TENDER SPECIFICATIONS

European survey of enterprises on psychosocial risks at work

OPEN TENDER PROCEDURE
No. OSHA/ROU/2007/T-01
(OJ No. S159 of 07/08/21, Tender No.197775)

TENDER DOCUMENTS ARE AVAILABLE FOR DOWNLOAD AT:
http://osha.europa.eu/about/calls

CONTRACTING AUTHORITY:
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ENGLISH LANGUAGE ORIGINAL
1 PURPOSE AND CONTEXT OF THE SURVEY

1.1 The Agency for Safety and Health at Work
Set up in 19961, the Agency’s mission is to make Europe’s workplaces safer, healthier and more productive. It does this by bringing together and sharing knowledge and information to promote a culture of risk prevention.

The Agency is a tripartite organisation, working with governments, employers and workers representatives. In its role as a single reference point for occupational safety and health (OSH) information, it commissions, collects and publishes new scientific research and statistics on OSH risks.

1.2 The European Risk Observatory
Through its European Risk Observatory, the Agency looks out for occupational health and safety risks which may be emerging due to the fast pace of change in the workplace. In order to identify emerging risks, the observatory:
- provides an overview of safety and health at work in Europe
- describes trends and underlying factors
- anticipates changes in work and their likely consequences for safety and health

Additionally, it aims to stimulate debate and reflection among the Agency’s stakeholders and to provide a platform for debate between policy-makers at various levels.

1.3 A survey of enterprises on psychosocial risks at work
Significant changes are taking place in the world of work that bring with them new challenges regarding workers’ safety and health. These changes lead to emerging psychosocial risks related to the way work is designed, organised and managed, as well as to the economic and social context. The resulting increased levels of stress can lead to serious deterioration of mental and physical health, so that, in 2005, more than 20% of workers from the 25 Member States of the EU believed that their health was at risk because of work-related stress. In 2002, the annual economic cost of work-related stress in the EU15 was estimated at EUR 20.000 million.

The OSH community as a whole, but particularly policy makers and practitioners, needs reliable up-to-date information on how enterprises deal with psychosocial risks in practice. The purpose of the planned survey is to explore, from the perspective of management and employees, questions such as:
- What is the level of awareness of the problem?
- How do enterprises manage this emerging risk?
- What resources/support can they draw on?
- Which are the most important drivers for management of these risks?
- How are the employees involved?

As a minimum, the survey will be carried out in all 27 EU member states. Additional countries may be included subject to availability of additional funds.

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2 SUBJECT OF THE CONTRACT

2.1 Overview

This contract covers the development of a survey design (questionnaire and appropriate data collection methodology), development of national versions of the questionnaire, fieldwork, data processing and reporting.

The work will be carried out in three distinct phases. It should be noted that execution of the second and third phases will be conditional on satisfactory completion of the prior phase on the part of the contractor and also on availability of the necessary budget appropriations on the part of the Agency.

2.2 Description of the services to be provided

The following table provides an overview of the work packages comprising each of the three phases of the project, which are described in further detail below.

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<td>WP 3.2</td>
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2.3 Phase 1

- Estimated maximum available budget: €400,000.
- Indicative deadline for completion of work: end July 2008.

2.3.1 Work package 1.1 – DESIGN OF THE SURVEY METHODOLOGY

The contractor will design a survey to collect data from a representative sample of establishments in Europe. At all stages, the contractor will work closely with the Agency’s staff and advisory group.

Tenderers should indicate target response rates and the strategy proposed for achieving the highest rates possible. The tender should also describe measures that will be taken to reduce to a minimum the likelihood of non-response bias (whether arising due to large variation in non-response rates between countries or due to differences in the non-response mechanisms).

Survey expert group

The contractor will establish a group of between six and ten experts from different countries to assist in this and subsequent phases of the project and will coordinate their input. Tenderers must give details in their offer of proposed experts and describe a working method comprising at least one meeting of the group during each of the three project phases.
**Universe and unit of analysis**

The statistical population comprises all establishments in Europe with ten or more employees and covers all sectors of economic activity.

For the purposes of the survey, “all sectors of economic activity” includes public administration, but excludes agriculture, forestry and fishing (NACE A), households (NACE T) and extraterritorial organisations (NACE U). The relevant statistical unit of analysis is the establishment, defined as comprising the activities of a single employer at a single set of premises (e.g. a single branch of a bank, a car factory or a school).

All 27 European member states will be included in the survey. Depending on budget availability, also Candidate Countries and EFTA countries may be included. For a full list of countries see Section 2.6 Geographical coverage. Tenders must include prices for coverage of the 27 EU member states and also indicate additional costs for inclusion of each of the extra countries indicated.

**Respondents**

In each establishment surveyed, the highest-ranking manager responsible for health and safety at work will be interviewed.

Additionally, an interview with the health and safety representative will be carried out in those establishments where a management interview has been completed and there exists a formally designated representative with specific responsibility for the safety and health of workers. It is expected that this person will be identified through the management interview.

The likelihood of an establishment having a formally appointed health and safety representative will vary depending on whether this is required by national law and also according to its economic sector and number of employees.

The following figures are provided from a recent establishment survey in Europe and are provided only as background information to assist tenderers in preparing their offer:

- formal employee representation varies between 15-70% from one country to another
- interviews with employee representatives were held in 25% of those establishments where a management interview had been held

It is anticipated that interviews with health and safety representatives will be possible in a higher proportion of cases than for the formal employee representatives covered in the survey referred to above because more enterprises are likely to have formal health and safety representation than formal employee representation.

**Data collection method**

Data will be collected through computer assisted telephone interviews (CATI). The average duration of interviews should be around 25 minutes for management and 15 minutes for worker representatives. In all countries to be covered, fieldwork will be conducted on the basis of detailed and uniform instructions prepared by the contractor and approved by the Agency.

Two questionnaires will be used; a “management questionnaire” and a “health and safety representative questionnaire”.

Section 2.6, Geographical coverage, sets out the minimum sample corresponding to each country (number of establishments to be surveyed) and the minimum requirements regarding languages that interviews must be held in.

The contractor will deliver a report describing the survey methodology and how it was formulated.

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2 According to NACE Rev. 2

3 Council Directive 89/391 of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work places an obligation on employers to consult their workers. Depending on how this obligation has been implemented through national legislation, this may or may not imply compulsory designation of a representative with specific responsibility for the safety and health of workers

4 European survey on working time and work-life balance, carried out by the European Foundation for the Improvement of Living and Working Conditions [www.eurofound.europa.eu](http://www.eurofound.europa.eu)
2.3.2 Work package 1.2 – DESIGN OF THE QUESTIONNAIRES

Development of the two English language master questionnaires will be carried out in close cooperation with the Agency, its advisory group and the Survey Expert Group. The role of the Agency and its advisory group will be to identify the specific political or scientific questions that the survey should enable to be answered. The contractor, together with the Survey Expert Group, will provide guidance on what questions can be answered best through a survey of the type specified and will be responsible for design of the questionnaires.

Questions must be properly developed for the comparative context, so as to enable measurement of what is intended to be measured and to ask respondents what we intended to be asked.

Tenderers must give details of the pre-testing that they will carry out as part of questionnaire development; including the number of countries in which the questionnaires will be piloted and how many establishments will be involved in each.

Tenders should explain how the design strategy will assure questionnaire reliability and validity, as well as how other quality criteria might be addressed, such as scalability and internal consistency, comparability of items over time and space, expected item non-response, social desirability and other potential biases, and the avoidance of ambiguity, vagueness and double-barrelled questions.

2.4 Phase 2

- Estimated maximum available budget: €400,000.
- Indicative deadline for completion of work: end November 2008.
- Execution of this phase is conditional on:
  1. Satisfactory completion of Phase 1
  2. Availability of budget

2.4.1 Work package 2.1 – DEVELOPMENT OF NATIONAL QUESTIONNAIRES

The contractor will produce different versions of the questionnaire for each of the countries covered by the survey (see minimum language requirements under Section 2.6 Geographical coverage) ensuring that the questions and survey techniques are, as far as practicable, functionally equivalent.

Tenderers must propose a rigorous translation and assessment strategy with the aim of ensuring that each national version of the questionnaire comprises high quality questions that could be directed plausibly at all types of enterprise within the country concerned.

The translation and assessment strategy should explain how reliability and validity of country versions will be assured, as well as how other quality criteria might be addressed, such as the avoidance of ambiguity, vagueness and double-barrelled questions.

As a minimum, there will be a high-quality translation of the English language master questionnaire into each destination language, followed by back-translation into English by a different translator for comparison with the original English version.

The following elements would be desirable in a translation and assessment strategy:

- Translators should be skilled, qualified practitioners who have received training on translating questionnaires. Translators translate out of English into their strongest language. (In most cases this is a person’s ‘first’ language.)
- A review process as part of which translators and reviewers discuss the translation together. Reviewers should have at least as good translation skills as the translators but should be familiar with questionnaire design principles, as well as the study design and topic. One reviewer with linguistic expertise, experience in translating, and survey knowledge would be sufficient; alternatively, two persons could cover the different aspects.
- Use of an adjudicator responsible for the final decisions about which translation options to adopt, preferably in co-operation with reviewer and translators, but at least after discussion with a reviewer. Adjudicators must understand the research subject, know about the survey design, and be proficient in the languages involved.
In the Agency context, the adjudicator could be a representative of the National Focal Point. Care should be taken regarding administrative, cultural and general language differences between territories or countries which, in principle, use the same language (UK/Ireland, Greece/Cyprus, Germany/Austria/Switzerland, etc.).

As well as delivering the national versions of the questionnaire, the contractor will also provide the Agency with a report outlining the main features of the translation process.

2.4.2 Work package 2.2 – DESIGN AND IMPLEMENTATION OF SAMPLING STRATEGY

Good quality, up-to-date registers are essential to achieve reasonable contact rates. The quality of the available address registers varies across Europe in terms of coverage (especially the sectors of activity included) and in terms of the availability and accuracy of the necessary background information (such as the sector of activity and number of employees). Existing address registers are not cross-nationally comparable, therefore efforts will have to be made to build samples that provide the necessary quality and ensure cross-national comparability.

The Agency will provide the contractor with information on the availability and quality of address registers to be used for sampling. This will consist of a report per country to be surveyed that recommends a register to be used and identifies sources for background statistical information that will serve for stratification, screening and weighting.

The contractor will use the address registers to select random samples of establishments that are representative of the universe to be covered. Samples will be stratified by size class and sector of economic activity. In their proposals, tenderers should outline the approach they will take to sampling and propose an appropriate weighting procedure.

Tenderers must indicate the size of sample that they will offer for each country covered by the survey while respecting the minimum sample sizes set for each country in Section 2.6 Geographical coverage.

The contractor will produce a sampling report that outlines the main challenges for sampling in each of the countries covered and describing the potential limitations relating to the universe of the survey and to access and confidentiality.

2.5 Phase 3

- Estimated maximum available budget: €1,500,000.
- Indicative deadline for completion of work: end October 2009.
- Execution of this phase is conditional on:
  1. Satisfactory completion of Phase 1
  2. Availability of budget

2.5.1 Work package 3.1 – FIELDWORK

A minimum fieldwork period of at least 60 days per country should be allowed. Tenderers should specify the extent of their efforts to convert refusals during this period (i.e. number of callback and intervals between them). Interviewers should be closely monitored to ensure consistent, high-quality interviewing.

Tenders should also provide information regarding selection of interviewers – ensuring that they have minimum levels of experience and are properly briefed. Proposals should include details regarding the skills and experience of the field force, in particular regarding languages, size and previous experience in surveys (specifically in CATI).

Tenderers should mention any fieldwork measures designed to keep the number of non-responses to a minimum, such as a strategy for calling back establishments that initially refused to participate. Quality control measures, such as regular random checks on interviewers, must be specified so as to ensure that any fieldwork difficulties are detected promptly, before they become a problem.

^5 see a description of the Agency’s network at [http://osha.europa.eu/about/partners](http://osha.europa.eu/about/partners)
Progress reports detailing totals of attempted and completed interviews and relevant issues or incidents will be sent to the Agency every two weeks during fieldwork, as well as a final report.

2.5.2 Work package 3.2 – DATA DELIVERY
As part of the delivery of the data to the Agency, the contractor will carry out data collection, processing, controlling for consistency, cleaning and weighting for each country. Furthermore, the contractor will construct a data file for each country, merge national files into one integrated data file and weight the integrated data file. The contractor will supply the syntax files used for data processing and weighting.

Data will be delivered to the Agency in electronic format, saved as an SPSS save file. This file must contain all raw data gathered for all countries covered in the survey, plus national and cross-national weighting information. All labelling must be in English and be as user-friendly as possible. Data will additionally be delivered in an ASCII text data file in fixed-format (i.e. values padded to fixed character widths) or in comma-delimited format, so that it could be accessed with software other than SPSS.

A “codebook” providing the variable names and codes used in the survey must be provided.

At the end of the project, the contractor will deliver a technical report covering sampling, data quality, response rates and non-response, and methodological recommendations for future surveys.

The contractor will prepare a descriptive overview report of the survey results.

2.6 Geographical coverage

2.6.1 Countries to be surveyed
The following countries are to be covered by the survey:

Member states:
Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and United Kingdom.

The following countries will only be covered subject to availability of funding:

Candidate countries:
Croatia, The former Yugoslav Republic of Macedonia and Turkey

EFTA countries:
Iceland, Liechtenstein, Norway and Switzerland

2.6.2 Sampling and language requirements
See the table below for minimum requirements with respect to sample sizes per country and languages for interviewing.
### Sampling and language requirements

<table>
<thead>
<tr>
<th>Geographical name</th>
<th>Minimum sample size</th>
<th>Minimum language requirement</th>
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</thead>
<tbody>
<tr>
<td><strong>EU – 27 MEMBER STATES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Austria</td>
<td>1000</td>
<td>German</td>
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<tr>
<td>Belgium</td>
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<td>Flemish, French</td>
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<td>Bulgaria</td>
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</tr>
<tr>
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<td>Estonian, Russian</td>
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<td>Finnish, Swedish</td>
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<td>French</td>
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<tr>
<td>Germany</td>
<td>1500</td>
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<tr>
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<tr>
<td>Lithuania</td>
<td>500</td>
<td>Lithuanian, Russian</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>500</td>
<td>French, German</td>
</tr>
<tr>
<td>Malta</td>
<td>500</td>
<td>Maltese, English</td>
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<tr>
<td>Netherlands</td>
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<td>Dutch</td>
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<td>Poland</td>
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<td>Portugal</td>
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<tr>
<td><strong>CANDIDATE COUNTRIES</strong></td>
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<tr>
<td>*Croatia</td>
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<td>*Former Yugoslav Republic of Macedonia</td>
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<td>*Turkey</td>
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<tr>
<td><strong>EFTA</strong></td>
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<tr>
<td>*Iceland</td>
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<tr>
<td>*Switzerland</td>
<td>1000</td>
<td>French, German, Italian</td>
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</table>

* Tenders must cover the 27 EU member states and indicate costs for inclusion of each of the Candidate or EFTA countries, although inclusion of any of these additional countries will depend on availability of the corresponding budget.
2.7 Budget
A maximum budget is indicated in the preceding sections for each of the three project phases:
Phase 1: €400,000
Phase 2: €400,000
Phase 3: €1,500,000
For phases two and three, the amounts are based on a survey covering the 27 European member states only. Execution of phases two and three is conditional on successful completion of the previous phase and on availability of budget.

2.8 Schedule
The contractor should start work upon signature of the contract, which is expected to take place in October 2007. With respect to execution of phases two and three, the contractor will start work upon approval by the Agency of the final deliverable required for payment of the previous phase of work.

The table below is an indication of the expected schedule of work; tenderers are expected to provide a more detailed plan as part of their proposal.

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<th>2008</th>
<th>2009</th>
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<td></td>
<td>Q3</td>
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<td>Q1</td>
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<tr>
<td>WP 1.1 Design of the survey methodology</td>
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<td>WP 1.2 Design of the questionnaires</td>
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<td>WP 2.1 Development of national version questionnaires</td>
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<tr>
<td>WP 2.2 Design and implementation of a sampling strategy</td>
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<tr>
<td>WP 3.1 Fieldwork</td>
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<td>WP 3.2 Data delivery</td>
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2.9 Deliverables
The following deliverables correspond to each of the three phases described in preceding sections:

Phase 1
D1 Technical report describing the design of the survey methodology and explaining the reasons behind the adopted approach
D2 English master versions of the management and the health and safety representative questionnaires, edited for CATI

Phase 2
D3 Technical report describing the translation process, the results of the pre-test and piloting of the questionnaire and the resulting measures
D4 National versions of the questionnaires, edited for CATI, for each of the countries covered by the survey
D5 Interim sampling report outlining the main challenges for sampling in each of the countries covered and describing the potential limitations

Phase 3
D6 Biweekly progress reports describing the fieldwork in each of the countries covered by the survey
2.10 Project management

The aim is to ensure delivery of a multi-nation European-wide survey of enterprises, carried out to the highest standards and respecting a timetable.

For all contacts with the Agency the working language shall be English.

Quality assurance

In addition to the specific requirements included under the work packages above, tenderers must describe the measures they will adopt to assure quality in the implementation of the survey in general.

The Agency reserves the right to send a delegate or representative to attend local translation, sampling or data entry, or central data processing without prior notice.

Meetings

During each of the three phases of the project, a kick-off meeting and a minimum of one project meeting will be held at a venue of the contractor’s choosing.

Travel and subsistence costs should be included in the offer, covering attendance at meetings for contractor staff and, where necessary, the members of the Survey Expert Group (see WP 1.1 Design of the survey methodology).

The Agency may invite members of its advisory group or other experts to attend project meetings. The Agency will bear the costs of travel and subsistence covering participation of its staff and invitees.

Representatives of the contractor may be required to attend meetings at the Agency’s premises in Bilbao of, for example, the Agency’s Risk Observatory Advisory Group or Governing Board. Travel and subsistence costs associated with attendance at these meetings will be covered by the Agency.

Place of performance

The tasks are to be carried out at premises designated by the contractor and agreed by the Agency.
3 TENDERING PROCESS

Submission of a tender implies acceptance by the tenderer of all the terms and conditions set out in this invitation to tender and annexes, including the specifications, draft contract and general terms and conditions. It also implies waiver of the tenderer's own general or specific terms and conditions. The Agency’s terms and conditions are binding on the tenderer to whom the contract is awarded, for the duration of the contract.

The tender must be presented clearly, legibly, and in a detailed and complete form, containing all the essential requirements laid down in the documents relating to the procurement procedure so that it can be properly assessed.

3.1 Participation in the tendering procedure

Participation in the tendering procedure 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 in a third country which has a special agreement with the Communities in the field of public procurement on the conditions laid down in that agreement.

The Agency’s Financial Regulation, adopted on 29th September 2003, guarantees participation for all tenderers on equal terms.

This invitation to tender is in no way binding on the Agency. The Agency’s contractual obligation commences only upon signature of the contract with the successful tenderer. Up to the point of signature, the contracting department may either withdraw from the contract or cancel the procurement procedure, without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and the tenderers notified.

3.1.1 Confidentiality

All documents submitted by the tenderer become property of the Agency and are deemed confidential. Follow-up of responses to the invitation to tender will require recording and processing of personal data (e.g. name, address, CV). In this respect, the Agency observes Regulation (CE) 45/2001 on the protection of individuals with regard to the processing of personal data by Community institutions and on free movement of data. Unless mentioned otherwise, personal data and responses given to questions are necessary for the purpose of assessing tenders and will only be processed by the contracting department for this purpose. Any queries concerning the processing of personal data should be addressed to the Agency’s data protection officer. Appeals may be addressed to the European Data Protection Supervisor.

3.1.2 Consortia

Joint tenders from consortia of service providers are permitted provided that conditions for adequate competition are observed.

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

Using the form provided in Annex I, consortia must indicate which legal form they intend to assume and specify the role, qualifications and experience of each member of the group, as well as who has been appointed by the others as the lead partner. The lead partner shall be the contracting party with the Agency and shall be responsible for the overall performance of the contract and management of the other members of the consortium.

Notwithstanding the above, all members of the consortium (i.e., the leader and all partners), are jointly and severally liable to the Agency.

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6 Available at [http://ec.europa.eu/budget/other_main/working_commission_en.htm](http://ec.europa.eu/budget/other_main/working_commission_en.htm)
7 [http://edps.europa.eu](http://edps.europa.eu)
3.1.3 **Subcontracting**

Subcontracting is permitted subject to approval by the Agency, either by accepting the tenderer’s offer, or by the Agency’s prior written approval, if proposed by the tenderer after contract signature.

The tenderer must indicate clearly in their methodology which parts of the work will be sub-contracted and the identity of all subcontractors. Full details of such subcontractors must also be provided in the form provided in Annex I.

3.2 **Communication**

Any contact between the contracting department and the tenderer during the procedure is forbidden, save in exceptional circumstances and under the following conditions only:

- Before the closing date for the submission of the tender, in respect of the documents relating to the call for tender, the Agency may:
  - At the request of the tenderer: provide additional information solely for the purpose of clarifying the nature of the contract.
  - On its own initiative: if it discovers any error, inaccuracy, omission or any other clerical error in the text of the call for tenders, inform interested parties.

- After the tenders have been opened, if some clarification is required in connection with a tender, or if obvious clerical errors in the tender must be corrected, the Agency may contact the tenderer, provided the terms of the tender are not modified as a result.

Requests for further information, made in accordance with the conditions described above, must be sent in writing by letter, fax or e-mail and bear reference to “Call for tender OSHA/ROU/2007/T-01” to:

William Cockburn  
European Agency for Safety and Health at Work  
Gran Vía 33  
E-48009 BILBAO – SPAIN  
Fax: +34 944 794 383  
E-mail: information@osha.europa.eu

Requests for additional information received less than six calendar days before the closing date for submission of tenders will not be processed (for practical reasons).

Any additional information, including that referred to above, will be sent simultaneously to all tenderers who have requested the specifications.

A list of questions and answers will be compiled and regularly updated on the Agency’s website at: [http://osha.europa.eu/about/calls](http://osha.europa.eu/about/calls)

The tenderer shall be informed of the decision taken with regard to the award of the tender.

3.3 **Price**

The price quoted must be fixed and not subject to revision. Financial proposals must not exceed the maximum budgets indicated in these specifications.

The price tendered must be all-inclusive and expressed in euros. Costs incurred in preparing and submitting tenders, or associated with attendance at tender opening sessions, are borne by the tenderers and cannot be reimbursed.

Tenderers in countries outside the euro zone must use conversion rates published in the C series of the Official Journal of the European Communities on the date of publication of the notice of invitation to tender.

Costs incurred for any trips additional to those described in these specifications and made at the express request of the Agency will be reimbursed in accordance with the arrangements laid down in Article II.7 of the draft contract (Annex II). Such expenses should not be included in the bid.

Tenders shall not include the application of any taxes or levies since the Agency is, in general, exempt from all taxes and levies, including Value Added Tax (VAT), in accordance with Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities.
3.4 Payment terms

With respect to contract phases one and two described in these specifications, a pre-financing payment of 10%, an interim payment of 60%, and a final payment of 30% of the total value of each phase shall be made in accordance with Article I.4 of the draft contract, Annex II. If the contractor requests a prefinancing for phase three of the contract, he shall be required to lodge a guarantee\(^8\) before it can be paid; otherwise, an interim payment of 70% and final payment of 30% shall be made in accordance with Article I.4 of the draft contract.

The contractor will specify the number of the bank account into which payment will be made, in accordance with the terms of payment set out in the draft contract.

Invoices must show VAT separately.

3.5 Contractual framework and guarantees

A contract will be concluded between the Agency and the successful tenderer that will include all services described under Section 2.

The contract will contain legal, financial, administrative and technical provisions applicable during its validity period.

The draft contract is attached to these technical specifications (Annex II). In drawing up their bid, tenderers should bear in mind its provisions.

The bid will form an integral part of the contract, as will these tender specifications.

3.6 Documentation for tenderers

The necessary documents are available for download at [http://osha.europa.eu/about/calls](http://osha.europa.eu/about/calls) or may be requested in paper form by writing to the address given in Section 3.2 Communication.

Written requests for tender documentation should reach the Agency before 21 September 2007.

In case of doubt over interpretation of tender documents, the original English language version prevails.

3.7 Submission of tenders

Tenders may be submitted by post or by courier not later than 1 October 2007, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip.

Alternatively, tenders may be delivered by hand to the Agency premises not later than 17.00 hours on 1 October 2007. In this case, a receipt must be obtained as proof of submission, signed and dated by the Agency's reception service. Opening times are from 09.00 to 17.00 Monday to Friday. The Agency is closed on Saturdays, Sundays and Agency holidays (15 and 24 August 2007).

Two copies of the tender, signed by the tenderer or his duly authorised representative, must be presented inside two sealed envelopes\(^9\), one inside the other. The inner envelope must bear, in addition to the above-mentioned address, the following words: "Open call for tender – not to be opened by the internal mail department". The inner envelope must also contain two sealed envelopes, one containing the technical offer and the other the financial offer. Each envelope must clearly indicate the content ("Technical" and "Financial").

Bids must be drawn up in one of the official languages of the EU\(^10\), but English is preferred.

3.8 Structure of tenders

Tenders must be presented with four clearly distinguished sections:

- Section I: Administrative information

\(^8\) Article 153 of the Financial Regulation limiting the financial risks connected with payment of pre-financing.

\(^9\) Where self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across that tape.

\(^10\) If other languages are used in the supporting documents provided in connection with the exclusion or selection criteria, these documents must be accompanied by a courtesy translation into one of the official languages of the European Union. Such translations should be attached to the original, numbered and included in a list stating the nature of each document.
All the documents submitted in the bid must be numbered and included on a list to be submitted as part of the tender.

### 3.8.1 Section I: Administrative information

In this section of the tender, tenderers must specify the following:

1) **Person/s authorised to act on behalf of the entity** (individually or collectively) and who may sign documents validly on its behalf [first name, family name and position]

2) **Contact person for this tender** [first name, family name, position, telephone and fax numbers, e-mail and address].

In addition, the tender must be accompanied by the following documents:

- A copy of the incorporation of the company and the articles of association, including any amendments made to these documents pursuant to the legislation of the Member State in which the tenderer is established.
- Copy of the powers delegated to the person or persons authorised to act on behalf of the entity and who can therefore sign documents on behalf of it.
- A completed consortium form (Annex I), where appropriate.
- A completed subcontractors form (Annex I), where appropriate.
- Completed “Financial identification” and appropriate “Legal entities form”, both of which are included in Annex I and are also available in all official EU languages at:

Supporting documentation must be complete to ensure that the technical and financial proposals are evaluated. These comprise eligibility documents, which demonstrate that the tenderer is eligible to tender for this contract (Section 4.2) and selection criteria documents (Section 4.3), which provide evidence of their capacity to perform the contract.

### 3.8.2 Section II: Technical offer

Tenderers should note that this section is one of the key elements in the assessment of the tender and in the final award of the contract. The technical proposal must be consistent with the specifications and contain all information requested in Sections 2 and 3, including any specific documentation required. In preparing the technical proposal, tenderers should bear in mind the award criteria against which it will be evaluated (Section 4.4).

### 3.8.3 Section III: Financial offer

This section of the tender must meet the requirements regarding price, set out in Section 3.4 above, and must include a completed price table (Section 4.4.2).

### 3.8.4 Section IV: Annexes

This section must include all the documents expressly requested or deemed relevant in line with the conditions laid down in this document, respecting where possible, the order specified above as regards the three sections (administrative, technical and financial documents).
4 ASSESSMENT OF THE TENDER

4.1 Procedure
The procedure for assessing the tenderer and evaluating their offer consists of four distinct phases:

1. Exclusion of the tenderer
2. Selection of the tenderer
   a. Economic and financial standing
   b. Technical and professional capacity
3. Evaluation of the offer – award criteria
   a. Technical evaluation
   b. Financial evaluation
4. Awarding of the contract

Evaluation shall be based on the information and documents supplied by the tenderer in the offer submitted in response to the invitation to tender, in accordance with the criteria laid down in these terms and conditions.

Only if the tender meets the requirements of one phase of the tender procedure shall it be admitted to the next phase.

If a consortium presents the bid, all the operators must provide the requisite documents.

Tenderers, or their representatives, may attend the opening of the tenders at the premises of the Agency on 8 October 2007, at 10:00. In this procedure, the Opening Board will only judge whether the tenders are in order, based on whether they are submitted before the deadline and are contained in a sealed envelope. Under no circumstances does the Opening Board consider the quality of the tenders.

4.2 Exclusion criteria
The sole purpose of these criteria is to determine whether an operator is authorised to participate in the tendering procedure and to be awarded the contract.

Using the form provided in Annex I, tenderers shall provide a declaration on their honour, duly signed and dated, stating that they are not in any of the situations below:

a) They are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations.

b) They have been convicted of an offence concerning professional conduct by a judgment that has the force of res judicata.

c) They have been guilty of grave professional misconduct proven by any means that the contracting authority can justify.

d) They have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established, the country of the contracting authority or the country in which the contract is to be performed.

e) They have been the subject of a judgment that has the force of res judicata for fraud, corruption, involvement in a criminal organisation, or any other illegal activity detrimental to the Communities’ financial interests.

f) Following another procurement procedure or grant award procedure financed by the Community budget, they have been declared to be in serious breach of contract for failure to comply with their contractual obligations.
Contracts may not be awarded to tenderers who, during the procurement procedure:

i) Are subject to a conflict of interest.

ii) Are guilty of misrepresentation in supplying the information required by the awarding authority or have failed to provide all the information requested.

Where subcontracting is envisaged, the tenderer shall certify that also the subcontractor is not in one of the situations referred to above.

Before being awarded the contract, the tenderer will be required to provide proof in support of the above declaration.

4.3 Selection criteria

The sole purpose of these criteria is to determine whether an operator has the necessary financial, economic, technical and professional capacity to carry out the work.

4.3.1 Economic and financial standing:

The tenderer must provide proof of their financial and economic standing by means of one or more of the following documents:

a) Appropriate statements from banks or evidence of professional risk indemnity insurance.

b) Balance sheets or extracts from balance sheets for the last two years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the tenderer is established.

c) A statement of overall turnover and turnover concerning the services covered by the contract during a period which may be no more than the last three financial years.

If the Agency considers that there are reasons to justify the failure by the tenderer to produce the documents requested, his economic and financial standing may be proven by any other document that the Agency deems suitable.

4.3.2 Technical and professional capacity:

The tenderer must prove that it has the technical and professional capacity to carry out the tasks described in the specifications. This shall be evaluated with regard in particular to know-how, efficiency, experience and reliability, and may be proven by means of the following documents:

a) Certificates of studies and professional qualifications held by the service provider, employer or by the company's managerial staff, or in particular, by the staff proposed to provide the service directly. A copy of these documents may be produced, although the Agency reserves the right to request the production of the corresponding originals for comparison, if it deems this advisable.

b) A description of the main services previously provided in areas relating to those covered by this contract. Tenderers should provide details of budgets, geographical coverage, dates and recipients of the services, both public and private, enclosing where possible the documents issued by the recipients concerning the effectiveness and reliability of the services.

c) A description of the infrastructure and resources available to perform the services, including an organisational chart, CVs of the management team, language skills of staff employed and details of the resources for carrying out fieldwork in the countries covered by the survey.

d) A description of the measures used to guarantee the quality of the services.

e) A declaration stating the number of managerial staff and the average annual manpower over the last three years.

f) Where appropriate, an indication of the part of the contract that the service provider intends to subcontract. The Agency may ask for additional information regarding the part of the contract that the tenderer intends to subcontract and the identity of the subcontractors.

g) Certificate of membership of ESOMAR, WAPOR, or an equivalent body.
4.4 Award criteria

The sole purpose of these criteria is to choose between the tenders which have been submitted by tenderers not subject to exclusion and which meet the selection criteria.

A quality mark will be given to the tender, based on a technical evaluation of the offer as described below. In particular, the tenderer’s attention is drawn to the description of all the requirements for each of the services/tasks to be covered.

The financial evaluation will be based on the prices given submitted by the tenderer in the price table appearing in Section 4.4.2 below.

4.4.1 Technical evaluation of offers

Technical evaluation shall take into account the following criteria, weighted as in the following table:

<table>
<thead>
<tr>
<th>CRITERION</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. PHASE 1</td>
<td>(Max. 250)</td>
</tr>
<tr>
<td>a) Understanding of the objectives and work to be carried out</td>
<td>50</td>
</tr>
<tr>
<td>b) Quality and relevance of the methodology set out in the tender, including:</td>
<td></td>
</tr>
<tr>
<td>• Target response rates and strategy for reaching them</td>
<td></td>
</tr>
<tr>
<td>• Quality of the proposed survey expert group and its way of working</td>
<td>150</td>
</tr>
<tr>
<td>• Quality and extent (No. of countries and enterprises) of pre-testing</td>
<td></td>
</tr>
<tr>
<td>• Quality assurance measures</td>
<td></td>
</tr>
<tr>
<td>c) Qualifications and experience of staff allocated to the task</td>
<td>50</td>
</tr>
<tr>
<td>2. PHASE 2</td>
<td>(Max. 250)</td>
</tr>
<tr>
<td>a) Understanding of the objectives and work to be carried out</td>
<td>50</td>
</tr>
<tr>
<td>b) Quality and relevance of the methodology set out in the tender, including:</td>
<td></td>
</tr>
<tr>
<td>• Quality of proposed translation and assessment strategy</td>
<td></td>
</tr>
<tr>
<td>• Approach to sampling and weighting</td>
<td></td>
</tr>
<tr>
<td>• Quality assurance measures</td>
<td></td>
</tr>
<tr>
<td>c) Qualifications and experience of staff allocated to the task</td>
<td>50</td>
</tr>
<tr>
<td>3. PHASE 3</td>
<td>(Max. 350)</td>
</tr>
<tr>
<td>a) Understanding of the objectives and work to be carried out</td>
<td>75</td>
</tr>
<tr>
<td>b) Quality and relevance of the methodology set out in the tender, including:</td>
<td></td>
</tr>
<tr>
<td>• Size of sample per country</td>
<td></td>
</tr>
<tr>
<td>• Quality of briefing methods and procedures</td>
<td>200</td>
</tr>
<tr>
<td>• Strategy for reducing non-responses</td>
<td></td>
</tr>
<tr>
<td>• Quality assurance measures</td>
<td></td>
</tr>
<tr>
<td>c) Qualifications and experience of staff allocated to the task</td>
<td>75</td>
</tr>
<tr>
<td>4. OVERALL CRITERIA</td>
<td>(Max. 150)</td>
</tr>
<tr>
<td>a) Efficiency and quality of the proposed project management</td>
<td>100</td>
</tr>
<tr>
<td>b) Coherence and general presentation of the offer</td>
<td>50</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1000</td>
</tr>
</tbody>
</table>

The offer must obtain at least 50% of the maximum points available for each of the criteria listed, and a minimum of 60% of the total number of potential points.
4.4.2 Financial evaluation:

In order to evaluate the bids, the Agency will use the price table below to calculate a reference price, based on the sum of the prices submitted by the tenderer for coverage of the EU 27 member states and each of the Candidate and EFTA countries. Only this price will be taken into account when awarding the contract.

<table>
<thead>
<tr>
<th>EU 27 MEMBER STATES</th>
<th>Total cost in € VAT excluded</th>
</tr>
</thead>
<tbody>
<tr>
<td>PHASE 1</td>
<td>€</td>
</tr>
<tr>
<td>PHASE 2</td>
<td>€</td>
</tr>
<tr>
<td>PHASE 3</td>
<td>€</td>
</tr>
<tr>
<td>CROATIA*</td>
<td></td>
</tr>
<tr>
<td>PHASE 2</td>
<td>€</td>
</tr>
<tr>
<td>PHASE 3</td>
<td>€</td>
</tr>
<tr>
<td>FYROM*</td>
<td></td>
</tr>
<tr>
<td>PHASE 2</td>
<td>€</td>
</tr>
<tr>
<td>PHASE 3</td>
<td>€</td>
</tr>
<tr>
<td>TURKEY*</td>
<td></td>
</tr>
<tr>
<td>PHASE 2</td>
<td>€</td>
</tr>
<tr>
<td>PHASE 3</td>
<td>€</td>
</tr>
<tr>
<td>ICELAND*</td>
<td></td>
</tr>
<tr>
<td>PHASE 2</td>
<td>€</td>
</tr>
<tr>
<td>PHASE 3</td>
<td>€</td>
</tr>
<tr>
<td>NORWAY*</td>
<td></td>
</tr>
<tr>
<td>PHASE 2</td>
<td>€</td>
</tr>
<tr>
<td>PHASE 3</td>
<td>€</td>
</tr>
<tr>
<td>SWITZERLAND*</td>
<td></td>
</tr>
<tr>
<td>PHASE 2</td>
<td>€</td>
</tr>
<tr>
<td>PHASE 3</td>
<td>€</td>
</tr>
<tr>
<td>TOTAL (Reference price)</td>
<td>€</td>
</tr>
</tbody>
</table>

*Inclusion of these countries in the survey is subject to availability of the corresponding additional budget

4.5 Awarding of the contract

The contract will be awarded on the basis of the best value for money, taking into account:

1. The achievement of a minimum and acceptable number of points in the technical evaluation.
2. The result of the financial evaluation according to the criterion mentioned above.

The contract will be awarded to the tender with the highest result from the division of the total quality mark by the reference price. The contract will not necessarily be awarded to the lowest bidder.
ANNEX I – FORMS

Consortia

Subcontracting

Financial identification

Legal entities

Exclusion criteria