



Call for tenders: OSHA/2023/OP/0033

Fourth European Survey of Enterprises on New and Emerging Risks (ESENER 2024)

Open procedure

TENDER SPECIFICATIONS

Contracting Authority:

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1 Scope and description of the procurement

1.1 Contracting authority: who is the buyer?

This call for tenders is launched and managed by the European Agency for Safety and Health at Work (EU-OSHA), referred to as the contracting authority for the purposes of this call for tenders.

1.2 Subject: what is this call for tenders about?

The subject of this call for tenders is the preparation and implementation of the fourth European Survey of Enterprises on New and Emerging Risks (ESENER 2024).

1.3 Lots: is this call for tenders divided into lots?

This call for tenders is not divided into lots.

1.4 Description: what do we want to buy through this call for tenders?

The services that are the subject of this call for tenders, including any minimum requirements, are described in detail below.

Variants (alternatives to the model solution described in the tender specifications) are not allowed. The contracting authority will disregard any variants described in a tender.

1.4.1 Background and objectives

EU-OSHA ran its Third European Survey of Enterprises¹ on New and Emerging Risks (ESENER) in 2019, providing nationally comparable information on how workplaces across Europe manage health and safety in practice. ESENER 2019 was based on the experience of ESENER 2009 and, particularly ESENER 2014, when significant methodological changes were implemented aiming to improve its quality and establish it as a consistent monitoring tool over time:

- Expansion of the coverage of topics and countries as well as an increase in the national sample sizes by at least 50% with respect to those of ESENER 2009.
- Greater coverage of establishment sizes and sectors, with the inclusion of (1) microenterprises employing at least 5 people and (2) establishments in agriculture, forestry and fisheries (NACE A).
- Target respondent: from two respondents in ESENER 2009 (management and worker representatives on health and safety) to just one in ESENER 2014, 'the person who knows best about health and safety at the establishment'.
- New questionnaire – the four main areas were unchanged though:
 - OSH management in general.
 - Psychosocial risks.
 - Drivers & barriers.
 - Worker involvement.

Overall more than 45,000 establishments across 33 countries were surveyed in ESENER 2019.

¹ The unit of observation is the establishment. See more below.

ESENER has been based on computer-assisted telephone interviews (CATI) of approximately 25 minutes' duration, with the aim of gathering nationally comparable data from a representative sample of establishments across more than 30 European countries. A full description of the methodology of ESENER, including translation and technical reports, as well as the master and national questionnaires from both waves, is available at: <https://visualisation.osha.europa.eu/esener/en/about-tool>

The main analysis of the results of ESENER 2019 is available in the descriptive [Overview Report](#) and four in-depth follow-up projects:

- [Managing psychosocial risks in European micro and small enterprises](#), a qualitative study across six countries involving 254 interviews with both management and worker representatives in micro and small enterprises that were surveyed in ESENER 2019. It also includes the corresponding seven [country reports](#).
- Three sectoral studies on (1) [Human health and social work activities](#), (2) [Education](#) and (3) [Accommodation and food services](#), complementing an analysis of the ESENER findings for the respective sectors with interviews with key informants in order to take account of the impact of the COVID-19 pandemic in the management of OSH in the sectors.

The findings from the final sectoral study on Transportation and storage will be published along 2023.

Through these analyses ESENER 2019 has built on and broadened the insight provided by previous survey waves on how European workplaces manage health and safety in practice, what their needs and weaknesses are, on what motivates and hinders them and how they involve their employees. ESENER has contributed to the evaluation of both EU and national OSH strategies, by providing high-quality, comparable and timely data for monitoring the state of OSH. This has resulted in a significant use of ESENER by policy makers, mostly at the European Union level –[EU Strategic Framework on OSH 2021-2027](#), different European Commission communications- but also at the national level, particularly in the three countries that funded an expansion of the national sample sizes in 2019 (Ireland, Norway and Slovenia) but also in those where there are no similar national data sources.

In addition to a comparison of practices by countries, ESENER and its follow-up analyses have contributed to a greater understanding of how establishment characteristics and broader context factors influence the way they manage OSH. Carrying out these in-depth follow-up studies, using different research techniques and complementary data sources has proven essential to gain a better understanding of the findings. And this has certainly been the case regarding the impact of COVID-19 too, as fieldwork for ESENER 2019 was completed before the outbreak of the pandemic. Therefore, complementing the statistical analyses of ESENER with other data sources and methodological approaches has proven to be essential.

Bearing in mind these achievements and building on the lessons learnt over the first three waves, EU-OSHA intends to conduct the fourth wave of the survey in 2024, which will further deepen in the identification of trends, as the main bulk of the questionnaire will remain the same. The significant methodological changes implemented in ESENER 2014, outlined above, were maintained in ESENER 2019 and will remain so in ESENER 2024. In practical terms this implies the following:

- **CATI** as main mode but still offer an online mode for those who refuse to participate in a telephone survey.
- Maintain the **establishment** as the unit of observation.
- Coverage of establishments employing **five or more** workers, including those in the **agriculture, forestry and fisheries** sector (NACE A).
- Coverage of 29 countries, the EU-27 plus Iceland and Norway.
- Maintain the **target respondent** as *'the person who knows best about health and safety in the establishment'*.
- To a large extent, maintain the **questionnaire** intact.

At the same time, the follow-up studies have raised some issues that need to be addressed and that EU-OSHA wants to act on in order to improve the quality of ESENER as a long-term monitoring tool.

- As it is the case for other CATI establishment surveys, ESENER suffers from low response rates (particularly in some countries) and a possible selection bias, which may put into question some of the findings². In order to tackle the non-response bias, an even more rigorous and improved approach to sampling is envisaged in ESENER 2024, starting from the sample design, the business registers used and the weighting to be adopted, as well as a contact strategy to engage respondents.
- Further to this, and in order to improve the knowledge about non-respondents, the inclusion of a couple of questions to those who refuse to participate in the survey will be considered once more.
- Explore the possibility to offer a short follow-up questionnaire module (phone or online) with a few questions aiming to capture data on health and safety performance (e.g. accident rates, absenteeism), which cannot be retrieved during a CATI.
- In view of increasing the national added value of ESENER, but ensuring that cross-national comparability is maintained, offer again the possibility of adding a short module of two to three country-specific questions at the end of the questionnaire to those countries that will request and fund by themselves an increase of their national sample size.

This potential request will be managed directly by those countries with the awarded contractor and is not the subject of this procurement procedure; nevertheless, under the scope of this procedure, tenderers are invited to:

- ✓ Offer such possibility of adding additional questions;
- ✓ Provide with their tender (**Annex 11**), for informative purposes, the prices that they would apply to these countries, during the period 2023 (Q3 & Q4)-2024, would they finally opt for requesting this national sample size increase. Having this information in advance to their potential request, will allow the national authorities to assess the economic impact of the sample size increase.
- Maintain the bulk of the questionnaire from ESENER 2019 but assess the relevance for the analysis of some questions, that may be reworded or dropped altogether, and at the same time, consider adding a new question or response item under an existing question to reflect topics that have not been covered by ESENER. This is particularly the case for the impact of COVID-19. Additions to the questionnaire will bear in mind the overall interview length and therefore, some existing questions may have to be shortened or removed.

These proposed changes are further explained in the next section.

1.4.2 Context

Scope

The objective of this call for tenders is to conclude a framework contract for the preparation and implementation of ESENER 2024. The survey will be carried out in a timely manner and to the highest quality standards in order to describe workplace OSH management practices as accurately as possible and to ensure comparability of results across the countries covered. Building on the findings of the

² While this may be the case when looking at single, absolute figures, comparative findings are very much in line with other sources and are probably a very fair picture of reality. In this sense, not only comparisons across size classes, activity sectors and countries are very indicative but also those that look at different topics (management of health vs. safety, for instance).

previous waves, ESENER 2024 will enable trend analyses, with the aim of establishing itself as a long-term monitoring tool.

The contractor will execute tasks as described below, in compliance with the requirements set in the "Quality control and assessment" Section (**1.4.6**) and those in the "ICC/ESOMAR International Code on Market, Opinion and Social Research and Data Analytics"³ and in the "ESOMAR/WAPOR Guideline on Opinion Polls and Published Surveys"⁴.

In order to ensure comparability across countries, the contractor will apply methods and procedures consistently in all the covered countries, while complying with the specifications within the timeframe allocated to the project.

The actions for the preparation and implementation of the survey will run over 2023 and 2024 and will include collaboration with EU-OSHA's National Focal Points⁵ and other stakeholders, such as EU-OSHA's advisory groups.

The thematic and policy areas to be covered by the framework contract include the following:

- The management of health and safety at work in general;
- The management of psychosocial risks at work and other emerging risks, such as those deriving from digitalisation;
- The drivers and barriers to the management of health and safety at work;
- The participation of workers in the management of health and safety at work.

1.4.3 Main services requested

The tasks to be carried out by the contractor will consist of the following:

Work-package A

- Task 1: Questionnaire revision
- Task 2: National questionnaires
- Task 3: Design and implementation of sampling

Work-package B

- Task 4: Fieldwork preparation
- Task 5: Fieldwork execution
- Task 6: Data processing and delivery.

As pointed out above, these tasks will be executed to the highest quality standards on survey research methodology and in compliance with the requirements set in the "Quality control and assurance" Section (**1.4.6**)⁶. The "Quality Assurance Framework of the European Statistical System" as developed by

³ <https://iccwbo.org/wp-content/uploads/sites/3/2016/12/ICC-ESOMAR-International-Code-on-Market-Opinion-Social-Research-and-Data-Analytics.pdf>

⁴ <https://esomar.org/uploads/attachments/ckqtncb6n0258mhtr17xdcj3w-esomar-wapor-guideline-on-opinion-polls-and-published-surveys-august-2014.pdf>

⁵ More information at <https://osha.europa.eu/en/about-eu-osha/national-focal-points/focal-points-index>

⁶ As well as the 'ICC/ESOMAR International Code on Market, Opinion and Social Research and Data Analytics' and the 'ESOMAR/WAPOR Guideline on Opinion Polls and Published Surveys', mentioned above.

Eurostat⁷ will be used to assess the quality of the data, as well as other frameworks such as the "Cross-Cultural Survey Guidelines"⁸ and the "Total Survey Error Approach"⁹.

WORK-PACKAGE A

Task 1: Questionnaire revision

As for the two previous waves of the survey, ESENER 2024 will be based on a computer assisted telephone interview (CATI) of approximately 25 minutes' duration with only one respondent in each establishment.

The [master questionnaire](#) will be the one used in ESENER 2019 in order to enable trend analysis and therefore, the bulk of the questionnaire will remain unchanged in ESENER 2024. However, tenderers in their offer are expected to suggest marginal improvements to the wording of specific questions or the inclusion/deletion of some questions/answer items altogether, providing a substantiated argumentation for their proposal, drawing on their expertise in questionnaire design for CATI business surveys as well as the lessons learnt from the previous waves of ESENER¹⁰. This is important for the relevance of the survey and it should aim to better target the needs of EU-OSHA's main stakeholders.

Some **additional topics** that EU-OSHA is considering to include in ESENER 2024 are the impact of COVID-19 on the management of OSH¹¹, as mentioned above, how demographic change is taken into account, skill levels in the workplace, the position of the establishment in the supply chain, the reasons for perceiving legislation to be complex, the management of risks derived from the use of digital technologies, etc¹². In this line, tenderers are expected to elaborate a robust proposal to include or not the aforementioned topics, including a justification for their approach.

Further to this, improving efforts should be made towards ensuring the **comparability** of the findings across countries, activity sectors and business size classes. Tenderers will explain how they will apply the same procedures and methods across all interviewed establishments but at the same time, and in order to achieve maximum comparability, they will explain how it may be beneficial to allow for variation for certain establishment categories, namely the smallest size classes, whose approach to systematic OSH management has been demonstrated to differ from that of larger establishments¹³. In their offer, tenderers will explain how they will ensure comparability in the wording of the questionnaire by adapting or not for different types of establishments.

In light of the proposed improvements to the questionnaire (new topics, rewording, deletion, adaptations for increased comparability, etc.), tenderers will assess and explain in their offer the impact that the suggested modifications will have on the comparability of the findings with those of ESENER 2019 and 2014.

Tenderers are expected to elaborate a robust proposal to include **outcome** questions (such as accident rates, rates of main work-related health problems and related absenteeism) in ESENER 2024 and

⁷ <https://ec.europa.eu/eurostat/documents/64157/4392716/ESS-QAF-V2.0-final.pdf>

⁸ <https://ccsg.isr.umich.edu/>

⁹ <http://press.uchicago.edu/ucp/books/book/chicago/T/bo3619292.html>

¹⁰ As documented in the technical reports of previous ESENER waves: <https://visualisation.osha.europa.eu/esener/en/about-tool>

¹¹ For instance, following the increased adoption of teleworking and the existing approaches to return to work.

¹² The list is not exhaustive and any additional suggestion will be welcomed. The suggested approach will be evaluated at the level of the technical award criteria.

¹³ <https://osha.europa.eu/en/tools-and-publications/publications/contexts-and-arrangements-occupational-safety-and-health-micro/view>

critically review what was already implemented in ESENER 2019¹⁴. While different tests performed in previous ESENER waves have revealed significant challenges to include such questions in the main body of the CATI survey, the in-depth follow-up analyses have consistently pointed out the desirability of gathering information on outcomes. In their offer tenderers will describe their approach to including such information on outcomes in the survey in a sound way that leads to representative findings. It could imply arranging a date for a follow-up interview with the respondent –for them to check the required information–, offering an online form for respondents to fill in or another alternative.

Increased efforts are expected to minimise **non-response bias** in ESENER 2024. While one of the ways is to increase response rates –see more below–, and the proposed revisions of the questionnaire should have that in mind as one of the overarching objectives of the survey, another one is to try and gather information about the non-respondents in order to see whether they differ from respondents in a systematic way. Beyond finding out accurately about the reasons for refusal –again, see more below– it would be helpful to know something about the non-respondents. EU-OSHA acknowledges the challenges of this task, especially considering the test carried out as part of the questionnaire development of ESENER 2019¹⁵, but expects tenderers to make a specific proposal about getting some information from those who refuse to participate in ESENER 2024. Bearing in mind the state-of-the-art methods to minimise non-response and non-response bias (including a targeted literature and Internet research), tenderers should describe the potential as well as the limitation of their proposed strategy towards contributing to an analysis of the non-response bias.

A final decision on the questionnaire will be made by EU-OSHA together with its advisory group and the contractor. External expert advice on a specific OSH topic may be sought by EU-OSHA.

Pre-testing

Despite the fact that the ESENER 2024 questionnaire will be largely the same to the one from the previous wave, it is still essential that a comprehensive and highly rigorous procedure be followed to ensure that the survey questions are understood correctly and are able to be answered accurately by respondents. Based on cognitive interviews, the pre-test should aim to address the following potential problems associated with quantitative surveys¹⁶:

- Lexical (the meaning of words or their use in a survey context).
- Inclusion/exclusion (determining the scope of a term or concept).
- Temporal (limitations of determining boundaries of the reference period or duration of activity).
- Logical (resulting from the structure of the question).
- Computational (difficulties with recall or other issues of respondent capacity).

The pre-test should focus on the proposed improvements to the questionnaire (rewording, new topics/answer categories, adaptations to specific populations) but also on the outcome questions and the strategy to obtain additional information from the non-respondents. It should also test the proposed contact strategy, particularly the survey intro test, with the ultimate aim of increasing response rates. Finally, and while the majority of the questionnaire will not be changed, the test should also assess the questionnaire's coherence and structure so as to identify other potential sources of error (e.g. resulting from question order or format) and should give an indication of interview duration.

Pre-testing must include at least 20 in-depth face-to-face cognitive interviews in at least two countries and should allow for all proposed changes to be tested and for some iteration to enable testing of changes made to questions or to the questionnaire in the light of early pre-test results. The pre-test sample will cover establishments of different sizes and sectors.

¹⁴ See Q158, Q159 and Q160 in ESENER 2019 questionnaire: https://oshwiki.eu/images/d/d1/Master_questionnaire_2019.pdf

¹⁵ See Chapter 9 of the ESENER 2019 Pilot test report, available for tenderers upon request.

¹⁶ Cited in Tourangeau R, Rips L J and Rasinski K (2000), *The Psychology of Survey Response*, Cambridge University Press.

The interviews must be recorded and an analysis report produced for each one in English, together with a technical report, also in English, describing the process, the main findings and the conclusions reached in respect of the final version of the questionnaire.

In their offer the tenderer must provide a detailed description of the proposed approach to the pre-test, indicating the number and duration of interviews, the methodology that will be used and the analysis and reporting that will be carried out.

Task 1 Minimum requirements (for tenderers)

1. Review of the ESENER 2019 questionnaire for marginal improvements, including the proposed approach to cover or not the aforementioned new topics, and adding/deleting questions or answer items.
2. Describe the approach to ensure comparability of findings across countries, activity sectors and size classes.
3. Assessment of the impact of the proposed changes on comparability with ESENER 2019.
4. Describe the approach to include outcome questions in ESENER 2024.
5. Explain the strategy to gather information from non-respondents.
6. Details of the pre-test of the proposed improvements to the questionnaire.

Task 2: National questionnaires

The bulk of the ESENER 2024 questionnaire will remain unchanged with respect to the previous one in order to enable trend analyses but, as described in Task 1 above, tenderers are expected to propose some specific improvements and adaptations to the questionnaire, as well as considering new topics, which would have an effect on the national versions of the master questionnaire. This is particularly the case regarding the inclusion of the impact of the COVID-19 pandemic in the management of OSH. In their offer, tenderers will describe in detail how the national versions of the questionnaire will be adapted and translated accordingly, to ensure comparability across countries. For the **translation** of the proposed improvements and adaptations, as it was the case in ESENER 2019¹⁷, the contractor will apply the "Translation-Review-Adjudication-Pre-test-Documentation" (TRAPD) approach. As pointed out above though, the majority of the questionnaire will remain unchanged and, hence, the existing translations from ESENER 2019 will be used.

The contractor will produce a specific version of the questionnaire for each of the countries covered by the survey (see minimum language requirements under Task 3 – Design and implementation of sampling). They must ensure that the questionnaires are functionally equivalent, ensuring consistency in their application and comparability of the results.

Contractors must follow a strict translation and assessment strategy so that each national version of the questionnaire accurately captures the intended meaning of the proposed modifications of the original English-language version while avoiding the introduction of lexical or inclusion/exclusion problems (see above).

As a minimum:

- All persons involved in the translation process will take part in a training session (which may use videoconferencing) to be organised by the contractor, with the participation of EU-OSHA. One or more sessions may be organised if necessary and they will serve to present ESENER, to discuss

¹⁷ ESENER 2019 Translation report: https://oshwiki.eu/images/5/5e/ESENER3-translation_report_EUOSHA.pdf

the proposed changes to the questionnaire, the translation process and to anticipate possible difficulties.

- For each national version, two translators will carry out two entirely independent high-quality translations of the proposed modifications to the English language master questionnaire into the destination language. As mentioned above, for a majority of questions translations will already be available and hence, they will not be translated again but the translators will review them to ensure coherence. Translators will translate out of English into their native/strongest language and will make notes as part of the task, to justify and explain their proposals.
- Translations of the proposed changes, particularly of OSH-related terminology, will be reviewed by members of EU-OSHA's network of Focal Points and their comments shall be taken account of by the translators and reviewer (see next paragraph) at their meeting before finalising the translation process. EU-OSHA will consult again some key national OSH terminology of the ESENER 2019 questionnaire and will provide the results ahead of the review meetings.
- Both translators will discuss the translation together with a reviewer, appointed by the contractor, who may act as adjudicator if agreement on a translation decision cannot be reached. Reviewers should have at least as good translation skills as the translators but should in addition have a high level of expertise and experience in questionnaire design. The review meetings should draw on the translators' notes and the feedback from EU-OSHA's network of Focal Points and should also produce question-by-question notes, highlighting any specific difficulties encountered.

Key terms (including answer categories) that are used repeatedly in the questionnaire must be translated consistently. As mentioned above, questions maintained unchanged from ESENER 2019 (a majority) will be assessed by the contractor and any proposed changes to national versions will be discussed with EU-OSHA.

Care must be taken regarding administrative, cultural and general language differences between countries sharing a common survey language (France/Belgium/Luxembourg, Greece/Cyprus, Germany/Austria/Luxembourg, etc.) and independent, country-specific translations are required. Once finalised, the different country versions of the same language questionnaires will be harmonised by the respective reviewers. The outcome of the harmonisation process will be documented, including a short question-by-question justification of any changes proposed or differences maintained.

A final proof check of each national questionnaire version will be carried out to correct for typographical errors, punctuation, consistency, etc. and to ensure that there are no unintended omissions or additions, incorrect filters, etc. compared to the English language master version.

All stages of the translation process are to be properly documented (in the corresponding language as regards translators' notes and in English as regards notes of the reviewer), including response to input from EU-OSHA's network of Focal Points and issues arising from harmonisation of national versions of same-language questionnaires. The contractor will provide EU-OSHA with a detailed report describing the translation process for each national language version of the questionnaire. The report will mention who was involved at each stage of the process and will set out all the issues that arose during translation, outlining the decisions that were taken and describing the reasons behind them.

In their offer, tenderers should describe how they will implement all steps in the translation task.

EU-OSHA will again offer the national authorities the possibility to boost the national sample size, as was the case in ESENER 2019, together with the option to add a short **ad-hoc module** to the national questionnaire. Adding questions will be offered only to those countries increasing the national sample size and would consist of a few questions reflecting a specific topic of interest in the OSH national agenda of that particular country. Comparability across countries is paramount for EU-OSHA, and consequently, tenderers will explain in their offer how they would include such an ad-hoc module in the ESENER 2024 questionnaire in a way that allows certain degree of national adaptation while ensuring international comparability. The proposal for the specific questions (if any at all) will originate from the national authorities of those countries that fund the increase of the sample sizes and the definition of

the final wording (including translation) would be a joint task of the contractor, EU-OSHA and the national authority¹⁸.

Pilot test

A pilot test of all the national versions of the questionnaire will be carried out with the aim of providing information on:

- Success of the proposed survey introduction (see 'contact strategy' below) in going past the gatekeeper and obtaining response.
- Respondent's understanding of the survey aims.
- General understanding of the proposed modifications to the questionnaire (interviewer and respondent), including the respondent's reaction to questions and ability to provide answers.
- Understanding and ability of respondent to provide answers on outcome questions.
- Strategy to obtain additional information from non-respondents.
- National ad-hoc modules (only as an option for those countries that will fund an increase of the national sample size).
- Question sequence, routing of filter questions and overall survey 'flow', particularly in the light of the proposed modifications to the questionnaire and to ensure coherence with the bulk that will remain unchanged.
- Interviewer instructions and support.
- Function of the CATI and CAWI scripts and data collection infrastructure.
- Average interview duration for each national version.

A quota-controlled sample of at least 25 establishments should be used for each national version of the questionnaire. In view of the aims of the pilot, and the specific challenges that such aspects may pose for the smallest establishments, the sample for the pilot will ensure a large enough number of micro establishments. In order to maximise the value of the field test, a fieldwork supervisor or equivalent experienced researcher, should listen in to the interviews. The supervisor should debrief the interviewers, either individually or using focus-groups, so as to collate information as described in the bullet points above.

The contractor will provide a comprehensive report detailing the outcome of the pilot test for each of the national versions of the questionnaire. Findings from the pilot test will be used to make the final changes to the survey instrument, including interviewer support and training, as needed.

In their offer, tenderers should describe in detail their approach to field testing, specifying the number of interviews to be carried out and detailing the supervision and debrief procedures.

Task 2 Minimum requirements (for tenderers)

1. Describe their approach to adapting the national questionnaires in view of the suggested improvements to the master questionnaire.
2. Detail the approach to the translation.
3. Describe the pilot test.

¹⁸ As mentioned above in section 1.4.1 this potential request to increase the sample size will be managed directly by those countries with the awarded contractor and is not the subject of this procurement procedure; nevertheless, under the scope of this procedure, tenderers are invited to: (1) offer such possibility of adding additional questions; (2) provide with their tender (**Annex 11**), for informative purposes, the prices that they would apply to these countries, during the period 2023 (Q3 & Q4)-2024, would they finally opt for requesting this national sample size increase.

Task 3 Design and implementation of sampling

Universe, unit of analysis and respondent

As in the two previous survey rounds, the universe in ESENER 2024 will comprise of all establishments in the countries covered with **five or more employees** and across **all sectors** of economic activity. For the purposes of the survey, 'all sectors of economic activity' includes public administration, but excludes 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). As defined by Eurostat¹⁹, "an establishment is an [enterprise](#) or part of an enterprise that is situated in a single location and in which only a single productive activity is carried out or in which the principal productive activity accounts for most of the [value added](#)."

In each establishment surveyed, a single person will be interviewed, 'the person who knows best about health and safety in the establishment'. As shown in ESENER 2014 and 2019, this **respondent definition** allowed for the fact that in some establishments the person who knows most about health and safety may not be someone from the management side –as might be expected, this was most often the case in the larger sized establishments. Tenderers should propose a strategy (or multiple strategies depending on company size, type and sector) to obtain access to the target respondent, with the aim of increasing response rates.

Countries covered and sample sizes

See table below for information on the sample size to be covered in each of the countries, as well as the languages in which the questionnaire/interview should be offered²⁰. All **EU-27** countries, together with two EEA countries (**Iceland and Norway**) will be included in ESENER 2024.

The sample sizes in the table below are the reference sample sizes and represent the minimum net sample size in each country. In their offer, tenderers should outline the gross sample sizes they are expecting to need in order to reach the net sample sizes in each of the countries and explain the reasons and argumentation behind those calculations.

As pointed out above, EU-OSHA may require an **increase in the net sample** size in some of the countries/territories. An increase in the sample size will be considered by an amount of no less than 20% of the reference sample size. For example, an increase of 20% in the sample corresponds to 300 additional interviews in Belgium, 150 additional interviews in Estonia, etc. and an increase of 60% corresponds to 1,350 additional interviews in Spain, 900 additional interviews in Sweden, etc. As well as providing the cost for the reference sample size, tenders are invited to indicate the cost of an increase of the reference sample size by 40% (*by way of reference*) for each of the countries. Such sample size top-ups are to be funded by the respective national authorities -who would negotiate a direct contract with the awarded tenderer²¹. Additionally, tenderers are invited to provide a quote for including the

¹⁹ <http://ec.europa.eu/eurostat/statistics-explained/index.php/Glossary:Establishment>

²⁰ The final decision on the different language versions of the questionnaire by country will be informed too by the use of such versions in ESENER 2019. Available information at: <https://visualisation.osha.europa.eu/esener/en/about-tool>

²¹ In any case, such national sample boosts are an integral part of ESENER 2024 and, as such, EU-OSHA will have the ownership of the entire survey.

Candidate Countries as well as Switzerland in ESENER 2024. This, together with the national sample top up mentioned above, will not be included in this procurement²².

Grouping	Geographical name	Minimum sample size	Minimum language requirement
EU – 27 MEMBER STATES	Austria	1500	German
	Belgium	1500	Flemish, French
	Bulgaria	750	Bulgarian
	Croatia	750	Croatian
	Cyprus	750	Greek
	Czech Republic	1500	Czech
	Denmark	1500	Danish
	Estonia	750	Estonian, Russian
	Finland	1500	Finnish, Swedish
	France	2250	French
	Germany	2250	German
	Greece	1500	Greek
	Hungary	1500	Hungarian
	Ireland	750	English
	Italy	2250	Italian
	Latvia	750	Latvian, Russian
	Lithuania	750	Lithuanian, Russian
	Luxembourg	750	Luxembourgish, French, German
	Malta	450	Maltese, English
	Netherlands	1500	Dutch
	Poland	2250	Polish
	Portugal	1500	Portuguese
	Romania	1500	Romanian
	Slovakia	750	Slovak
	Slovenia	750	Slovene
	Spain	2250	Spanish
	Sweden	1500	Swedish
EEA	Iceland	750	Icelandic
	Norway	1500	Norwegian

²² As mentioned in section 1.4.1, the option to increase the national sample size for the Candidate countries and Switzerland is not the subject of this procurement procedure; nevertheless, under the scope of this procedure, tenderers are invited to: (1) offer such possibility of covering the Candidate countries and Switzerland; (2) provide with their tender (**Annex 11**), for informative purposes, the prices that they would apply to these countries, during the period 2023 (Q3 & Q4)-2024, would the budget for these countries become available.

Sampling strategy

The quality of the sampling, which is closely linked to the weighting, is essential for the validity of the survey measurement. The sampling plan will influence the coverage of the relevant population of the survey, and weighting will be applied to correct in case certain sub-populations are over- or under-sampled. In order to extract reliable conclusions and statements about the target population, it is necessary that all elements of the target population are covered.

ESENER 2024 is a multi-stratified random probability survey and for an optimal sampling design it requires (1) the use of high-quality sampling frames in every country, (2) availability of accurate statistics at national level, and (3) minimising non-response bias by implementing the right approach in terms of number and timing of contact attempts as well as a strategy to convince the target respondent to participate in the survey.

Bearing these requirements in mind on the one hand, and the availability of registers, statistics and the fieldwork length on the other, tenderers will describe in detail the sampling strategy for each country, with an emphasis on **reducing non-response bias**. They will also explain in detail the potential impact of the proposed sampling strategy (and weighting) to the comparability with the ESENER 2019 and 2014 findings.

Tenderers are expected to use high quality, up-to-date **registers of establishments** to draw the samples and should explain their approach for creating or acquiring such address lists for the target population²³. Where no high-quality establishment registers are available in a country, tenderers will be required to use the best quality company registers and design a screening procedure to randomly select establishments in multi-establishment companies. In this case, tenderers should describe this procedure in their offer, noting that the use of company rather than establishment registers has implications for the composition of the sampling frame as well as for the construction of weights. EU-OSHA recognises the challenges associated with the inclusion of establishments employing as few as five persons and those in the agriculture, forestry and fisheries sectors. In their offer tenderers should describe clearly the challenges they foresee in each country to be covered and their proposed strategy for achieving as high a quality sample as possible.

For each country, a stratified probability representative sample of establishments will be drawn from the best quality business register(s) available. The samples are to be stratified by size class, sector of activity and region. More specifically, hard targets will be set for each stratum of size class and broad sector grouping. In view of minimising non-response bias, tenderers will look at the most challenging strata (and countries) in terms of their cooperation and response rates in ESENER 2019 and take it particularly into account for their sampling design in ESENER 2024. There may be a need to oversample certain important sub-groups of interest (e.g. industry, sub-regions, establishments of a given size) to ensure robust enough sub-group estimates and tenderers should take this into account when designing the sampling. Therefore, the sampling design should strike a balance between employee-proportional and establishment-proportional representativeness, but leaning towards the latter. Further to this, EU-OSHA welcomes the use of calibration estimators, including generalised regression estimators, in the estimation phase²⁴ to adjust for the non-response and to use auxiliary information for the construction of the weighting factors.

ESENER 2024 aims to contain high-quality information regarding the sector of activity of the establishments in the sample: two-digit NACE Rev 2. Tenderers should advise EU-OSHA on the most efficient and effective way to obtain this information; either from the business registers or, most probably, double checking the information from the register with the respondent.

²³ In their financial offer, tenderers will include the cost of purchasing the samples.

²⁴ See weighting section below.

The final sampling strategy, including sampling plans, will be subject to approval by EU-OSHA at the kick-off meeting and finalised once the national authorities confirm the sample size boosts in their respective countries.

On completion of the fieldwork the contractor will be required to compile a report on the sampling strategy and its implementation, covering all countries included in ESENER 2024.

Task 3 Minimum requirements (for tenderers)

1. Define the sampling strategy covering all countries, with a view to minimising selection bias.
2. Describe the sampling frames proposed to be used in each country.
3. Explain any potential impact on comparability with ESENER 2019 and 2014 due to the proposed sampling strategy.

WORK-PACKAGE B

Task 4: Fieldwork preparation

Data will be collected through Computer Assisted Telephone Interviews (**CATI**). The contractor is expected to use the same CATI system in all countries. If this is not feasible, the tenderer is required to outline the different systems which will be used, their technical features and to explain the implications of using them, both the advantages and how to overcome the disadvantages (if any).

Questionnaire and contact data should be captured within one CATI framework so that for every element of the gross sample (that is contacted) a CATI case is generated, describing process characteristics and results of the various stages of the process (one or several contact attempts and interview). Preferably this will be done using a system that integrates CATI and survey sample management. The tenderer should describe how complementarity and consistency between paradata and data collected through the survey sample management system and/or during the interview will be ensured.

The contractor must record complete information on contacts and non-contacts, including all paradata (such as timestamps) and contact process data, so as to allow (potentially) an assessment of the non-response bias. As part of fieldwork preparation, the contractor will propose a template for collection of this information for approval.

The sample management strategy should aim to reduce **non-response bias** to a minimum and, as part of this, EU-OSHA expects that response rates for ESENER 2024 will exceed those of ESENER 2019. In their offer, tenderers should outline their strategy for minimising non-response bias, in particular detailing measures related to fieldwork preparation. Tenderers will look into the response and contact rates from ESENER 2019²⁵ and propose specific ways to improve them, in particular those of the most challenging strata.

Tenderers will describe their **contact strategy**, indicating (1) the number of contact attempts they will make (a minimum of five) and (2) how they will space them at different times of the day and days of the week, before discarding a sample entry as non-contact. In line with the points raised above, the contact strategy will take account of the specific challenges of the different strata. Similarly, and in view of increasing response rates, tenderers will propose ways to make the survey introduction more appealing, particularly for certain types of establishments who may not be so familiar with OSH requirements, EU-OSHA or the fieldwork company, and probably need fewer technicalities and formalities in order to

²⁵ ESENER 2019 technical and quality reports available at: <https://visualisation.osha.europa.eu/esener/en/about-tool>

participate in the survey. In their offer, tenderers will provide specific examples of how to convince gatekeepers in such establishments.

Further to this, and in order to help improve response rates, EU-OSHA will provide the contractor with a letter in English that may be emailed to the establishments in advance. In addition, a webpage presenting the survey will be available for respondents to consult online. This letter and short text should be translated and adapted by the contractor –in consultation with EU-OSHA- to maximise its effect.

The relevant manager and the fieldwork supervisor in charge of each country must attend a **training** seminar (in English) before the start of fieldwork. This will serve to brief them on the aims of ESENER 2024, the importance of the survey and the importance of carrying out the fieldwork to the highest quality standards. It will give an opportunity to highlight any challenges foreseen and to discuss the best approach to avoiding difficulties. Representatives from EU-OSHA will participate in the seminar (or more than one seminar if needed) in order to assist in the briefing and discussion. Costs of the seminar and participation by the representatives of the fieldwork centres will be borne by the contractor.

Following the training seminar, but before the start of fieldwork, specific training must be provided to all interviewers in each country. For this purpose, the contractor will ensure that each fieldwork centre is provided with appropriate material for training and on-going instruction of interviewers. Tenderers should describe their approach to ensuring effective training and motivation of interviewers, describing the methods and procedures applied. In particular, they should include measures to convert refusals into response, outlining instructions on possible ways to overcome gatekeepers to provide information to identify the respondent and encourage participation from those who may be initially reluctant to do so.

In all countries, fieldwork will be conducted on the basis of detailed and uniform instructions prepared by the contractor and **translated** by the contractor into all national languages²⁶. An English version of the instructions to interviewers shall be sent to EU-OSHA for review and approval before translation. Interviewers will receive instructions in their native language on both the procedure to be followed for selecting and reaching the interviewee and on the interview itself. In addition, the instructions should specify the procedure for conversion of non-response (refusal) into response.

As part of this attempt to convert refusals, both ESENER 2014 and 2019 offered an option to complete the **questionnaire online** as a last possibility to those who would not participate in the survey. As indicated in the respective technical reports²⁷, minor shares of the final interviews were completed online and response rates were not increased by much but bearing in mind the increased acceptance of online modes –as already witnessed between ESENER 2014 and 2019- and the analyses carried out showing that no major mode effects were apparent, tenderers will include in their offer the possibility of offering such an online mode.

Task 4 Minimum requirements (for tenderers)

1. Define strategy for fieldwork preparation, including single template for recording of information on contacts and non-contacts.
2. Specify approach to reduce non-response bias, taking account of information from ESENER 2019, with a detailed description of the proposed contact strategy.
3. Describe the overall training approach, including seminars to train and motivate interviewers.
4. Describe the approach to the online mode.

²⁶ A TRAPD approach is not expected for the translation of the fieldwork materials.

²⁷ Available at: <https://visualisation.osha.europa.eu/esener/en/about-tool>

Task 5: Fieldwork execution

Tenderers must outline a strategy for execution of fieldwork that will ensure high quality interviews and the highest possible response rates.

In each country covered, interviews will be offered in at least the corresponding languages specified in the table above. Tenderers will pay specific attention to the organisation of the field force in those countries where multiple languages are spoken.

Each fieldwork centre (CATI lab) must be located in the corresponding country²⁸ and the interviewers must be native speakers of the language used in (the respective part of) each country. A national project manager and a fieldwork supervisor must be designated in each fieldwork centre²⁹ who, together with each interviewer, should be assigned a unique ID to be used throughout the entire study and attached to all their interactions with gatekeepers or respondents.

In their offer tenderers should specify the following in relation to the field force³⁰:

- For each fieldwork centre, the maximum number of interviewers working on ESENER 2024 (the size of the team should ensure that each interviewer completes at least 50 interviews on average).
- Interviewers' minimum years of experience in conducting CATI surveys and specifically business-to-business surveys.
- The national project managers' and the fieldwork supervisors' minimum years of experience in conducting and in supervising CATI surveys and specifically business-to-business surveys.

Before fieldwork commences, the contractor will be asked to provide more detailed information on the qualifications and experience of the proposed interviewers, project manager and fieldwork supervisor in each fieldwork centre. This information shall be updated by the contractor on completion of the fieldwork.

The contractor will ensure that interviewers working on ESENER 2024 are subject to a high level of quality control in terms of supervision and training. Tenderers should specify their approach to interviewer monitoring, including their use of spot checks (e.g. listening to interviews), interviewer debriefs, etc. As a minimum this approach should include checking at least 10% of phone calls (contacts and attempted contacts), a process for recording the results in a log and a procedure for effective follow-up. In addition to this, the work of each interviewer might be subject to checking at different stages of the calls. Overall, the contractor will be expected to report on the findings of such checks in real time as EU-OSHA needs to monitor quality indicators closely in order to take appropriate measures when needed. The contractor will document all quality control actions it carries out (as well as any remedial actions).

To ensure continuity and good communication the local supervision teams shall as far as possible remain consistent throughout the fieldwork so that interviewers are always reporting to the same person.

Fieldwork is planned to commence in the second quarter of 2024 and will cover a period of 10 to 20 weeks. The prolonged timeframe is aimed at having a positive impact in terms of response rates. If the sample size is increased, the maximum fieldwork period in those countries will be extended accordingly.

Throughout the fieldwork period the contractor will provide **weekly reports** describing progress of the fieldwork in each country, detailing any problems encountered and how they were resolved. The reports

²⁸ If there are no fieldwork centres in each and every country, tenderers in their offer will explain in detail how CATI labs will cover more than one country, ensuring a field force of native interviewers for each of the countries covered.

²⁹ When several countries are covered from the same fieldwork centre, there still needs to be a national project manager and a fieldwork supervisor for each country.

³⁰ See also section 3.2.3 Selection criteria – technical and professional capacity

will include at least the following information for each country covered by the survey: number of interviewers involved in the project; number of establishments approached; number of non-contacts with establishments; number of refusals (upfront, e.g. by receptionist); number of eligible contacts; number of refusals (by target respondent); number of appointments with target respondent; number of interviews; contact rate; refusal rate; cooperation rate; and response rate. The definitions of each type of data (contacts, response rate, etc.) should be identical for all countries. As mentioned under quality control and assessment (**Section 1.4.6**), in their offer tenderers will explain the possibilities to enable EU-OSHA to check progress at any time.

Task 5 Minimum requirements (for tenderers)

1. Detail the approach to fieldwork execution, describing the fieldwork teams and overall infrastructure to guarantee high-quality interviews and minimise non-response bias.
2. Describe the strategy to ensure proper monitoring, control and reporting of fieldwork process.

Task 6: Data processing and delivery

In their bid, tenderers must outline their approach to the activities that follow the data collection after fieldwork is completed. Extensive quality and consistency checks using visual and logic checks and running simple frequencies should be carried out to ensure accuracy and completeness of data. Data should be subsequently cleansed, recoded and labelled as appropriate. The approach to weighting as well as a comparison between samples and universes will be part of this task too.

Coding

In order to aid comparison of results with those from ESENER 2019 and 2014, data will be coded in a compatible format.

Should the tenderer advise collection of information on sector of activity through open-ended questions, the strategy for coding the answers into two-digit NACE Rev 2 codes should be outlined. At the end of the process, the contractor will compile a report on the strategy used and how it was implemented.

Data validation

Contractors must edit the collected data before delivery to EU-OSHA, consisting in identification of wrong or suspect values (data validation) and their subsequent flagging and modification. The contractor will ensure harmonised editing across all fieldwork centres, based on detailed common instructions and the feedback from the fieldwork monitoring. Data validation is expected to happen in real-time (or as close as possible).

Data validation must be applied at least at two levels:

1. Variable: A set/range of valid values must be established for each variable and the validity of each recorded value must be examined in isolation from the rest of the data.
2. Respondent: the data collected for each respondent in the sample should be coherent. Rules must be identified, which prescribe the allowable combinations of values for each group of logically related variables. The data of each respondent must be checked as to whether they satisfy all of these rules.

Validation rules should be integrated as part of the CATI programming. With regard to suspect values at the respondent level, an additional layer of post-hoc checking is expected. The validation rules will be decided in close collaboration with EU-OSHA and scripts (such as SPSS syntax) for post hoc validation will be provided for approval. Rules and conditions will be clearly described and will be applied in an identical way by all fieldwork centres. Tenderers may suggest examples of variables and combinations of variables they recommend for inclusion in the validation, as well as rules and conditions they must satisfy, for each level.

The contractor will provide EU-OSHA with a log file of post-hoc checks and edits, which may be verified by the external auditors and/or EU-OSHA staff. A document will be produced by the contractor describing the processes for data validation and editing.

Weighting

Due to sampling design and non-response, samples are not usually representative of the population they come from and hence weighting is required in order to correct for such disproportionalities. In a survey like ESENER 2024, where the unit of observation and sampling is the establishment as opposed to the company, the following types of weights will need to be constructed –depending on the available information of the business registers used:

1. Where the tenderer would need to resort to company registers, selection probability weights (or design weights) should be constructed, which correct for unequal selection probabilities of establishments. Establishments in multi-establishment companies would have a smaller selection probability than those in single establishment companies. These differences should be corrected by applying selection probability weights.
2. Post-stratification or non-response weights need to be constructed for all countries. The distribution of the sample by key demographic characteristics should reflect that of the universe (all establishments in the country, with five or more workers, excluding NACE Rev 2. categories T and U). Post-stratification weights must be constructed to correct for any differences between the sample and the universe (when applying the selection probability weighting). It is essential to use the most up-to-date information on the universe for weighting the national data. As in some countries it will be difficult to find reliable statistical background information on the universe, tenderers are expected to give a detailed explanation on the approach they will be taking. As a minimum, sector, establishment size and region (NUTS 2) must be included in the weighting scheme. Very large and very small weighting values are undesirable. Weight trimming should be applied to approximate a range between 0.3 and 3.0 (striking the right balance between achieving the exact range and adjusting the minimal number of weight scores). As part of the sampling design, and bearing in mind the emphasis on tackling non-response, tenderers will propose the data sources that will be used for population distributions.
3. Thirdly, two population size weights must be constructed to correct for differences between countries in terms of (1) the *number of establishments* and (2) the *number of workers*. This will allow for aggregating the survey results into groups of countries (e.g. EU-27, all countries in the survey, etc.).

The weighting process should be centralised; in their offer tenderers should outline their weighting strategy based on the requirements stipulated above, particularly the non-response. As pointed out under the sampling and the use of calibration estimators, EU-OSHA welcomes the use of generalised regression estimation methods to compute the weights. Also, tenderers will explain in detail how the proposed weighting might affect comparability with the ESENER 2019 and 2014 findings and will propose ways to ensure such comparability. At the end of the process, the contractor will compile a detailed report on the weighting strategy used and how it was implemented.

Comparison between samples and universes

Following completion of data processing, the contractor will provide an analysis showing the effects of weighting on estimates following a procedure such as the one described below. Tenderers should specify in their offer whether they would follow this procedure, modify it, or propose a different approach.

- a) Provision of a universe description for each country/territory, based on a highly accurate source.
- b) Selection of a set of target variables. Their distribution over the weighted sample of each country/territory must be very close to their distribution over the respective statistical population (based on relevant universe description). These variables comprise at least: sector, establishment size and region (NUTS level 2). More variables on the universe description, if available, could be used in comparisons with the universe of both unweighted and weighted estimates.

- c) For each of the target variables and countries, a one-page comparison of their distribution between universes, unweighted and weighted samples are to be given in identical categories.
- d) A brief sample evaluation report will summarise the cases where significant unweighted sampling problems are observed. An explanation on likely causes should be offered.
- e) Provision of a one-page listing of weighting factors for all countries, together with a brief argumentation for this choice.
- f) A brief report will summarise solutions for sampling problems in terms of weighting and of future improvements (if applicable). Improvements in unweighted samples are preferred to weighting.

In addition, tenderers should address the feasibility of testing for response bias, for example by comparing responses from reluctant respondents with more willing respondents.

The elements above will be documented in a final technical report (see **Section 1.4.4**).

Micro data

The micro data must be delivered to EU-OSHA in electronic format, by email or file sharing site. The files should be SPSS data files.

A first file shall contain all raw data (paradata, contact sheet data, questionnaire data) gathered in all countries covered by the survey, plus national and cross-national weighting information and quality control data. The variable and value labels shall be in English and, where relevant, in line with the datasets from previous editions of ESENER. The exact lay-out of the SPSS file will be agreed by EU-OSHA after a proposal by the contractor. SPSS syntax files must be provided for all the data manipulations that are carried out to produce the micro dataset.

Concerning the contact data and paradata, contractors will be expected to include the following set of variables:

- Establishment details: name and city
- Country.
- Stratification cell.
- NACE Rev-2 category as indicated on the sampling frame.
- Sample entry ID.
- Interviewer ID (per contact attempt).
- Time and date (per contact attempt).
- Outcome (per contact attempt).
- Number of establishments in the company.
- Final status.
- Number of contact attempts.
- Length of interview in minutes.
- Timestamps (time and date) at various stages in the questionnaire (including screener).
- Respondent cooperation (very good, good, good nor bad, bad, very bad).
- Outcome of data validation.
- Monitoring status (Y/N).
- Outcome of monitoring.
- Language of questionnaire.

A second file shall contain the final, edited interview data merged with the interview data from ESENER 2019 and 2014.

The data shall also be delivered in tabulated form with classification by country, establishment size category and sector (or group of sectors) with both employee-proportional and establishment-proportional weighting.

Respondent data

EU-OSHA plans to carry out follow-up studies at a later stage with those respondents who agree to it during their interview. Therefore, the names and phone numbers collected in the interviews will have to be added to the address information used to contact the respondents. The contractor will have to ensure that it is possible to connect the individual responses in the dataset with the individual respondents. The contractor shall ensure that international and national data protection regulations are respected in connection with the collection and storage of this data.

Tenderers shall briefly outline in their proposal how they propose to carry out the delivery of this information to EU-OSHA.

Task 6 Minimum requirements (for tenderers)

1. Approach to data coding and data validation.
2. Explain detailed approach to weighting, including analysis of the effects of weighting on estimates, and potential impact of the proposed approach to comparability with ESENER 2019 and 2014.

1.4.4 Deliverables

Where countries or groups of countries to be surveyed are the subject of individual specific contracts with the national authorities, separate versions of the deliverables specified below may be required covering only those countries.

The final format of the reports shall be agreed with EU-OSHA. The objective of these reports is to ensure that technical specifications have been met and to document quality, as well as to provide information both internally and externally. EU-OSHA may publish any of these reports on its website, possibly in a reduced format without detailed annexes. Therefore, the contractor must provide these documents in clear, comprehensive English suitable for publication without the need for English language editing.

Products intended for publication shall follow the Inter-institutional Style Guide³¹, as well as EU-OSHA's Formatting Requirements (available on request and provided at project kick-off). All deliverables must be submitted in electronic format compatible with the Microsoft Office 2013 suite. Images should be included in deliverables where appropriate and must be submitted as separate, high resolution files and be copyright free (see also Article II.13 of the draft contract regarding ownership of results).

Tenderers must briefly describe the structure they intend to use for the reports and their content. The quality of the proposed format (comprehensiveness of the information, clarity of the structure) will be taken into account when awarding the contract

Interim and draft reports will be for internal use; their circulation will be restricted to members of EU-OSHA. Comments from EU-OSHA will be provided to the contractor within 30 days of submission of the report and should be accommodated before submission of the final version.

• Inception report

Within two weeks of the kick-off meeting the contractor will deliver an inception report recording the issues discussed at the meeting and detailing:

- the agreed work plan and timetable;
- finalised quality control plan;
- agreed plan for inclusion of new topics;
- agreed plan for adaptation of national questionnaires (national ad-hoc modules in countries increasing the sample size);

³¹ <http://publications.europa.eu/code/en/en-000100.htm>

- agreed contract strategy for minimising response bias;
- agreed sampling strategy (linked to weighting), including business registers and national sampling design in view of reducing selection bias.

- **First interim report and associated deliverables**

Within three months³² after entry into force of specific contract no.1 a report will be submitted describing progress of the work measured against the detailed schedule agreed at kick-off and providing information on:

- The inclusion of the new topics in the master questionnaire.
- Progress as regards the national versions of the questionnaire, including the ad-hoc module to the questionnaire in those countries that opt for it.

As part of the report, the contractor will deliver a draft master version of the questionnaire and draft instructions to interviewers. The delivery of the first interim report and its associated deliverables is linked to the **first interim payment (30%) under specific contract no. 1.**

- **Second interim report and associated deliverables**

An interim report will be submitted within six months after entry into force of specific contract no.1 describing progress of the work measured against the detailed schedule and providing information on:

- Sampling strategy, including the final list of business registers and the national sampling design.
- Progress in the revision of the master and national versions of the questionnaire, including any tests.
- Final instructions to interviewers for minimising selection bias.

The delivery of the second interim report and its associated deliverables is linked to the **second interim payment (30%) under specific contract no. 1.**

- **Third interim report and associated deliverables**

An interim report will be submitted within nine months after entry into force of specific contract no.1 describing progress of the work measured against the detailed schedule and providing information on:

- Fieldwork preparations, including final fieldwork teams.
- The seminar(s) for relevant managers and supervisors from fieldwork centres.
- The training of interviewers.

At the same time, the contractor will deliver the final fieldwork material, including national versions of the questionnaires, as well as a report on the translation and tests performed (as specified under Task 2). The delivery of the third interim report and its associated deliverables is linked to the **payment of the balance (40%) under specific contract no. 1.**

Final reports and deliverables

- **Dataset**

Within twelve months after entry into force of specific contract no. 2 -and within ten months after entry into force of specific contract no. 3-, the contractor will provide EU-OSHA with the following deliverables -the 'dataset-', as specified under Task 6:

³² Submission dates for all deliverables are indicative at this stage and will only be confirmed when each of the respective specific contracts enters into force.

- a file with all raw data;
- a file with interview data merged with the data from ESENER 2019 and 2014;
- a document with tabulations of the data;
- SPSS syntax files;
- a file with contact details for respondents that agreed to a follow-up study at any time until expiry of the framework contract.

The delivery of the dataset is linked to the **interim payment (90%) under specific contract no. 2**. The delivery of the same dataset is also linked to the **interim payment (90%) under specific contract no. 3**³³.

- **Technical report**

Within thirteen months after entry into force of specific contract no.2, the contractor will deliver a draft technical report comprising evaluative comments and descriptive information, including the information provided in the weekly fieldwork progress reports described under Task 5. The report should give a concise analysis of the stages of the survey, from its conception to the presentation of the data. It must specifically mention any difficulties that arose in the course of the survey process (e.g. difficulty with identifying and approaching appropriate respondent, difficulty in translating a concept, high non-response rate in a particular country, question that was poorly understood or poorly received by certain groups of the population, etc.) and, where appropriate, any recommendations for subsequent ESENER waves. It should also contain a summary of the sampling report as well as chapters on coding, weighting, data validation, cleaning and editing. The report should also contain an overview of problems and errors and the calculation of effective sample sizes for each country.

The delivery of the draft technical report is linked to the **payment of the balance (10%) under specific contract no. 2**.

- **Other reports**

Within thirteen months after entry into force of specific contract no. 3, and at the same time as the final technical report, the contractor will deliver:

- Sampling report.
- Quality control report, as specified in **Section 1.4.6**, below.

The delivery of the final technical report, as well as the sampling and quality control reports, is linked to the **payment of the balance (10%) under specific contract no. 3**.

The framework contract will be implemented via three specific contracts in principle, as explained in the table below -deadlines are indicative at this stage and will only be confirmed when each of the specific contracts enters into force:

- Tasks 1, 2 and 3 under Work Package A will be covered by the first specific contract.
- Tasks 4, 5 and 6 will be covered by the second and third specific contracts.

³³ The difference between specific contracts no.2 and 3 is the country coverage but the main tasks are the same (tasks 4-5-6 under Work Package B). Specific contract no.2 will have an earlier start to cover those countries with larger sample size and different versions of the national questionnaires which may require advanced preparatory work. The main deliverable in both specific contracts will be the same, single dataset.

Tasks (Work Package)	Specific Contract	Tentative signature date (months after signature of Framework Contract)	Deliverables and % of payment	Deadline (months after entry into force of Specific Contract)
1-2-3 (Work Package A)	No.1	1	• Inception report • First interim report and associated deliverables (30%) • Second interim report and associated deliverables (30%) • Third interim report and associated deliverables (40%)	• 0.5 • 3 • 6 • 9
4-5-6 (Work Package B)	No.2	3	• Dataset (90%) • Technical and other reports (draft) (10%)	• 12 • 13
	No.3	5	• Dataset (90%) • Technical and other reports (final) (10%)	• 10 • 13

1.4.5 Geographical coverage

All 27 European member states together with two EEA countries (Iceland and Norway) will be included in the survey. For a full list of countries, see table above in **Section 1.4.3**, under Task 3.

1.4.6 Quality control and assessment

In addition to the specific requirements under each of the tasks and deliverables described in the sections above, tenderers will include a **quality control plan** as part of their offer. The plan must describe in detail the measures and actions in respect of each task and for all deliverables, with reference to the following over-arching quality criteria, as adopted by the [European Statistical System](#): relevance, accuracy, timeliness and punctuality, accessibility and clarity, coherence and comparability. It will describe the key indicators that will be monitored along the different stages of ESENER 2024, identifying solutions for potential challenges and the reporting of quality control throughout the project. Profiles of staff responsible for the different quality control measures and actions should be identified in the plan covering both survey processes and output.

All quality control requirements apply not only to the main contractor, but also to the fieldwork centres and associated staff.

The proposed quality control plan must specify:

- A detailed risk assessment and the corresponding strategies for risk mitigation.
- The procedures the tenderer intends to implement and the indicators to be used to ensure the quality and monitoring of the services provided.
- Personnel policy and management, including the mechanisms for notification to EU-OSHA, and timely and full replacement of any reduction in capacity, in order to ensure the high level of expertise and resources throughout the duration of the contract.
- The structure set up for coordinating the tasks between the different fieldwork research centres.

- The procedures the tenderer intends to use for quality control, including the linguistic quality checks of all the deliverables to be produced.

The proposed quality control plan will be revised at kick-off and a final version will be agreed with EU-OSHA. The document will be updated regularly by the contractor during the life of the project and in particular before project meetings. At the end of the project the contractor will deliver a quality control report clearly documenting how the plan was implemented for all key stages of ESENER 2024. It will include the deviations as well as the corrective measures, where relevant, and the contractor will ensure that all information is collected in view of assessing whether the targets specified in the quality control plan were met.

EU-OSHA reserves the right to attend local translation, sampling, interviewing, data entry or data processing etc. without prior notice. Furthermore, as specified above, a number of visits may be made to fieldwork centres in order to monitor implementation of the work and to learn how the survey has been received. These visits will be organised in consultation with the contractor. Controls may be carried out by EU-OSHA staff or its representatives, including external auditors, which may cover the main stages of data collection and also reporting. Tenderers in their offer will outline the possibilities they will provide EU-OSHA with for real-time fieldwork monitoring. The contractor and network must keep all relevant documents for five years after project end.

1.5 Place of performance: where will the contract be performed?

The services will be performed at the contractor's premises, including the network of fieldwork centres.

1.6 Nature of the contract: how will the contract be implemented

The procedure will result in the conclusion of a single framework contract.

A framework contract (FWC) establishes a mechanism for future repetitive purchases by the contracting authority to be awarded in the form of specific contracts¹. The signature of a framework contract does not impose an obligation on the contracting authority to conclude specific contracts with a framework contractor.

The single framework contract will be concluded with one contractor. Specific contracts shall be awarded on the basis of the terms laid down in the framework contract, refined or, in duly justified circumstances, supplemented to reflect the particular circumstances of the specific contract. The details are set out in the draft contract.

The specific contracts will correspond to the different tasks corresponding to the different packages, as described in the table above (**Section 1.4.4**).

Tenderers need to take full account of the full set of procurement documents, including the provisions of the draft contract as the latter will define and govern the contractual relationship to be established between the contracting authority and the successful tenderer. Special attention is to be paid to the provisions specifying the rights and obligations of the contractor, in particular those on payments, performance of the contract, confidentiality, and checks and audits.

👉 Please be aware that if a tenderer to whom the contract is awarded (any of the group members in case of a joint tender) has established debt(s) owed to the Union, the European Atomic Energy Community or an executive agency when the latter implements the Union budget, such debt(s) may be offset, in line with Articles 101(1) and 102 of [Regulation \(EU, Euratom\) 2018/1046 of the European](#)

¹ Any reference to specific contracts applies also to order forms (a simplified form of specific contract).

[Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union](#) (Financial Regulation (FR))³⁴ and the conditions set out in the draft contract, against any payment due under the contract. The contracting authority will verify the existence of overdue debts of the successful tenderer (any of the group members in case of a joint tender), and, if any such debt is found, will inform the tenderer (the group leader in case of a joint tender who will then have the obligation to inform all other group members before signing the contract) that the debt(s) may be offset against any payment under due the contract.

All written and oral communication with the successful tenderer(s) will be in English.

1.6.1 Kick-off meeting

A kick-off meeting to agree all contractual matters will be organised between the contractor and EU-OSHA after entry into force of the framework contract at the contractor's premises or online if requested by EU-OSHA.

1.6.2 Other meetings

In their offer tenderers should give details of other meetings planned. As a minimum, contractors will organise the following meetings:

- Kick-off meeting with national partners, attended by the core team³⁵, the national project managers and/or fieldwork supervisors and EU-OSHA. The aim of the meeting, which could be held online, is to ensure a common understanding over the tasks involved in the implementation of ESENER 2024.
- Pre-pilot training seminar, attended by the core team, the national project managers and fieldwork supervisors and EU-OSHA. The aim of the training seminar is to brief fieldwork centers about the aim and importance of ESENER 2024, the findings from the cognitive interviews and the need to test the national versions of the questionnaire. The meeting shall be held face-to-face.
- Pre fieldwork training seminar, attended by the core team, the national project managers and fieldwork supervisors and EU-OSHA. The aim of the training seminar is to remind fieldwork centres about the aims of ESENER 2024, the importance of the survey and the need to carry out fieldwork to the highest standards, based on the findings of the pilot test. This meeting shall be held face-to-face.
- Two additional meetings after (1) completion of the pre-test, to discuss the final revision of the master questionnaire and (2) after the pilot, to discuss the final national version of the questionnaire and all matters prior to fieldwork.

Additional meetings may be held at the request of EU-OSHA or at the request of the contractor (subject to the approval of EU-OSHA) at premises of the contractor's choosing. Before calling an extra meeting, the contractor shall first explore the possibility of using tele- or video- conferencing.

In submitting prices, the tenderer must take account of costs for meetings and any other overheads relating to routine execution of the tasks or projects (including kick-off and progress meetings, production of reports, delivery of data, etc.). These costs cannot be charged as an additional item.

³⁴ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p.1).

³⁵ For further details on the expected composition of the core team, please refer to selection criterion T1 under section 3.2.3.

The contractor may be required to attend up to three one-day online meetings of EU-OSHA's stakeholder advisory group. The tender should take account of the time associated with their attendance.

EU-OSHA will cover the costs associated with its own staff or representatives' participation in meetings.

1.6.3 Project Manager

The contractor shall appoint a Project Manager, who will oversee the global management of the project and will be the contact for all matters linked to the framework contract. The Project Manager shall guarantee efficient and on-demand responses to EU-OSHA's communications, requests for quotations, contacts, meetings and other administrative requests. The Project Manager will have knowledge in the field of work of the framework contract and will be the single contact point for interaction with EU-OSHA. The Project Manager will follow up, discuss the works and gather additional details related to the services to be delivered and materials to be developed.

1.6.4 Contractor's team

The provision of all the resources needed for the performance of the contracted work, is the responsibility of the contractor. It is the contractor's responsibility to manage its work and organise its resources with the required professionalism aimed at delivering the outcomes in time and with the due quality.

1.7 Volume and value of the contract: how much do we plan to buy?

An indicative estimate of the volumes to be ordered over the whole duration of the framework contract is given in the financial model in **Annex 10**. These volumes are estimates only and there is no commitment as to the exact quantities to be ordered. The actual volumes will depend on the quantities, which the contracting authority will order through specific contracts. In any case, the *framework contract ceiling*, i.e. the maximum amount to be spent under the framework contract, shall not be exceeded.

The *framework contract ceiling* is EUR 3,500,000, as indicated in Section II.2.6. of the contract notice.

Financial offers (following the financial model in **Annex 10**) which exceed the above ceiling of EUR 3,500,000 will be rejected as unacceptable on the basis of point 12.3.a) Annex I to the Financial Regulation³².

1.8 Duration of the contract: how long do we plan to use the contract?

The framework contract resulting from the award of this call for tenders will be concluded for an initial period of 24 months. Unless terminated by either party by registered letter not later than 6 months before it expires, the contract may be extended automatically for 1 successive period of 12 months, on the understanding that thereafter no further automatic extension will be possible.

1.9 Electronic exchange system: can exchanges under the contract be automated?

For all exchanges with the contractor during the implementation of the framework contract as well as for future possible subsequent proceedings, including, but not limited to, for the purposes of EDES ([European Union's Early Detection and Exclusion System](#)) the contracting authority may use an electronic exchange system meeting the requirements of Article 148 of the Financial Regulation. At the request of the contracting authority, the use of such a system shall become mandatory for the contractor

at no additional cost for the contracting authority. Details on specifications, access, terms and conditions of use will be provided in advance.

2 General information on tendering

2.1 Legal basis: what are the rules?

This call for tenders is governed by the provisions of the Financial Regulation³².

The contracting authority has chosen to award the contract resulting from this call for tenders through an open procedure pursuant to Article 164(1) (a) of the Financial Regulation.

In this procedure any interested economic operator (any natural or legal person who offers to supply products, provide services or execute works) may submit a tender.

2.2 Entities subject to restrictive measures and rules on access to procurement: who may submit a tender?

Tenderers must ensure that no involved entities (see **Section 2.4**) nor any subcontractors, including those which do not need to be identified in the tender (see **Section 2.4.2**), are subject to [EU restrictive measures](#) adopted under Article 29 of the Treaty on the European Union (TEU) or Article 215 of the Treaty on the Functioning of the EU (TFEU)³⁶, consisting of a prohibition to make available or transfer funds or economic resources or to provide financing or financial assistance to them directly or indirectly, or of an asset freeze. The prohibition applies throughout the whole performance of the contract.

Participation in this call for tenders is open on equal terms to all natural and legal persons coming within the scope of the [EU Treaties](#), as well as to international organisations.

It is also open to all natural and legal persons established in a third country provided that it has a special agreement with the European Union in the field of public procurement on the conditions laid down in that agreement.

The Agreement on Government Procurement³⁷ concluded within the World Trade Organisation does not apply. Therefore, the participation to this call for tenders is not open to natural and legal persons established in the countries that have ratified this Agreement.

The rules on access to procurement do not apply to entities on whose capacity tenderers rely to fulfil the selection criteria nor to subcontractors. Subcontracting may not be used with the intent or effect to circumvent the rules on access to procurement.

To enable the contracting authority to verify the access, each tenderer must indicate its country of establishment (and in case of joint tender – the country of establishment of each group member) and must present the supporting evidence normally acceptable under the law of that country/-ies. The same document(s) could be used to prove country/-ies of establishment and the delegation(s) of the authorisation to sign as described in **Section 4.3**.

³⁶ Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the [EU Sanctions Map](#).

³⁷ https://www.wto.org/english/tratop_e/gp_gpa_e.htm.

2.3 Registration in the Participant Register: why register?

Any economic operator willing to participate in this call for tenders must be registered in the [Participant Register](#) - an online register of organisations and natural persons (participants) participating in calls for tenders or proposals of the European Commission and other EU institutions/bodies.

On registering each participant obtains a Participant Identification Code (PIC, 9-digit number) which acts as its unique identifier in the Participant Register. A participant needs to register only once – the information provided can be further updated or re-used by the participant in other calls for tenders or calls for proposals of the European Commission and other EU institutions/bodies.



Each participant needs to ensure that its SME status in the Participant Register is registered and kept up to date.

It is the responsibility of the participant to provide a valid e-mail address and to check it regularly.

2.4 Way to submit a tender: how can economic operators organise themselves to submit a tender?

Economic operators can submit a tender either as a sole economic operator (sole tenderer) or as a group of economic operators (joint tender)³⁸. In either case subcontracting is permitted.

Tenders must be drawn and submitted in complete independence and autonomously from the other tenders. A declaration in this regard by each tenderer (in case of a joint tender, by each of its members) shall be requested (**Annex 2**).

A natural or legal person cannot participate at the same time and within the same procedure either as member of two or more groups of economic operators or as a sole tenderer and member of another group of economic operators. In such case, all tenders in which that person has participated, either as sole tenderer or as member of a group of economic operators, will be rejected.

Economic operators linked by a relationship of control or of association (e.g. belonging to the same economic/corporate group) are allowed to submit different and separate tenders provided that each tenderer is able to demonstrate that its tender was drawn independently and autonomously.

A natural or legal person may act as subcontractor for several tenderers as long as the tenders are drawn and submitted in complete independence and autonomously from each other. However, cross subcontracting among tenderers is forbidden, more precisely an entity “A” may participate as tenderer (either as sole tenderer or as member of a group of economic operators) and as subcontractor to another tenderer “B” within the same procurement procedure. However, in this case it is forbidden that tenderer “B” (or any of its participating members in case of a group of economic operators) is at the same time subcontractor for tenderer “A” (or for the group of economic operators in which “A” participates) within the same procurement procedure. In this case, both tenders A and B shall be rejected.

In order to fulfil the selection criteria set out in **Section 3.2** the tenderer can rely on the capacities of subcontractors (see **Section 2.4.2**) or other entities that are not subcontractors (see **Section 2.4.3**).

An “**involved entity**” is any economic operator involved in the tender. This includes the following four categories of economic operators:

³⁸ Each economic operator participating in the joint tender is referred to as “group member”.

- sole tenderer,
- group members (including group leader),
- identified subcontractors (see **Section 2.4.2**), and
- other entities (that are not subcontractors) on whose capacity the tenderer relies to fulfil the selection criteria.

The role of each entity involved in a tender must be clearly specified in the eSubmission application: i) sole tenderer, ii) group leader (in case of a joint tender), iii) group member (in case of a joint tender), or iv) subcontractor³⁹.

For an entity on whose capacities the tenderer relies to fulfil the selection criteria (that is not a subcontractor), this role is defined in the commitment letter (**Annex 8**).

2.4.1 Joint tenders

A joint tender is a situation where a tender is submitted by a group (with or without legal form) of economic operators regardless of the link they have between them in the group. The group as a whole is considered a tenderer⁴⁰.

All group members assume joint and several liability towards the contracting authority for the performance of the contract as a whole.

Group members must appoint from among themselves a group leader (the group leader) as a single point of contact authorised to act on their behalf in connection with the submission of the tender and all relevant questions, clarification requests, notifications, etc., that may be received during the evaluation, award and until the contract signature. All group members (including the group leader) must sign an Agreement/Power of attorney drawn up in the model attached in **Annex 5**.

The joint tender must clearly indicate the role and tasks of each member including those of the group leader who will act as the contracting authority's contact point for the contract's administrative or financial aspects and operational management. The group leader will have full authority to bind the group and each of its members during contract execution.

If the joint tender is successful, the contracting authority shall sign the contract with the group leader, authorised by the other members to sign the contract on their behalf via the Agreement/Power of attorney drawn up in the model attached in **Annex 5**.

Changes in the composition of the group during the procurement procedure (after the deadline for submission of tenders and before contract signature) shall lead to rejection of the tender, with exception of the following case:

- case of a merger or takeover of a group member (universal succession), provided that the following cumulative conditions are fulfilled:
 - the new entity is not subject to restrictive measures, has access to procurement (see **Section 2.2**) and is not in an exclusion situation (see **Section 3.1**),
 - all the tasks assigned to the former entity are taken over by the new entity member of the group,
 - the group meets the selection criteria (see **Section 3.2**),

³⁹ Only identified subcontractors (see Section 2.4.2) must be specified in the eSubmission application.

⁴⁰ References to *tenderer* or *tenderers* in this document shall be understood as covering both sole tenderers and groups of economic operators submitting a joint tender.

- the change must not make the tender non-compliant with the procurement documents,
- the terms of the originally submitted tender are not altered substantially and the evaluation of award criteria of the originally submitted tender are not modified,
- the new entity undertakes to replace the former entity for the implementation of the contract, in case of an award.

2.4.2 Subcontracting

Subcontracting is the situation where the contractor enters into legal commitments with other economic operators, which will perform part of the contract on its behalf. The contractor retains full liability towards the contracting authority for performance of the contract as a whole.

The following shall not be considered subcontracting:

- a) Use of workers posted to the contractor by another company owned by the same group and established in a Member State (“intra-group posting” as defined by Article 1, 3, (b) of [Directive 96/71/EC concerning the posting of workers in the framework of the provision of services](#)).
- b) Use of workers hired out to the contractor by a temporary employment undertaking or placement agency established in a Member State (“hiring out of workers” as defined by Article 1, 3, (c) of [Directive 96/71/EC concerning the posting of workers in the framework of the provision of services](#)).
- c) Use of workers temporarily transferred to the contractor from an undertaking established outside the territory of a Member State and that belongs to the same group (“intra-corporate transfer” as defined by Article 3, (b) of [Directive 2014/66/EU on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer](#)).
- d) Use of staff without employment contract (“self-employed persons working for the contractor”), without the tasks of the self-employed persons being particular well-defined parts of the contract.
- e) Use of suppliers and/or transporters by the contractor, to perform the contract at the place of performance, unless the economic activities of the economic activities of the suppliers and/or the transporting services are within the subject of this call for tender (see **Section 1.4**).
- f) Performance of part of the contract by members of an EEIG (European Economic Interest Grouping), when the EEIG is itself a contractor or a group member.

The persons mentioned in points (a), (b), (c) and (d) above will be considered as “personnel” of the contractor as defined in the contract.

All contractual tasks may be subcontracted unless the procurement documents expressly reserve the execution of certain critical tasks to the sole tenderer itself, or in case of a joint tender, to a group member.

By filling in the form available in **Annex 6 (list of identified subcontractors)**, tenderers are required to give an indication of the proportion of the contract that they intend to subcontract, as well as to identify and describe briefly the envisaged contractual roles/tasks of subcontractors meeting any of these conditions (hereafter referred to as *identified subcontractors*):

- Subcontractors on whose capacities the tenderer relies upon to fulfil the selection criteria as described under **Section 3.2**;
- Subcontractors whose intended individual share of the contract, known at the time of submission, is above 10 %.

Any such subcontractor must provide the tenderer with a commitment letter drawn up in the model attached in **Annex 7** and signed by its authorised representative.

☞ Each tenderer shall identify such subcontractors and provide the commitment letters with its tender. The information must be true and correct at the time of submitting the tender. Any changes or additions regarding the envisaged subcontractors after the deadline for submission of tenders must be justified to the contracting authority.

The above rules apply also where the economic operators, which will perform part of the contract on behalf of a successful tenderer, belong to the same economic/corporate group as the sole tenderer or a member of the group submitting the joint tender.

Changes concerning subcontractors identified in the tender (withdrawal/replacement of a subcontractor, additional subcontracting) during the procurement procedure (after the submission deadline and before contract signature) require the prior written approval of the contracting authority subject to the following verifications:

- any new subcontractor is not subject to restrictive measures, has access to procurement if the rules on access to procurement apply also to subcontractors (see **Section 2.2**) and is not in an exclusion situation (see **Section 3.1**);
- the tenderer still fulfils the selection criteria and the new subcontractor fulfils the selection criteria applicable to it individually, if any;
- the terms of the originally submitted tender are not altered substantially, i.e. all the tasks assigned to the former subcontractor are taken over by another involved entity, the change does not make the tender non-compliant with the tender specifications, and the evaluation of award criteria of the originally submitted tender is not modified.

Subcontracting to subcontractors identified in a tender that was accepted by the contracting authority and resulted in a signed contract, is considered authorised.

2.4.3 Entities on whose capacities the tenderer relies to fulfil the selection criteria

In order to fulfil the selection criteria a tenderer may also rely on the capacities of other entities (that are not subcontractors), regardless of the legal nature of the links it has with them. It must in that case prove that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment letter in the model attached in **Annex 8**, signed by the authorised representative of such an entity, and the supporting evidence that those other entities have the respective resources⁴¹.

☞ The above rules apply also where the economic operators on whose capacities the tenderer relies to fulfil the selection criteria (that are not subcontractors) belong to the same economic/corporate group as the sole tenderer or a member of the group submitting the joint tender.

⁴¹ This does not apply to subcontractors on whose capacity the tenderer relies to fulfil the selection criteria – for these the documentation required for subcontractors must be provided.

2.4.4 Rules common to subcontractors and entities (not subcontractors) on whose capacities the tenderer relies to fulfil the selection criteria

If a successful tenderer intends to rely on another entity to meet the minimum levels of economic and financial capacity, the contracting authority may require the entity to sign the contract or, alternatively, to provide a joint and several first-call financial guarantee for the performance of the contract.

With regard to technical and professional selection criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required, i.e. the latter will either assume the role of subcontractors or will fall within the exceptions listed in **Section 2.4.2** and will then assume the role of entities (not subcontractors) on whose capacities the tenderer relies to fulfil the selection criteria.



Relying on the capacities of other entities is only necessary when the capacity of the tenderer is not sufficient to fulfil the required minimum levels of capacity. Abstract commitments that other entities will put resources at the disposal of the tenderer will be disregarded.

3 Evaluation and award

The evaluation of the tenders that comply with the submission conditions will consist of the following elements:

- check if the tenderer is not subject to restrictive measures and has access to procurement (see **Section 2.2**);
- verification of administrative compliance (if the tender is drawn up in one of the official EU languages and the required documents signed by duly authorised representative(-s) of the tenderer);
- verification of non-exclusion of tenderers on the basis of the exclusion criteria;
- selection of tenderers on the basis of selection criteria;
- verification of compliance with the minimum requirements defined in the tender specifications;
- evaluation of tenders on the basis of the award criteria.

The contracting authority will evaluate the abovementioned elements in the order that it considers to be the most appropriate.

If the evaluation of one or more elements demonstrates that there are grounds for rejection, the tender will be rejected and will not be subjected to further full evaluation. The unsuccessful tenderers will be informed of the ground for rejection without being given feedback on the non-assessed content of their tenders. Only the tenderer(s) for whom the verification of all elements did not reveal grounds for rejection can be awarded the contract resulting from this call for tenders.

The evaluation will be based on the information and evidence contained in the tenders and, if applicable, on additional information and evidence provided at the request of the contracting authority during the procedure. If any of the declarations or information provided proves to be false, the contracting authority may impose administrative sanctions (exclusion or financial penalties) on the entity providing the false declarations/information.

For the purposes of the evaluation related to exclusion and selection criteria *the* contracting authority may also refer to publicly available information, in particular evidence that it can access on a national database free of charge.

3.1 Exclusion criteria

The objective of the exclusion criteria is to assess whether the tenderer is in any of the exclusion situations listed in Article 136(1) of the Financial Regulation.

Tenderers found to be in an exclusion situation will be rejected.

As evidence of non-exclusion, each tenderer⁴² needs to submit with its tender a Declaration on Honour⁴³ in the model available in **Annex 2**⁴⁴. The declaration must be signed by an authorised representative of the entity providing the declaration. Where the declaration has been signed by hand, the original does not need to be submitted to the contracting authority, but the latter reserves the right to request it from the tenderer at any time during the record-keeping period specified in **Section 4.3**.

⁴² See **Annex 1** which of the involved entities participating in a tender need to provide the Declaration on Honour.

⁴³ The European Single Procurement Document (ESPD) may not be used yet in calls for tenders of the contracting authority.

⁴⁴ Unless the same declaration has already been submitted for the purposes of another award procedure of the contracting authority, the situation has not changed, and the time elapsed since the issuing date of the declaration does not exceed one year.

The initial verification of non-exclusion of tenderers will be done on the basis of the submitted declarations and consultation of the [European Union's Early Detection and Exclusion System](#).

At any time during the procurement procedure⁴⁵, the contracting authority may request the documents mentioned in the Declaration on Honour as supporting evidence on non-exclusion (the documentary evidence). It may also request information on natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control, including legal and natural persons within the ownership and control structure and beneficial owners, and appropriate evidence that none of those persons are in one of the exclusion situations referred to in Section A point (1) (c) to (f) of the Declaration on Honour.

All tenderers are **invited to prepare in advance the documentary evidence**, since they may be requested to provide such evidence within a short deadline. In any event, the tenderer proposed by the evaluation committee for the award of the contract will be requested to provide such evidence.

☝ If the tenderer does not provide valid documentary evidence within the deadlines set by the contracting authority, the latter reserves the right to reject the tender. In any event, in case a tenderer proposed for the award of the contract fails to comply with the above evidence requirement, its tender will be rejected, unless the tenderer can justify the failure on the grounds of material impossibility to provide such evidence.

Annex 1 specifies which of the *involved entities* participating in a tender need to provide the Declaration on Honour and, when requested by *the* contracting authority, the supporting evidence.

☝ Please note that a request for evidence in no way implies that the tenderer has been successful.

3.2 Selection criteria

The objective of the selection criteria is to assess whether the tenderer has the legal, regulatory, economic, financial, technical and professional capacity to perform the contract.

The selection criteria for this call for tenders, including the minimum levels of capacity, the basis for assessment and the evidence required, are specified in the following subsections.

Tenders submitted by tenderers not meeting the minimum levels of capacity will be rejected.

When submitting its tender each tenderer shall declare on honour that it fulfils the selection criteria for this call for tenders. The model of Declaration on Honour available in **Annex 2** shall be used.

The initial assessment of whether a tenderer fulfils the selection criteria will be done on the basis of the submitted declaration(s).

⁴⁵ The obligation to provide the supporting evidence will be waived in the following situations:

- if the same documents have already been provided in a previous award procedure of the contracting authority, have been issued no more than one year before the date of their request by the contracting authority and are still valid at that date;
- if such evidence can be accessed by the contracting authority on a national database free of charge, in which case the economic operator shall provide the contracting authority with the internet address of the database and, if needed, the necessary identification data to retrieve the document;
- if there is a material impossibility to provide such evidence.

The subsections below specify which selection criteria evidence must be provided with the tender or may be requested later, at any time during the procurement procedure, within a deadline given by the contracting authority⁴⁶.

The evidence must be provided in accordance with the applicable basis for assessment of each criterion: in case of a consolidated assessment – only by the involved entities who contribute to the fulfilment of the criterion, and in case of individual assessment – by each entity to whom the criterion applies individually.

In case not all selection criteria evidence is requested with the tender, all tenderers are **invited to prepare in advance the documentary evidence**, since they may be requested to provide such evidence within a short deadline. In any event, the tenderer proposed by the evaluation committee for the award of the contract will be requested to provide such evidence.

👉 If the tenderer does not provide valid documentary evidence within the deadlines set by the contracting authority, the contracting authority reserves the right to reject the tender. In any event, in case a tenderer proposed for the award of the contract fails to comply with the above evidence requirement, its tender will be rejected, unless there is a ground for a waiver.

Please note that a request for evidence in no way implies that the tenderer has been successful.

3.2.1 *Legal and regulatory capacity*

Tenderers can be natural or legal persons. Tenderers are not obliged to take a specific legal form in order to submit their tenders.

Where tenderers submit a tender through an entity, which lacks legal personality (e.g. a branch), the compliance with the exclusion criteria, selection criteria, the rules on access to procurement as well as the absence of restrictive measures shall be assessed at the level of the tenderers.

Tenderers must prove that they have legal capacity to perform the contract and the regulatory capacity to pursue the professional activity necessary to carry out the work subject to this call for tenders.

The legal and regulatory capacity shall be proven by the evidence listed below:

- Proof of enrolment in a relevant trade or professional register proving that the tenderer can carry out economic activities;
- If applicable:
 - Proof that the tenderer is authorised to perform the contract in its country of establishment and/or;
 - Proof that the tenderer is a member of a specific professional organisation.

👉 The evidence of legal and regulatory capacity does not need to be provided with the tender but only upon request by the contracting authority at any time during the procedure and would apply to each

⁴⁶ The obligation to provide the supporting evidence will be waived in the following situations:

- if the same documents have already been provided in a previous award procedure of the contracting authority and are still up-to-date;
- if such evidence can be accessed by the contracting authority on a national database free of charge, in which case the economic operator shall provide the contracting authority with the internet address of the database and, if needed, the necessary identification data to retrieve the document.

member of the group in case of a joint tender. **Please note that a request for evidence in no way implies that the tenderer has been successful.**

In addition, involved entities (see **Section 2.4**) and all subcontractors, including those which do not need to be identified in the tender (see **Section 2.4.2**), must not be subject to [EU restrictive measures](#) adopted under Article 29 of the Treaty on the European Union (TEU) or Article 215 of the Treaty on the Functioning of the EU (TFEU)⁴⁷ that constitute a legal impediment to perform the contract. This requirement will be assessed by reference to the EU restrictive measures in force. Therefore, the tenderer is not required to submit any evidence of not being subject to EU restrictive measures.

3.2.2 *Economic and financial capacity*

Tenderers must comply with the following selection criterion in order to prove that they have the necessary economic and financial capacity to perform the contract.

Criterion F1	
Minimum level of capacity	Specific yearly turnover of the last 2 financial years (a statement concerning other types of services will not be taken into consideration) above EUR 1,000,000.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. a consolidated assessment of the combined capacities of all <i>involved entities</i> will be carried out.
Evidence	Financial statement of specific turnover.



The evidence of economic and financial capacity does need not be provided with the tender but may be requested by the contracting authority at any time during the procedure. **Please note that a request for evidence in no way implies that the tenderer has been successful.**

3.2.3 *Technical and professional capacity*

 With regard to technical and professional selection criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required. The entity on whose capacity the tenderer relies will either assume the role of a subcontractor or fall within the exceptions listed in **Section 2.4.2**.

Tenderers must comply with the following selection criteria to prove that they have the necessary technical and professional capacity to perform the contract.

⁴⁷ Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the [EU Sanctions Map](#).

Criterion T1

Appropriate staffing for the core team delivering the services required by EU-OSHA.

Minimum level of capacity	The core team coordinating the services should include, as a minimum, the following profiles: • Minimum of <u>ten years</u> of experience in the coordination of cross-national telephone surveys in different languages (at least some of them business surveys) following a random probability sample design as evidenced by the CV provided for the person designated to be the project manager (at least 1 team member); • Minimum of <u>four years</u> of experience in designing, conducting and/or coordinating cross-national telephone surveys in different languages (at least some of them business surveys) following a probability sample design as evidenced by the CVs provided for the members of the core team. They should at least include one or more experts for each of the following profiles: a statistician expert in sample design and weighting of cross-national business surveys; a survey methodologist; a statistician expert in data manipulation and data analysis; an expert in questionnaire design; • Experience of a minimum of <u>one year</u> in the coordination of cross-national web surveys in different languages following a probability sample design as evidenced by the CV provided for the project manager (at least 1 team member); • Proficiency level in English (minimum level required is C1) for the team members designated to liaise with EU-OSHA as evidenced by the CVs provided; • Proficiency level in English (minimum level required is B2) for other core team members as evidenced by the CVs provided.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i>. <u>In case of subcontracting</u>: a description of the company's organisational structure should be added for each subcontractor.
Evidence	• A mapping of all CVs presented, clearly indicating the role of each member of the core team. • For the provision of the educational and professional qualifications of the proposed core team members, including the project manager, as outlined above (CVs), tenderers are requested to use the European template, which can be downloaded at: http://europass.cedefop.europa.eu/documents/curriculum-vitae/templates-instructions.

Criterion T2	
Extensive experience in similar (in scope and complexity) projects.	
Minimum level of capacity	Between 3 and 5 projects completed in the last 5 years preceding the tender submission deadline (period 2018-2023). The experience must be in the field of cross-national business surveys carried out by telephone (CATI), as well as cross-national web surveys (CAWI). It is essential to demonstrate that the tenderer has at its disposal the network capacity to carry out the contract. In each of the countries where ESENER 2024 will take place, each fieldwork centre must provide a sworn statement confirming its availability during the period foreseen in the tender. Further to this, a commitment to work in accordance with the standards for good practice that are accepted in the field is required.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i>. <u>In case of subcontracting:</u> • 2 projects should be added for each subcontractor focusing on the subcontracted tasks. • A concise company profile should be added for each subcontractor focusing on the subcontracted tasks.
Evidence	• A concise company profile (maximum of 500 words), describing the tenderer's main current activities. • An overall infrastructure and resources available for services similar to those in ESENER 2024. • In each of the countries where ESENER 2024 will take place, each fieldwork centre must provide a sworn statement confirming that the field-force and supervisors it will use for the survey have at least two years of experience in business surveys using CATI and that the interviewers are native speakers of the languages used in the country. • To prove this capacity, tenderers are requested to provide a description of each contract or project, indicating the precise type of work carried out, the geographical coverage, the date, the approximate value of the contract and the customer. The descriptions must demonstrate the tenderer's ability to deliver the services that form part of this call for tender. Regarding the commitment to work according to good practice standards, certificates of membership proving that the tenderer and members of its

Criterion T2

	network (fieldwork centres) belong to ESOMAR, WAPOR or an equivalent body.
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Criterion T3

Experienced staff in the national teams.

Minimum level of capacity	- The suitability of the national teams proposed to conduct the work as evidenced by: Minimum of four years of experience in operating as a team leader in telephone surveys following a probability sample design (at least two years in business surveys and two years cross-national) as evidenced by the CVs provided for each of the national project managers and fieldwork supervisors; - Experience of a minimum of one year in conducting web surveys (CAWI) following a probability sample design as evidenced by the CVs provided for each of the national project managers and/or fieldwork supervisors; - Proficiency level in English (minimum level required is C1) as evidenced by the CVs provided for the national project manager and/or the fieldwork supervisors.
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the combined capacities of all <i>involved entities</i>. <u>In case of subcontracting</u>: CVs of the subcontractors' staff related to the subcontracted tasks should be included.
Evidence	- A mapping of all CVs presented, including a description of the composition and task division of each of the national partners, identifying the national project manager and a fieldwork supervisor in charge of each country -irrespective of several countries being covered from the same fieldwork centre. - Tenderers should supply the CVs of the national project managers and fieldwork supervisors in charge of each country, reflecting their capacity to meet the requirements, as stated above. Tenderers are requested to use the European template, which can be downloaded at: http://europass.cedefop.europa.eu/documents/curriculum-vitae/templates-instructions.

☝ All the above specified evidence of technical and professional capacity must be provided with the tender.

☝ Involved entities (see **Section 2.4**) and all subcontractors, including those which do not need to be identified in the tender (see **Section 2.4.2**), must not be subject to professional conflicting interests which may negatively affect the contract performance. Where the contracting authority has established such conflicting interests, it may conclude that the tenderer or an involved entity does not possess the required professional capacity to perform the contract to an appropriate quality standard.

The presence of conflicting interests shall be examined during the evaluation phase based on the statements made through the Declarations on Honour and, where applicable, the commitment letters (**Annex 8 and Annex 9**).

3.3 Compliance with the minimum requirements specified in the procurement documents

By submitting a tender a tenderer commits to perform the contract in full compliance with the terms and conditions of the procurement documents for this call for tenders. Particular attention is drawn to the minimum requirements specified in **Section 1.4** of these specifications⁴⁸ -summarised after the description of each of the six tasks, in the 'Minimum requirements (for tenderers)' boxes- and to the fact that tenders must comply with applicable data protection, environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU.

The minimum requirements shall be observed throughout the entire duration of the contract. Compliance with these requirements is mandatory and cannot be subject to any assumptions, limitations, conditions, or reservations on the part of a tenderer.

Tenderers must declare when submitting their tenders in eSubmission whether their tenders comply with the minimum requirements specified in the procurement documents.

☝ Tenders that are not compliant with the applicable minimum requirements shall be rejected.

3.4 Award criteria

The objective of the award criteria is to evaluate the tenders with a view to choosing the most economically advantageous tender.

Tenders will be evaluated on the basis of the following award criteria and their weighting:

⁴⁸ But also those under section 1.6 Implementation of the framework contract

Quality – 70%

The quality of the tender will be evaluated based on the following criteria.

Award criteria		Information to be provided	Score
<u>Efficiency and quality of the project management</u>			
1	Quality of the project management approach	The approach to project management and work organisation, including the resource allocation, the feasibility of the proposed timetable and the contingency plan for unforeseen events or complications, including procedures for quality control and assurance, that will be gathered in a quality control plan.	10 (min. 50%)
2	Pertinence of the profiles allocated to the core team	Extent of the core team, including the allocation of roles and responsibilities of all team members as well as resource back-up (see Annex 9).	10 (min. 50%)
3	Network of fieldwork centres	Balance of profiles and breakdown of tasks of the national project managers and the fieldwork supervisors.	10 (min. 50%)
Total PM = Total efficiency and quality of project management			30 (min. 50%)
<u>Work-package A: Questionnaire and sampling</u>			
4	Quality of the proposed questionnaire revision	Quality of the proposal to the questionnaire revision, including the suggested approach to new topics, the argumentation and the impact of the suggested changes on comparability, a proposal on outcome questions, the strategy to gather information from non-respondents and the pre-test.	10 (min. 50%)
5	Quality of the approach for the national questionnaires	Quality of the adaptation of the national questionnaires –while ensuring international comparability–, including the national ad-hoc modules, as well as the proposed approach to translation and the pilot test.	10 (min. 50%)
6	Quality of the sampling approach	Quality of the sampling strategy, including the proposed business registers and the foreseen procedure to get access to them, the proposal for gross sample sizes, the sampling design in view of minimising selection bias and the potential impacts on comparability with ESENER 2019 and 2014.	15 (min. 50%)

Award criteria		Information to be provided	Score
Total WP A = Total work-package A			35 (min. 50%)
<u>Work-package B: Training, implementation and delivery</u>			
7	Quality of the fieldwork preparation approach	Quality of the strategy for fieldwork preparation, particularly the approach to training and the contact strategy for reducing non-response, including the online mode.	10 (min. 50%)
8	Quality of the fieldwork execution approach	Quality of the proposed fieldwork execution, describing the overall approach to guarantee high-quality interviews and minimise non-response bias, and including the approach/strategy to/for monitoring, control and reporting of the fieldwork process.	15 (min. 50%)
9	Quality of the approach to producing the final deliverables	Quality of the approach to data processing, coding, validation, delivery and storage, including weighting strategy and the impact on comparability with ESENER 2019 and 2014, as well as the reporting (intended structure and content of the reports).	10 (min. 50%)
Total WP B = Total work-package B			35 (min. 50%)
Total score = Total PM + Total WP A + Total WP B			100 (min. 60%)

Price – 30%

The price considered for evaluation will be the total reference price of the tender presented in the financial model (**Annex 10**), covering all the requirements set out in the tender specifications.

100 points will be awarded to the lowest priced tender; other tenders will receive points calculated according to the following equation:

$$\text{Financial score} = (\text{lowest price} / \text{price of tender in question}) \times 100$$

3.5 Award (ranking of tenders)

Tenders shall be ranked according to the best price-quality ratio in accordance with the formula below:

$$\text{Final score} = (0.7 \times \text{Quality score}) + (0.3 \times \text{Financial score})$$

Should the outcome of the formula lead to two or more tenders with the same result, the tenderer who has been awarded the highest marks for quality will be deemed to be the most economically advantageous tender. This approach will continue to be applied to each of the award criteria in the

descending order listed in below until a most economically advantageous tender can be determined: criterion 6, criterion 8 and then criteria 1, 2, 3, 4, 5, 7 and 9.



The contract shall be awarded to the tender ranked first, which complies with the minimum requirements specified in the procurement documents and is submitted by a tenderer not subject to restrictive measures, having access to procurement, not in an exclusion situation and fulfilling with the selection criteria.



Detection of abnormally low tenders

Tenderers must be aware of Point 23 of Annex I to the Financial Regulation on abnormally low tenders and of the possibility for rejection of the tender based on it.

4 Form and content of the tender

4.1 Form of the tender: how to submit the tender?

Tenders are to be submitted via the eSubmission application according to the instructions laid down in the Invitation letter and the eSubmission Quick Guide₁ available at the link below:

https://wikis.ec.europa.eu/display/FTPPortal/Open+procedures_EN



Make sure you prepare and submit your tender in eSubmission early enough to ensure it is received within the deadline specified under Section IV.2.2 of the contract notice and/or on TED eTendering.

4.2 Content of the tender: what documents to submit with the tender?

The documents to be submitted with the tender in eSubmission are listed in **Annex 1**.

The following requirements apply to the technical and financial offer to be uploaded in eSubmission:

4.2.1 Technical tender

The technical tender must provide all the information needed to assess the compliance with **Section 1.4** of these specifications and the award criteria. Tenders deviating from the minimum requirements or not covering all the requirements may be rejected on the basis of non-compliance and not evaluated further.

In their offer, tenderers should describe their research approach. This should include the different points indicated under the 'Task summary' notes in the sections above. Offers should describe how the work is organised, including the allocation of staff resources to the different tasks. The description should include the approach to project management, and the quality measures in place (e.g. language checks), to ensure prompt and good completion of the final deliveries.

The technical tender must include the following annexes:

- The **Annex 9** that will be evaluated under the technical award criteria
- The **Annex 11** that will not be evaluated but is requested for information purposes

4.2.2 Financial tender

A complete financial tender including the breakdown of the price needs to be submitted. For this purpose, the financial model in **Annex 10** shall be completed and duly signed.

For the evaluation of the financial tender, the total reference **price** to be used is equal to the sum of the prices for **Work Package-A and Work Package-B for the EU-27 plus Iceland and Norway**.

The financial offer shall be:

- expressed in euros. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to bear the risks or the benefits deriving from any variation;
- quoted **free of all duties, taxes and other charges**, i.e. also free of VAT;
- signed by an authorised representative of the tenderer.



The European Union 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 annexed to the Treaty on the Functioning of the European Union.

Exemption is granted by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption.

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

4.3 Signature policy: how can documents be signed?

Where a document needs to be signed, the signature must be either hand-written or, preferably, a qualified electronic signature (QES) or an advance electronic signature supported by a qualified certificate (AdES/QC) as defined in [Regulation \(EU\) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market \(the eIDAS Regulation\)](#).

Tenderers are strongly encouraged to sign with a QES⁴⁹ or, alternatively, with an AdES/QC, all documents requiring a signature and only exceptionally to sign such documents by hand as hand-written signatures lead to an additional administrative burden for both the tenderer and the contracting authority. The originals of any hand-signed documents (other than the contract) do not need to be submitted to the contracting authority but the tenderer must keep them for a period of five years starting from the notification of the outcome of the procedure or, where the tenderer has been awarded a contract resulting from this call for tenders and the contract has been signed, the payment of the balance.

All documents must be signed by the signatories (when they are individuals) or by their duly authorised representatives.

For the following documents, when signed by representatives, tenderers must provide evidence for the delegation of the authorisation to sign:

- The declaration on honour of the tenderer (in case of joint tender – the declarations on honour of all group members) in **Annex 2**;
- If applicable – in the case of joint tender, the Agreement/power(s) of attorney drawn up using the model attached in **Annex 5**.

The delegation of the authorisation to sign on behalf of the signatories (including, in the case of proxy(-ies), the chain of authorisations) must be evidenced by appropriate written evidence (copy of the notice of appointment of the persons authorised to represent the legal entity in signing contracts (see **Annex 1**) (together or alone), or a copy of the publication of such appointment if the legislation which applies to

⁴⁹ See [here](#) how to apply a QES on a document exchanged with a European institution, body or agency.

signatory requires such publication or a power of attorney). A document that the contracting authority can access on a national database free of charge does not need to be submitted if the contracting authority is provided with the exact internet link and, if applicable, the necessary identification data to retrieve the document.

4.4 Confidentiality of tenders: what information and under what conditions can be disclosed?

Once the contracting authority has opened a tender, it becomes its property and shall be treated confidentially, subject to the following:

- For the purposes of evaluating the tender and, if applicable, implementing the contract, performing audits, benchmarking, etc., the contracting authority is entitled to make available (any part of) the tender to its staff and the staff of other Union institutions, bodies and agencies, as well to other persons and entities working for the contracting authority or cooperating with it, including contractors or subcontractors and their staff provided that they are bound by an obligation of confidentiality.
- After the signature of the award decision tenderers whose tenders were received in accordance with the submission modalities, who are not subject to restrictive measures, who are not found to be in an exclusion situation referred to in Article 136(1) of the FR, who are not rejected under Article 141 of the FR, whose tenders are not found to be incompliant with the procurement documents, and who make a request in writing will be notified of the name of the tenderer to whom the contract is awarded, the characteristics and relative advantages of the successful tender and its total financial tender amount⁵⁰. The contracting authority may decide to withhold certain information that it assesses as being confidential, in particular where its release would prejudice the legitimate commercial interests of economic operators or might distort fair competition between them. Such information may include, without being limited to, confidential aspects of tenders such as unit prices included in the financial offer, technical or trade secrets⁵¹.
- The contracting authority may disclose the submitted tender in the context of a request for public access to documents, or in other cases where the applicable law requires its disclosure. Unless there is an overriding public interest in disclosure⁵², the contracting authority may refuse to provide full access to the submitted tender, redacting the parts (if any) that contain confidential information, the disclosure of which would undermine the protection of commercial interests of the tenderer, including intellectual property.



The contracting authority will disregard general statements that the whole tender or substantial parts of it contain confidential information. Tenderers need to mark clearly the information they consider confidential and explain why it may not be disclosed. The contracting authority reserves the right to make its own assessment of the confidential nature of any information contained in the tender.

⁵⁰ For a call for tenders resulting in multiple framework contracts this information will be provided for all successful tenderers and tenders.

⁵¹ For the definition of trade secrets please see Article 2 (1) of DIRECTIVE (EU) 2016/943 on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure.

⁵² See Article 4 (2) of the REGULATION (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents.

Appendix: List of references

Award criteria	See Section 3.4
Contracting authority	See Section 1.1
Entities on whose capacities the tenderer relies to fulfil the selection criteria	See Section 2.4.3
Exclusion criteria	See Section 3.1
Financial Regulation	Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union
Framework contract	See Section 1.6
Framework contract ceiling	See Section 1.7
Group leader	See Section 2.4
Identified subcontractors	See Section 2.4.2
Involved entities	See Section 2.4
Joint tender	See Section 2.4.1
Participating entities	See Section 2.4.3
Participant Register	See Section 2.3 https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/how-to-participate/participant-register
Selection criteria	See Section 3.2
Sole tenderer	See Section 2.4
Subcontracting/subcontractor	See Section 2.4.2
Treaties	The EU Treaties: https://europa.eu/european-union/law/treaties_en

Annexes

Annex 1 List of documents to be submitted



Annex 1- List of
documents to be su

Annex 2 Declaration on honour



Annex 2 -
Declaration on hono

Annex 3 Legal Entity Form

This form is available in all EU languages at:

https://ec.europa.eu/info/funding-tenders/how-eu-funding-works/information-contractors-and-beneficiaries/forms-contracts_en

Specific link to the document: https://ec.europa.eu/info/publications/legal-entities_en

Annex 4 Financial Identification Form

This form is available in all EU languages at:

https://ec.europa.eu/info/funding-tenders/how-eu-funding-works/information-contractors-and-beneficiaries/forms-contracts_en

Specific link to the document: https://ec.europa.eu/info/publications/financial-identification_en

Annex 5 Agreement/Power of attorney



Annex 5 -
Agreement - Power of attorney

Annex 6 List of identified subcontractors



Annex 6 - List of
identified subcontractors

Annex 7 Commitment letter by an identified subcontractor



Annex 7 -
Commitment letter by an identified subcontractor

Annex 8 Commitment letter by entities on whose capacities



Annex 8 -
Commitment letter by entities on whose capacities

Annex 9 Organisation of work – composition of the team



Annex 9-
Organisation of work – composition of the team

Annex 10 Financial model



Annex 10 -
ESENER-4 financial model

Annex 11 Additional quote



Annex 11-ESENER-4
additional quote.xlsx