

Interreg Alpine Space programme

Tender Document

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SEA of the Interreg Alpine Space Programme 2021-2027

European Territorial Cooperation | Status: 9.4.2019





I. Context

The Interreg Alpine Space Programme strives for cooperation in and between the Alpine regions and supports transnational projects in the Alpine area fostering territorial development and cohesion. These projects bring key actors of the cooperation area together to develop joint actions for shared solutions on specific Alpine issues. The co-operation area covers the territory of seven states: the EU-Member States Austria, France, Germany, Italy and Slovenia and the Non-Member States Liechtenstein and Switzerland. To learn more about this transnational cooperation programme, please consult the website www.alpine-space.eu.

The Land Salzburg (Austria), department for economy, tourism and municipalities, sub-department regional development and EU regional policy, as managing authority (MA) bears the overall responsibility for the implementation of the programme. Amongst others it carries out procurements of external services needed to support programme implementation. The MA and the partner states of the programme are supported by a joint secretariat (JS) which is located in Munich.

The programme partner states have started to prepare the successor programme Interreg Alpine Space 2021-2027. For this purpose, an external expert shall be contracted to carry out the strategic environmental assessment of the new programme. The present award procedure is direct contracting according to § 46 of the Austrian procurement law (Bundesvergabeengesetz 2018).

II. Specification of services

1. Tasks to be carried out by the successful bidder

According to directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment the strategic environmental assessment (SEA) shall be undertaken in the following steps:

- Scoping of the environmental report (determination of scope and level of detail of the information to be included in the report),
- Preparation of the environmental report,
- Consultations (of environmental authorities and public),



- Taking account of the environmental report and the results of the consultations (in drafting the operational programme),
- Notification of decision,
- Monitoring.

According to Annex I of the SEA-Directive the report on the SEA shall contain the following key elements:

- a) an outline of the contents, main objectives of the operational programme and relationship with other relevant plans and programmes,
- b) the relevant aspects of the current state of the environment and likely evolution thereof without implementation of the operational programme,
- c) the environmental characteristics of areas likely to be significantly affected,
- d) any existing environmental problems which are relevant to the operational programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC,
- e) the environmental protection objectives, established at international, Community or Member State level, which are relevant to the operational programme and the way those objectives and the way those objectives and any environmental considerations have been taken into account during its preparation,
- f) the likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors,
- g) the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the operational programme,
- h) an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information,
- i) a description of the measures envisaged concerning monitoring in accordance with article 10 of the SEA-Directive,
- j) a non-technical summary of the information provided under the above headings.



The object of the present awarding procedure is the implementation of a strategic environmental assessment as regards the Interreg programme Alpine Space 2021-2027 by the contracted expert. Please note that the programme expects a cost-efficient and slim assessment which covers the minimum requirements as set out above.

The current programme as well as the report on the SEA of this programme which may serve as orientation for the bidder can be downloaded from the following website:

<https://www.alpine-space.eu/about/the-programme/main-programme-publications>:

2. Organisation of work

The elaboration of the draft programme and proposals for structures and procedures of a future programme will be taken over by a small and efficient project team. This team shall be composed of 1-2 representatives of MA and JS, 1-2 members of the TF and the expert that shall be contracted with the present procurement procedure. The project team will work in close coordination with the expert that will be contracted for the strategic environmental assessment of the programme.

The programming process will be steered and monitored by the programming task force (TF). Relevant decisions and co-ordination with national and regional positions and processes will be taken and carried out by the representatives of the partner states in the TF. Each partner state has nominated 1-3 representatives for this task force. Representatives of the European Commission, the EUSALP Executive Board and the Alpine Convention take part in the TF in an advisory capacity.

The SEA-expert shall be available for several meetings of the project team and the task force which will take place in Salzburg, Munich or other convenient meeting places in the alpine area.

The partner states intend to have a final version of the programme document that can be submitted to the EC with the SEA-report by December 2020.



The Managing Authority has developed a project proposal, taking into account experience made in prior programming processes and actual framework conditions. The work breakdown structure as set out in the attachment to this specification of services shall serve as orientation to the bidders interested in the contract when elaborating their offer.

Please note kick off meeting between Task Force and the successful bidder as well as the expert that will be contracted for drafting the programme shall take place in Salzburg from 14th May 1 pm to 15th May 2 pm 2019. In the course of this kick off meeting the time schedule and workshare as proposed by the MA shall be fine-tuned by experts and TF. The successful bidder shall be prepared to present its offer and proposed work approach at that meeting and is expected to submit document with a revised time schedule and work methodology as agreed with the TF after the meeting, if relevant.

Please note that at present only drafts of the future ESIF-regulations are available that might undergo considerable changes until they enter into force. Furthermore, no final agreement has been reached so far on the multiannual financial framework. These circumstances might lead to a notable delay in drafting the programme and/or considerable changes in the programming process.

Working language of the programme is English, thus all documents have to be set up and all communication shall be done in this language.

Please note that the programme expects the successful bidder to commence work as soon as possible after the contract has been awarded. Thus, companies interested in the present tender are expected to allocate respective necessary resources.

III. General Terms of the Procurement Procedure

1. Awarding and contracting authority

This procurement procedure is conducted by the Land of Salzburg as managing authority of the Interreg Alpine Space programme, department for economy, tourism and municipalities, sub-



department regional development and EU-regional policy, Südtirolerplatz 11, Postfach 527, 5010 Salzburg that will conclude the service contract with the successful tenderer.

2. Object and process of the procurement procedure

The selected procurement procedure is a direct award procedure according to § 46 of the Austrian procurement law (Bundesvergabegesetz 2018).

3. Competent authority in the review procedure

Competent authority for the review procedure regarding the present procurement is the "Landesverwaltungsgericht des Landes Salzburg", Wasserfeldstraße 30, 5020 Salzburg, according to the provisions of the law of Salzburg regarding the review of procurement procedures, Salzburger Vergabekontrollgesetz 2007, LGBl Nr. 28/2007 in its current version. The language of the review procedure is German.

4. Requests for further information

All questions essential for setting up the offer shall be formulated in written and transmitted via e-mail to the following address by April 23rd 2019 at the latest: alpine.space@salzburg.gv.at. They shall be formulated in English language and marked with the note „request related to the procurement of an SEA of the programme Interreg Alpine Space 2021-2027“. The potentially necessary clarifications will be published on the following website by April 25th 2019, i.e. before the deadline for the offer, and the bidders shall take note of them when elaborating their offers:

<http://www.alpine-space.eu/news-events/procurement-procedures-job-vacancies/procurement-procedures>

It is incumbent to the bidder to point, without delay, to possible contradictions, incompleteness or any other objections against the specification of services so that the contracting authority is, if necessary, enabled to react and to amend the tender documents early enough. In the event of non-compliance with that obligation, the bidder will be liable for the consequences. In particular, it will not be entitled to any claims against the contracting authority due to an incorrect tender.

5. Admissibility of subcontractors

The transmission of the whole assignment to subcontractors is not allowed. Parts of the services



may only be commissioned to subcontractors if these have the licences, the general professional reliability, the technical, financial and economic capacity necessary for the part of the service that they shall take over. In the bid the candidate shall indicate the names of the companies that are intended to be commissioned with parts of the services respectively have already been commissioned. If a change of a subcontractor or an assignment of parts of the services to subcontractors not already set out in the application shall take place during the period of performance prior written approval of the contracting authority shall be requested.

The bidder shall indicate all subcontractors in the offer whose capacities are used for reasons related to licences and capacities. The name of the subcontractor, the part of the services which the subcontractor shall take over and the value of it in percent of the overall contract value as well as the licenses and capacities of the subcontractor used by the bidder shall be set out. Upon request the bidder shall furnish proof that the respective subcontractor will make available to the bidder the necessary means to perform the service (in case of substitution of technical capacity) respectively that the subcontractor will be liable solidly united with the bidder to the contracting authority (in case of substitution of financial and economic capacity).

6. Consortium of bidders

Setting up a consortium of bidders is admissible. The members of the consortium have to provide for a legally binding declaration in the offer that:

- indicates all members of the consortium as well as an authorised representative of the consortium,
- contains the declaration that this authorised representative will represent the members of the consortium in a legally binding way vis-à-vis the contracting authority, and
- contains the declaration that in case of the award of the contract the consortium will deliver the services as consortium and that each member of the consortium shall be jointly and severally liable to the contracting authority together with the other members of the consortium for the delivery of the service.

Multiple participation of a bidder, be it as bidder and member of a consortium of bidders or as member of several consortia for the present contract award related to the SEA of the new programme 2021-2027 is not admissible and will lead to the exclusion of this bidder and all consortia which it was part of from the procurement procedure. However, taking part in several



different procurement procedures for different expert services that the programme has launched at the same time is possible.

Any change in the composition of the consortium after the contract award requires the consent of the contracting authority.

7. Observance of the provisions of the labour and social legislation

Herewith it is expressly set out that the elaboration of an offer for services to be performed on the territory of Austria has to be done in observance of the respective labour and social legislation effective in Austria. When submitting the offer the bidder has to oblige itself to respect all obligations resulting from these provisions (see § 93 BVergG 2018).

8. Compensation for the elaboration of the offer

No reimbursement of costs arising from the elaboration and submission of the offer will take place.

9. Minimum requirements and grounds for exclusion

9.1. Grounds of Exclusion from the Procurement Procedure

§ 78 BVergG 2018 states grounds for the exclusion of candidates from the procurement procedure (e.g. the candidate has been convicted of an offence concerning professional conduct, the contractor has been found guilty of grave professional misconduct, the contractor is bankrupt, is being wound up or has suspended business activities, the contractor has not fulfilled obligations relating to the payment of social security contributions or taxes).

Thus, bidders have to set out their licences, general professional reliability, technical and financial and economic capacity. Bidders that do not fulfil these requirements or cannot provide evidence will be excluded from the participation in the present procurement procedure. In the following it is set out which documents are requested by the contracting authority as proof of the above-mentioned requirements.



9.2. Documents to be provided in the application for participation

Bidders may prove their licences, general professional reliability, technical, financial and economic capacity by submitting a declaration in which they declare that they fulfil the minimum requirements relating to general professional reliability, financial, economic and technical capacity as set out in the present tender document and that they can provide evidence if requested by the contracting authority during the procurement procedure. In such a declaration the licences of the bidder have to be set out. According to § 80 par 5 BVerG 2018 the bidder may furnish proof of licences, reliability and capacity also by providing evidence of registration in a relevant, generally accessible directory maintained by a third party if the documents required by the contracting authority are available therein and can be directly accessed by the contracting authority itself (e.g. entry in the Austrian Auftragnehmerkataster ANKÖ).

According to § 80 par 3 BVerG 2018 the contracting authority reserves its right to request from certain bidders the submission of the documents as set out below. The documents requested below shall not be older than three months.

- evidence of general professional reliability (§ 82 BVerG 2018): the latest account statement of the competent social security institution or the latest debit note of the competent tax authority and a copy of the entry in a professional or trade register or extract of the judicial record or an equivalent document issued by a judicial or administrative entity of the country in which the bidder is established. Failing this a declaration of honour on compliance with the exclusion criteria.
- evidence of licences (§ 81 BVerG 2018): an authorisation which is required in the member state of establishment of the bidder for the performance of the present services shall be submitted or a proof of being member of a particular organisation in order to perform the respective services in its country of origin.
- evidence of financial and economic capacity (§ 84 BVerG 2018): a balance sheet or extracts from balance sheets where publication of the balance sheet is required under the law of the country in which the economic operator is established or a self declaration on the total annual turnover for the last three financial years, a declaration that the subcontractor will be jointly and severally liable to the contracting authority (in case the bidder uses the capacity of a subcontractor to furnish proof of its financial and economic capacity),
- evidence of technical capacity (§ 85 BVerG 2018): information on the average number of staff and staff in leading positions of the company in the last three years, proof that the subcontractor which the bidder makes use of to provide evidence of the required technical



capacity will provide for the necessary re-sources to the bidder in case of assignment, confirmation that the bidder holds the required licences for performing the relevant services and has the required capacities and experience.

10. Award Criteria

The following criteria will be used to select the economically most advantageous offer.

Criterion	Weighting
Qualification of proposed expert or experts, i.e. education, professional experience and knowledge in the SEA of plans and programmes, especially cross border, interregional or transnational ESIF-programmes	45 % = 45 points
Methodology, i.e. plausibility and quality of proposed methodology, i.e. suggested amount of person days, proposed work programme	30 % = 30 points
Price The highest points will be awarded to the bidder with the lowest price, the other bidders get a proportion thereof (=the lowest price offered/the price of the bid under consideration*25).	25 % = 25 points
Total	100 % = 100 points

IV. Offer and next steps

The offer shall be submitted in English language and include:

- A CV of the person(s) that shall deal with the present service, including information as regards the education and professional experience and knowledge in the SEA of plans and programmes, especially cross border, interregional or transnational ESIF-programmes; for the CV the bidder shall use the European format (<https://europass.cedefop.europa.eu/de/documents/curriculum-vitae/templates-instructions>).
- A proposal of the methodology that shall be applied when delivering the present service, i.e. work programme and estimated person days; in the offer the bidder shall set out how it intends to deliver the services as suggested in the work breakdown structure provided by



the MA or which alternative activities or approaches it proposes ensuring that the planned milestones can be reached in the given timeframe.

- The offered price shall be a lump sum which covers all costs arising from the complete delivery of services described above such as office and material costs, travel and subsistence costs, costs for any subcontracts, overhead costs, taxes, charges. Additional costs will not be reimbursed. VAT is to be indicated separately and prices have to be indicated as fixed prices.

The offer shall be submitted electronically (scanned version of signed bid) to alpine.space@salzburg.gv.at until **Tuesday, April 30th 2019 12.00 noon**.

Next steps: Please note that this is a direct award procedure. Thus, the contract award is planned to take place by Tuesday May 7th 2019.