



European Monitoring Centre
for Drugs and Drug Addiction

European Monitoring Centre for Drugs and Drug Addiction

Call for tenders CT.24.SAS.0109.1.0

Promising approaches, opportunities and barriers for interventions to prevent youth recruitment and participation in European Drug Markets

Negotiated procedure for middle value contracts

TENDER SPECIFICATIONS

TABLE OF CONTENTS

1.	SCOPE AND DESCRIPTION OF THE PROCUREMENT	4
1.1.	Contracting authority: who is the buyer?	4
1.2.	Subject: what is this call for tender about?	4
1.3.	Lots: is this call for tenders divided into lots?	4
1.4.	Description: what do we want to buy through this call for tenders?.....	4
1.5.	Place of performance: where will the contract be performed?.....	8
1.6.	Nature of the contract: how will the contract be implemented?	8
1.7.	Volume and value of the contract: how much do we plan to buy?	9
1.8.	Duration of the contract: how long do we plan to use the contract?.....	9
1.9.	Electronic exchange system: can exchanges under the contract be automated?..	9
1.10.	Security.....	9
2.	GENERAL INFORMATION ON TENDERING.....	10
2.1.	Legal basis: what are the rules?.....	10
2.2.	Entities subject to restrictive measures and rules on access to procurement: who may submit a tender?.....	10
2.3.	Ways to submit a tender: how can economic operators organise themselves to submit a tender?	11
3.	EVALUATION AND AWARD	15
3.1.	Exclusion criteria.....	16
3.2.	Selection criteria.....	16
3.3.	Compliance with the conditions for participation and minimum requirements specified in the procurement documents	19
3.4.	Award criteria.....	20
3.5.	Award (ranking of tenders)	20
4.	FORM AND CONTENT OF THE TENDER	22
4.1.	Form of the tender: how to submit the tender?	22

4.2. Content of the tender: what documents to submit with the tender?	22
4.3. Signature policy: how can documents be signed?.....	23
4.4. Confidentiality of tenders: what information and under what conditions can be disclosed?	24
APPENDIX: LIST OF REFERENCES	25
ANNEX 1: DRAFT CONTRACT (FOR INFORMATION ONLY).....	26
ANNEX 2: DECLARATION ON HONOUR ON EXCLUSION AND SELECTION CRITERIA	26
ANNEX 3: LIST OF IDENTIFIED SUBCONTRACTORS AND PROPORTION OF SUBCONTRACTING (IF APPLICABLE).....	26
ANNEX 3.1: COMMITMENT LETTER BY AN IDENTIFIED SUBCONTRACTOR (IF APPLICABLE)	26
ANNEX 3.2: COMMITMENT LETTER BY AN ENTITY ON WHOSE CAPACITIES IS BEING RELIED (IF APPLICABLE)	26

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 Monitoring Centre for Drugs and Drug Addiction (EMCDDA), referred to as the 'contracting authority' for the purposes of this call. On 2 July 2024, the EMCDDA will cease to exist and will be replaced by the European Union Drugs Agency (EUDA) on the entry into application of Regulation (EU) 2023/1322 of the European Parliament and of the Council of 27 June 2023 on the European Union Drugs Agency (EUDA) and repealing Regulation (EC) No 1920/2006.

1.2. Subject: what is this call for tender about?

The purpose of this contract is to build a programme of work to advance the monitoring and analysis of drug-related violent crime in the European Union (EU) to better understand its nature and scope and thus inform policy and practice responses.

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 purchases 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

Background

EUDA

[The Regulation \(EU\) 2023/1322](#) of the European Parliament and Council of 27 June revises the mandate of the European Monitoring Centre for Drugs and Drug Addiction (EMCDDA). The EMCDDA will become the European Union Drugs Agency (EUDA) on 2 July 2024, the day on which the regulation enters into application. The [EUDA](#) will be a new agency, with a broadened mandate, better equipped to strengthen the EU's preparedness related to current and future drug problems and support the EU and its Member States in addressing the drug situation. To achieve this, the agency will provide services across four categories: *anticipating* new and future challenges (*anticipate*); *alerting* on emerging risks and drug-related threats (*alert*); *assessing* needs and available responses (*respond*); and *evaluating* and disseminating new knowledge and best practices (*learn*). The work on identifying vulnerable young people that may be recruited for drug market participation integrates these four categories and will serve EUDA stakeholders from across policy, practice and academia at local, national and international levels.

Young people's involvement in organised drug crime

The EMCDDA/EUDA has a commitment in its [2024-26 Single Programming Document](#) to provide a comprehensive, holistic and up-to-date understanding of the drug market in Europe, identify new drug-related security threats; and improve the understanding of the nature and consequences of drug-related crime, thus supporting decision making, planning and evaluation. This investment also aligns with the EU's overall strategic goals as reflected in the [2021-2025 EU Strategy to tackle Organised Crime](#), the [EU Drugs Strategy and its Action Plan](#) – and most recently [EU Roadmap to tackle drug trafficking and organised crime](#).

Recently, there has been a noticeable increase in public and policy concern around the recruitment and involvement of young people in illicit drugs markets and the costs this incurs both to the individuals involved and the wider community. Criminal networks often exploit the most vulnerable segments of the population to maintain and grow their operations. These activities have a negative impact on both security and public health. Both studies and media reports have highlighted how organised drug crime groups employ young people to carry out tasks in a range of roles in the drug market including extracting drugs, conducting intimidation and reprisals, and selling of drugs in local settings (e.g. Adjiembaks et al., 2022; Terpstra & Swami-Persaud, 2021).

This has created a policy interest in what approaches might be effective in a) identifying young people who are vulnerable to exploitation within the drug market b) reducing the risks that they may become recruited by criminal networks and c) encouraging adoption of non-criminal pathways for those who have initiated criminal careers. Clearly this is a complex area for social interventions. It is likely to require multiagency partnerships, collaboration between social and criminal justice services and sensitivity to the needs to ensure interventions respect data protection rules and are ethical and non-discriminatory. Identifying therefore both the potential facilitators for the effective delivery of services in this area as well as potential barriers to implantation will be an important first step.

Responses in this area will need to be configured to national and local conditions and contexts. However, successful programme development can be informed by a more developed conceptual framework of the components that may constitute an effective response, models for delivery and multiagency engagement, and an understanding of how to identify those most at need to ensure a targeted response.

Purpose and scope of the contract

The purpose of this contract is to enhance drug-related crime prevention efforts in Europe by: evaluating existing models and strategies for the prevention of youth involvement in drug markets and drug-related crime; supporting linked networking building activities; and identifying possible facilitators or barriers to the implementation of programmes in this area. It is envisaged that the outputs from this project will contribute to a better understanding of the future research, policy and developmental needs and inform future investments in this area at both a European and National level.

Contract objectives

The objectives of the contract are to:

- 1) identify professionals with an interest in this area from a number (between 3-5) European Countries to contribute to the activities listed below and provide insights to be gained from different national perspectives;
- 2) conduct a desk review of the literature available on interventions relevant to the aims of this project and in particular any evaluations on their effectiveness. This should provide a top-level summary of the existing evidence base and identify (at a summary level) important knowledge gaps;
- 3) identify and review, from project participants, existing examples of promising or innovative practices in this area and any lessons learnt from the experience of implementing programmes;
- 4) identify critical factors that are likely to be necessary for the success of interventions in this area and what may constitute important barriers or risks to the successful development and implementation of programmes in this area;
- 5) develop a conceptual framework and model to inform the development and implementation of programmes in this area. This model should consider at the strategic (not detailed level) issues such as: identification of target populations, models for stakeholder engaged, safeguarding issues, data protection and ethical guidelines multiagency practices, criteria for measuring success, research needs;
- 6) build the foundations for establishing a future European community of practice in this area and identify support needs that could facilitate future networking activities; and
- 7) achieve value through communication of the project findings to researchers and practitioners in this area – highlighting the need for future research and possible areas for development.

1.4.2. Detailed characteristics of the purchase

The objectives will be achieved through three sets of integrated activities (work packages, WP): WP1) Contract coordination; WP2) Towards a European Community of Practice on the prevention of young people's participation in drug markets; and WP3) Review and conceptualisation.

WP1: Contract coordination

The main activities include:

- keep in touch with the EUDA project manager throughout the project duration;
- ensure coordination of the overall contract;
- develop a detailed work plan, outlining tasks, methodologies, responsibilities, timeline and deliverables (Deliverable 1.1).

- organise, in close collaboration with the EUDA, a face-to-face kick-off event (including contacting speakers and preparation of presentations) (Deliverable 1.2);
- draft a short paper summarising the research needs and priorities in the prevention of youth recruitment into drug markets and related crime (Deliverable 1.3); and
- organise, in close collaboration with the EUDA, a face-to-face closing event (including contacting speakers and preparation of presentations) (Deliverable 1.4).

Method:

The contractor will ensure coordination through meetings and email communication. The kick-off and closing events can be delivered at EUDA premises.

WP2: Towards a European Community of Practice on the prevention of young people's participation on drug markets

The main activities here include:

- identify and contact relevant professionals in at least three European countries to establish a future European Community of Practice; and
- organise and hold regular networking meetings (at a minimum biannually) (Deliverable 2.1, first year of the contract; and Deliverable 2.2 in second year of the contract).

Method:

The contractor will ensure regular networking meetings with participating practitioners. The format of the meetings can be flexible to meet the current needs of the network.

WP3: Review and conceptualisation

The main activities here include:

- review existing literature on relevant interventions with a particular focus on the effectiveness of the identified approaches and identifying significant knowledge gaps (Deliverable 3.1);
- map and review existing examples of notable approaches to the prevention of recruitment of young people in drug markets and related crime; compile the critical lessons learned and common factors in successful interventions as well as frequently cited barriers to successful implementation (Deliverable 3.2); and
- at a strategic level, develop a conceptual framework to guide the development and implementation of future programmes in this area (Deliverable 3.3).

1.4.3. Deliverables

Below is an exhaustive list of the activities and deliverables, as described in Section 1.4.2.

Date	WP 1	WP 2	WP3
August 2024	<i>Contract signature</i>		
Phase 1			
November 2024	Deliverable 1.1		
March 2025	Deliverable 1.2		Deliverable 3.1
June 2025		Deliverable 2.1	
Phase 2			
October 2025	Deliverable 1.3		Deliverable 3.2
March 2026			Deliverable 3.3
June 2026	Deliverable 1.4	Deliverable 2.2	

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

The contract will be performed in the location of the contractor. After the signature of the contract, the contractor is expected to participate in a kick-off and a closing meeting. The travel costs for these meetings will be covered by the contractor under this contract.

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

The procedure will result in the conclusion of a direct service contract. The contract will be implemented in 2 Phases:

Phase 1 – September 2024 – August 2025

Phase 2 – September 2025 – August 2026

Payments will be carried out in the following way:

Phase 1:

Payment 1: upon receipt and approval of Deliverable 1.1

Payment 2: upon receipt and approval of Deliverables 1.2, 2.1 & 3.1

Phase 2:

Payment 3: upon receipt and approval of Deliverables 1.3 & 3.2

Payment 4: upon receipt and approval of Deliverables 1.4, 2.2 & 3.3

The implementation of the contract and details of the payment scheme are set out in the draft contract (*Annex I*).

^e. 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 Parliament and of the Council of 18 July 2018 on the financial rules applicable to](#)

[the general budget of the Union](#) (Financial Regulation)¹ 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.

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

The maximum estimate value of the service contract, including the two phases, is **EUR 140 000** (one hundred and forty thousand euro).

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

The service contract resulting from the award of this call for tenders will be concluded for a duration of a total of **24 Months**. The details of the contract are set out in the draft contract (*Annex 1*).

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

For all exchanges with the contractor during the implementation of the 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.

1.10. Security

When performing tasks for the contracting authority in execution of the contract, the contractor and its personnel shall comply with the contracting authority's applicable security requirements. Any financial burden for complying with the security measures (e.g. security background checks, security clearance etc.) will be entirely at the expense of the contractor and not of the contracting authority

¹ 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).

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 Regulation.

The contracting authority has chosen to award the contract resulting from this call for tenders through a negotiated procedure for middle value contracts pursuant to Article 164(1)(d) of the Financial Regulation and point 14.2 of Annex I to the Financial Regulation.

In this procedure the contracting authority invites to tender the economic operators who have expressed interest when the planned negotiated procedure was advertised at the following link:

https://www.emcdda.europa.eu/publications/work-programmes-and-strategies/single-programming-document-2023-2025_en

The contracting authority may also invite other candidates of its choice.

An economic operator who is invited to submit a tender is referred to here below as *candidate* whereas a candidate who has submitted a tender is referred to as *tenderer*.

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)², 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.

Only candidates that have been directly invited by means of an invitation to tender from the contracting authority may participate in this call for tenders. Any tender received from a legal or natural person not invited to tender, including in a joint tender with an invited candidate, will be rejected.

Tenderers must be established in a EU Member State or a third country which has a special agreement with the European Union in the field of public procurement on the conditions laid down in that 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

² 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](#).

of establishment (in case of a joint tender – the country of establishment of each group member) and must present the supporting evidence normally acceptable under the law of that country. 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.

2.3. Ways 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)³. In either case subcontracting is permitted.

⊖ **A group of economic operators may submit a joint tender only if these economic operators have expressed interest in the planned negotiated procedure as a group or the contracting authority has invited them to submit a tender as a group.**

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 the group leader) 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:

³ 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 Specifications: i) sole tenderer, ii) group leader (in case of a joint tender), iii) group member (in case of a joint tender), or iv) subcontractor⁴.

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 3.2*)

2.3.1. 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, in order to perform the contract at the place of performance, unless the economic activities of the suppliers and/or the transporting services are within the subject of this call for tenders (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

⁴ Only identified subcontractors (see Section 2.4.2) must be specified in application.

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 3** (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 3.1** and signed by its authorised representative.

e. 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 deadline for submission of tenders 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 change does not make the tender non-compliant with the tender specifications.

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

2.3.2. Entities (not subcontractors) 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 3.2**, signed by

the authorised representative of such an entity, and the supporting evidence that those other entities have the respective resources¹.

☞ 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.

2.3.3. 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.

¹ 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.

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 specified in the procurement documents;
- Evaluation of tenders on the basis of the award criteria.

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

Only the tenderer 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.

The contracting authority may negotiate with tenderers the tenders they have submitted, in order to adapt them to the procurement documents and in order to find the most economically advantageous tender. The minimum requirements and the criteria defined in the procurement documents are not subject to negotiation. During negotiations equal treatment of all tenderers will be ensured.

The negotiation consists of providing feedback to each tenderer on the evaluation of its initial tender, indicating elements not compliant with the minimum requirements and other aspects which should or could be improved. The tenderer may also improve aspects not addressed in the feedback when submitting a revised tender.

The contracting authority reserves the right not to negotiate and to award the contract on the basis of the tenders initially received. Should in this case, the evaluation of one or more elements demonstrate that there are grounds for rejection, the tender will be rejected and will not be subjected to further full evaluation.

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 tenderer⁶ needs to submit with its tender a Declaration on Honour in the model available in *Annex 2*. 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.

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 procedure, 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.

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 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).

⁶ See Annex 2 which of the involved entities participating in a tender need to provide the Declaration on Honour.

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 authority.

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.

 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. **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 do not need to prove specific legal and regulatory capacity to perform the contract.

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)² 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 criteria in order to prove that they have the necessary economic and financial capacity to perform the contract.

² 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 F1	
Minimum level of capacity	Average yearly turnover of the last two financial years above EUR 35 000 .
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. a consolidated assessment of the combined capacities of all involved entities will be carried out.
Evidence	Signed Declaration on honour (<i>Annex 2</i>).

👉 **All of the above-specified evidence of economic and financial capacity must be provided with the tender.**

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 in order to prove that they have the necessary technical and professional capacity to perform the contract:

Criterion T1 – The Company	
The tenderer must prove experience in the field of youth criminal justice; youth drug-related crime prevention.	
Minimum level of capacity	At least three similar (in scope and complexity) projects completed in the last three years preceding the tender submission deadline
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the consolidated assessment of combined capacities of all involved entities will be carried out.
Evidence	<p>A list of projects meeting the minimum level of capacity. The list shall include details of their start and end date, total project amount and scope. In case of projects still ongoing, only the portion completed during the reference period will be taken into consideration.</p> <p>As supporting documents for each project reference, the contracting authority may request statements issued by the clients and take contact with them.</p>

Criterion T2 – The Team	
Ability to (i) investigate a scientific means to assess youth involvement in organised drug-related crime and develop programme intervention capability to effectively disrupt networks, that could be available to Member States and (ii) build a small network to works toward a common mission at research, policy and programme levels in the area of the prevention of young people’s participation in European drug markets.	
Minimum level of capacity	At least three years’ experience in the field of youth criminal justice; youth drug-related crime prevention preceding the tender submission deadline At least five topical publications in academic journals in the three years preceding the tender submission deadline
Basis for assessment	This criterion applies to the tenderer as a whole, i.e. the consolidated assessment of combined capacities of all involved entities will be carried out This criterion will be checked against the sole tenderer or group members in case of a joint tender and subcontractors entrusted with the all tasks across WP1-3.
Evidence	CVs of the proposed team

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

3.3. Compliance with the conditions for participation and 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 specifications 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 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.

1. Price

The price considered for evaluation will be the total price of the tender, covering all the requirements set out in the tender specifications.

2. Quality

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

Qualitative Award criteria	Weighting in %
1. Demonstrated ability to apply scientific methods to assess youth participation in organised drug-related crime and develop interventions.	65
2. Quality of the tender in terms of methodology proposed to develop, maintain and quality control.	35

Concerning the qualitative award criteria, the tenders will be evaluated by attributing ranking marks for each qualitative criterion from a **minimum of 1 to a maximum of 10** points and taking into account the weighting factors indicated.

Tenders must reach a **minimum of 6 points** in each award criteria, or will be excluded from this procedure.

3.5. Award (ranking of tenders)

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

$$\frac{\text{Cheapest tender X points attributed}}{\text{Price of the tender}}$$

The contract will be awarded to the tender having received the highest global 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:

- 1) Demonstrated ability to apply scientific methods to assess youth participation in organised drug-related crime and develop interventions.
- 2) Quality of the tender in terms of methodology proposed to develop, maintain and quality control.

eu. 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 the selection criteria.

eu. **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 by **electronic mail** to info.procurement@emcdda.europa.eu following the instructions stated in the invitation letter.

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

The documents to be submitted with the tender are listed as **Annexes**.

The following requirements apply to the technical and financial tender:

- *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.

Tenderers are free to choose where the personal data will be processed or stored as long as they comply with the contractual obligations on data processing (Art.I.9.2 and Art. II.9) and, in particular, with the requirements for transfer of personal data to third countries and international organisations laid down in Chapter V of Regulation (EU) 2018/1725⁷.

Tenderers must specify in their technical tender the location where the personal data will be processed and stored only where this location is outside the territory of the European Union or the European Economic Area. If no location is specified in the tender, the contracting authority will consider that the personal data will be processed and stored only within the territory of the European Union or the European Economic Area.]

- *Financial tender.*

A complete financial tender, including the breakdown of the price, needs to be submitted.

The financial tender 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.

⁷ [Regulation \(EU\) 2018/1725 of 23 October 2018](#) on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295/39, 21.11.2018

^{et}. 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 to the Commission 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 its 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) 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 QES ⁸all 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 a joint tender – the Declarations on Honour of all group members);

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 (together or alone), or a copy of the publication of such appointment if the legislation which applies to 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.

⁸ See [here](#) how to apply a QES on a document exchanged with a European institution, body or agency.

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, have access to procurement, 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 successful tenderer to whom the contract is awarded, the characteristics and relative advantages of the successful tender and its total financial tender amount. 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 tender, technical or trade secrets⁹.
- 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 disclosure¹⁰, 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.

⁹ 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](#).

¹⁰ 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

<i>Award criteria</i>	See Section 3.4
<i>Contracting authority</i>	See Section 1.1
<i>Entities on whose capacities the tenderer relies to fulfil the selection criteria</i>	See Section 2.4.3
<i>EU Validation services</i>	See Section 2.3 EU Grants and Tenders Rules on Legal Entity Validation, LEAR appointment and Financial Capacity assessment
<i>Exclusion criteria</i>	See Section 3.1
<i>Financial Regulation</i>	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
<i>Group leader</i>	See Section 2.4.1
<i>Group member</i>	See Section 2.4.1
<i>Identified subcontractors</i>	See Section 2.4.2
<i>Involved entities</i>	See Section 2.4
<i>Joint tender</i>	See Section 2.4.1
<i>Participating entities</i>	See Section 1.1
<i>Participant Register</i>	See Section 2.3 https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/how-to-participate/participant-register
<i>Selection criteria</i>	See Section 3.2
<i>Sole tenderer</i>	See Section 2.4
<i>Subcontracting/subcontractor</i>	See Section 2.4.2
<i>Treaties</i>	The EU Treaties: https://europa.eu/european-union/law/treaties_en

ANNEXES

(in separate documents)

Annex 1: Draft contract (for information only)

Annex 2: Declaration on honour on exclusion and selection criteria

Annex 3: List of identified subcontractors and proportion of subcontracting (if applicable)

Annex 3.1: Commitment letter by an identified subcontractor (if applicable)

Annex 3.2: Commitment letter by an entity on whose capacities is being relied (if applicable)