tender. The EBA reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

10.3.3 Professional and Technical Capacity

Tenderers must demonstrate their professional and technical capacity to carry out the tasks described in Section 6. Tenderers must have sufficient and suitable staff to perform the activities mentioned above.

The minimum professional capacity requirement is as follows:

The team delivering the service must include the following profiles:

- one contract manager fluent in English with at least 5 years of relevant professional experience within the last 10 years
- two senior editors fluent in English with at least 5 years of relevant professional experience within the last 10 years
- two junior editors fluent in English with at least 2 years of relevant professional experience

Relevant experience may be demonstrated by experience of any of the following:

- editing financial or banking-related texts with a policy dimension
- using style guides e.g. EU's International Style Guide
- providing editing services to public bodies e.g. EU institutions
- using templates designed by clients e.g. Microsoft Office Word templates

The evidence of professional capacity shall be furnished by the following:

- detailed curriculum vitae of up to two A4 pages describing the relevant educational and professional qualifications, proficiency in English and professional experience

The minimum technical capacity requirement is as follows:

- The tenderer must have undertaken at least 2 contracts in the past 3 years providing editing services which include editing financial or banking-related texts

The evidence of technical capacity shall be furnished by the following:

- an overview of the tenderer's editing experience indicating the value, dates, brief description and recipients of the services (public or private) under the following two categories: (1) current contracts (2) contracts undertaken during the last 3 years.

10.4 Award Method and Criteria

The award of the contract is based on the most economically advantageous tender. It consists of the following award method: **best price-quality ratio**. The contract will be awarded taking into account price and the quality criteria described in the table below. The following weighting will be applied: **60% for quality (technical merit)** and **40% for price**.

10.4.1 Technical Merit including Mandatory Technical Requirement

Tenders will be evaluated against the quality criteria and in accordance with the weightings described in the table below which can produce a potential maximum score of 60 points. Tenderers must provide a response to all of the quality criteria referred to below in order to score as many points as possible. The mere repetition of the EBA's requirements as set out in these Tender Specifications without going into detail or without giving any added value will result in a low score.

An explanation of the quality assurance system in place for the delivery of the services described in Section 6 of these Tender Specifications (i.e. quality criterion no. 4 in the table below) is a **mandatory technical requirement**. Tenders which do not contain a description of the quality assurance system in place for the delivery of the services will not be considered.

Tenderers must obtain the minimum number of points both for each quality criterion and in total (i.e. 36 points) in order to be considered for the next stage which entails determining the financial value of the tender.

No	Quality Award Criteria	Maximum Points (60)	Minimum Points (36)
1	<p>Methodology:</p> <p>Tenderers must describe their methodology for providing the services. It should include inter alia a table to indicate the steps in a typical editing job and the turnaround time from receipt of a file based on the time it takes to edit a one page document in Word to delivery of the final document. It should describe any tools, software or applications employed for performing the services and adding value (maximum 10 A4 pages).</p>	20	12
2	<p>Sample Text:</p> <p>Tenderers must edit the sample text in Annex 8 in track changes with comments. Tenderers will be evaluated on the quality of the edited text.</p>	20	12
3	<p>Management Approach: Organisation of Work, Flexibility and Service Orientation.</p> <p>Tenderers must describe the way in which the provision of the services will be organised. It should include inter alia aspects such as contract management, availability and adequacy of the resources for timely completion of the tasks, responsiveness and interaction with the EBA, adaptability to specific editing needs, approach to ensure continuous customisation of the services to meet the EBA's requests and ability to deal with bottlenecks (maximum 5 A4 pages).</p>	10	6
4	<p>Quality Assurance and Control:</p> <p>Tenderers must provide a description of the measures employed to ensure the quality of the services and indicate the quality checks carried out on each transcript before it is sent back to the EBA (maximum 5 A4 pages).</p>	10	6

The scoring system for the award of points is defined as follows:

Points	Definition
0	Failure: The tender totally fails to address the criterion under examination.
2	Very Poor: The criterion under examination is addressed in an incomplete and unsatisfactory manner.
4	Poor: The criterion under examination is partly addressed but with some major gaps and/or issues.
6	Fair: The criterion under examination is generally addressed with some minor issues.
8	Good: The criterion under examination is fully addressed.
10	Excellent: The criterion under examination is fully addressed and the tender offers some added value.

Each quality criterion has a maximum score of 10 or 20. For the criteria where the maximum score is 20 scores will be factored in order to be aligned with the above table. For example an “excellent” evaluation would mean a score of 20 and a “good” evaluation would mean a score of 16 whereas a “very poor” evaluation would mean a score of 4.

10.4.2 Price

Tenderers are required to submit a financial offer giving an **all-inclusive fixed price in euro** (i.e. including all relevant costs and expenditures such as management, administration, travel and covering all the tasks listed under Section 6) for the following services:

- (P₁) total rate per page (500 words) in Word for editing
- (P₂) total rate per page (500 words) in Word for proofreading

Tenderers must complete Annex 5 and bear in mind that all fields are compulsory and non-compliance will lead to exclusion of the tender from the award process.

For each category above tenderers will score points according to the following formula $P_s = (P_{\min}/P_0) \times 40 \times WF$ where:

P_s = the price score for the price of the service

P_{\min} = the price of the lowest tender received

P_0 = the price of the tender which is being scored

40 = the maximum number of points that can be awarded under the price criterion

WF = weighting factor where P_1 is weighted by a factor of 50% and P_2 is weighted by a factor of 50%.

The total score for the price criterion that will be taken into account for the evaluation of tenders will be the sum of the 2 (two) Ps.

10.4.3 Final Assessment

A contract will be awarded to the tenderer whose tender achieves the highest total score for technical merit and price. The total score is calculated by adding the score for technical merit to the score for price.

If there are two or more tenders with the same total score the contract will be awarded to the tenderer who obtains the highest score for price.

11. Performance

Once the contract has been signed the successful tenderer/service provider must be able to offer editors with the required skills and experience to carry out the requested tasks within five working days after receipt of an order form.

Competence in the criteria described in Section 10 must be maintained throughout the duration of the contract.

The EBA reserves the right to refuse any editor if performance is not satisfactory.

12. Annexes

Annex 1: Tender Submission Form

Annex 2: Declaration of Honour

Annex 3: Legal Entity Form

Annex 4: Financial Identification Form

Annex 5: Price Quotation

Annex 6: Draft Framework Service Contract with Draft Order Form and Specific Contract

Annex 7: EBA Writing Style Guide

Annex 8: Sample Text