

ANNEX 1

Tender Specifications



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES
Atlantic, Outermost Regions and Arctic
Maritime policy

OPEN CALL FOR TENDERS
No MARE/2008/03

**Preparatory Actions for
European Marine
Observation and Data
Network**

**TENDERING
SPECIFICATIONS**

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ANNEXES:

- Annex 1: Draft standard service contract
- Annex 2: Tender forms
- Annex 3: Questionnaire and Checklist

1 INTRODUCTION

1.1 GENERAL INFORMATION CONCERNING THE CALL FOR TENDERS

The European Commission, represented for the purposes of this call for tenders by the Directorate-General for Maritime Affairs and Fisheries (DG MARE), wishes to conclude service contracts for creating pilot components of the European Marine Observation and Data Network.

The overall objectives of the present project are to assemble fragmented and inaccessible marine data into interoperable, contiguous and publicly available data streams for complete maritime basins. This will help to define the appropriate processes, best technology and approximate costs of a final operational European Marine Observation and Data Network as well as provide first components of a final system which will in themselves be useful to the marine science community and to commercial concerns who will use the data to provide value-added services.

The call for tenders comprises 4 lots:

1. hydrographic data
2. marine geological data
3. chemical data
4. biological data

Tenderers may submit a tender for one, several or all lots. When tendering for more than one lot, tenderers must submit a separate tender for each lot and tenders may not be conditional on the award of several lots.

The services required are described in detail in section 2 of these specifications.

1.2 GENERAL INFORMATION CONCERNING THE CONTRACT

The contractual terms are included in the draft contract in Annex 1.

Duration of the contract

36 months

Terms of payment	<p>The contract will have two components, development and maintenance, each with a separate budget</p> <p>For Development Component of Budget</p> <p>30% after signature of contract (conditional on a financial guarantee when > EUR 150.000)</p> <p>20% after acceptance of first interim report</p> <p>20% after acceptance of second interim report</p> <p>30% on acceptance of final report</p> <p>For Maintenance Component of Budget</p> <p>100% on completion of maintenance period</p>
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2 TECHNICAL SPECIFICATIONS

2.1 BACKGROUND

2.1.1 Nomenclature and Acronyms

For the purposes of this call for tenders, the following definitions and acronyms will be used:

background	means information which is held by and/or accessible to the tenderer prior to the conclusion of the contract, including copyrights or other intellectual property rights pertaining to such information, the application for which has been filed before the conclusion of the contract, and which is needed for carrying out the project or for using foreground
Background data	are data that the contractor brings into this project and which are needed for carrying out the project or for using foreground that are either their own property or that they have obtained a licence to use or are publicly accessible which are not their property, for which they do not have a licence but which are free for use.
contiguous data	contiguous derived data - aggregated, assimilated, interpolated or extrapolated values that provide a complete coverage over the whole area at certain dates. The data can be two, three or four dimensional (including time) depending on the nature of the data and the needs of the user.
data	numbers and information pertaining to observations made in time and space.
EMODNET expert group	European Marine Observation and Data Network A group of independent experts who will assist the Commission in monitoring the present projects

Foreground	means the results, including information, whether or not they can be protected, which are generated under the project. Such results include rights related to copyright; design rights; patent rights; plant variety rights; or similar forms of protection;
Foreground data	Foreground data are derived data that have been processed as part of the project by interpolation, extrapolation, assimilation or modelling
GIS	A geographic information system, also known as a geospatial information system, is any system for capturing, storing, analyzing and managing data and associated attributes which are spatially referenced to Earth
maritime basin	An area or sub-area as defined within the proposed Marine Strategy Framework Directive ¹ and reproduced in Table 1 of these tender specifications
OSPAR	The 1992 OSPAR Convention is the current instrument guiding international cooperation on the protection of the marine environment of the North-East Atlantic. It combined and up-dated the 1972 Oslo Convention on dumping waste at sea and the 1974 Paris Convention on land-based sources of marine pollution.
monitoring data	Data that is collected by an instrument at a particular place and time. It may be raw or processed to make it interoperable with other data
Portal	An internet site where the data will be accessed through queries and links. For the purposes of this contract each lot will construct a separate portal. Other portals, not constructed as part of this project, will extract data from these sites: for instance WISE-Marine, the broad-scale habitat map and the European Atlas of the Seas. These initiatives are summarised below. The portal is to be hosted by the contractor for the duration of this project although the Commission reserves the right to install it on its own premises.

2.1.2 European Marine Observation and Data Network

During the one-year consultation phase that followed the release of the EU Green Paper on a Future Maritime Policy for the European Union², stakeholders confirmed that the present poor access to data on the marine environment was a brake on the economy, a handicap to government decision-making and a barrier to scientific understanding. Time spent collating data

¹ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P6-TA-2007-0595>

² [Towards a future Maritime Policy for the Union: A European vision for the oceans and seas Brussels, 7.6.2006 COM\(2006\) 275 final](#)

from different sources represents a significant proportion of the costs of environmental impact assessments and the lack of access to data leads to duplication of costly research activity. Facilitating access to high quality marine data will resolve difficulties and stimulate an expansion of value-added public and commercial services, lay the foundations for sound governance and reduce uncertainties on human impact on the planet as well as of forecasts relating to the future state of the marine environment. These uncertainties, particularly in future climate change and health of the ecosystem close to the coast, represent an economic burden. Better and linked marine data will have an immediate impact on the planning of environmental policy and mitigation measures, and will also facilitate impact assessments and scientific work.

Accordingly in its Blue Book on an integrated maritime policy for the European Union³, the Commission proposed to

take steps in 2008 towards a European Marine Observation and Data Network (EMODNET)

and in the accompanying Action Plan⁴ to

prepare by 2009 an EU action plan to make progress in this area on the basis of a road map to be published in 2008. It will provide an overview of the main data and information service categories to be covered and some of their sources and uses, as well as examples of benefits and added value of better integration, and clarify how this initiative relates to other initiatives. In the second half of 2008 it will also propose a programme for the development of mutually compatible and multi-dimensional mapping of seas in Member States' waters.

To further these aims the Commission proposed the launching of a preparatory action starting in 2008. This financial instrument allows the Commission to prepare proposals with a view to the adoption of future actions. Parliament agreed and a decision was made to go ahead in December 2007.

The contracts for which this call for tender is launched will be part of the preparatory action. They will demonstrate the practical issues involved in making data more accessible and provide tools and methods that can be used to create a final operational network.

2.1.3 Relationship with other initiatives

2.1.3.1 European Atlas of the Seas

The European Atlas of the Seas, according to the EU Maritime policy, should be developed

³ An Integrated Maritime Policy for the European Union ("The Blue Book") Brussels, 10.10.2007 COM(2007) 575
final

⁴ Action Plan Brussels, 10.10.2007 SEC(2007) 1278

as an educational tool and a means to highlight our maritime heritage.

The Maritime Policy Action Plan indicates that it will use available spatial information and build on the work of a European Marine Observation and Data Network, with a view to its first publication in 2009.

The data collated and processed under the present contract will feed into the European Atlas of the Seas. In order to meet the deadline for the first edition of the Atlas, preliminary layers of information derived from data under EMODNET should be prepared by the contractor in September 2009 for inclusion in the Atlas.

2.1.3.2 European Marine Strategy Directive

In December 2007 the European Parliament and Council adopted a common text for the Marine Strategy Framework Directive¹ which aims to achieve environmentally healthy marine waters by 2020.

EMODNET will provide data on scales defined by the regions and sub-regions of the Marine Strategy Framework Directive (see Table 1). The parameters to be collated within this project (particularly lots 3 and 4) were chosen to fit in with the requirements of the Directive. One of the outcomes of this contract will be a better understanding of the ability of the present monitoring network to meet the needs of the Directive.

EMODNET, as an open data system, is then also considered as a significant observation and monitoring data conduit for the part of the Water Information System for Europe (WISE⁵) that will be developed for dealing with marine information (WISE-Marine⁶) and supporting the data and indicator needs for the initial assessments required by member States in 2012 by the Marine Strategy Framework Directive. WISE and WISE-Marine are thematic branches of the envisaged Shared Environmental Information System (SEIS⁷) based on INSPIRE principles⁸.

EMODNET data should be directly available for viewing through WISE-Marine. WISE-Marine is being developed along a timeline which is in parallel to this EMODNET preparatory action.

⁵ <http://www.water.europa.eu>

⁶ http://cirea.europa.eu/Public/irc/env/marine/librarv?l=/workingsgroups/europeansmarinestmonitori/consultation_wise-marine&vm=detailed&sb=Title

⁷ <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0046:FIN:EN:PDF>

⁸ <http://www.ec-gis.org/inspire/>

Table 1 Areas in Marine Strategy Directive

Region	Sub-region
Baltic	
Black Sea	
Mediterranean	the Western Mediterranean Sea; the Adriatic Sea; the Ionian Sea and the Central Mediterranean Sea; the Aegean-Levantine Sea
North East Atlantic Ocean	the Greater North Sea, including the Kattegat, and the English Channel; the Celtic Seas; the Bay of Biscay and the Iberian Coast; in the Atlantic Ocean, the Macronesian bio-geographic region, being the waters surrounding the Azores, Madeira and the Canary Islands;

2.1.3.3 Europe's Environment — The Fourth Assessment

According to the European Environment Agency's Fourth Assessment Report⁹ of October 2007

Lack of comparable data across all seas still presents a major obstacle for pan-European marine assessments, even of well-known problems such as eutrophication and overfishing. More and better data are needed to develop a pan-European marine protection framework that addresses environmental issues in a cost-effective way

This project will provide examples of comparable data across a number of seas that can later be extended towards all seas in a fully operational EMODNET.

2.1.3.4 European Environmental Monitoring in Black Sea

The Commission will be undertaking a Pilot Project in 2008 on environmental monitoring in the Black Sea. This will focus on oil pollution and include identification of risks (routes and ports most affected), response and impact on the marine environment. Lot 3 of the present project will support the risk assessment aspects of the Pilot Project by providing a contiguous map of past distribution of oil pollution in the Black Sea.

⁹ ISBN: 978-92-9167-932-4

2.1.3.5 Eurosion

The EUROSION project¹⁰ was commissioned by the General Directorate Environment of the European Commission and undertaken by a consortium led by the National Institute for Coastal and Marine Management of the Dutch Ministry of Transport, Public Works and Water Management. It ran between 2002 and 2004 and its objective was to provide guidelines and tools for sustainable coastal erosion management. The data collated by Eurosion includes both environmental and human factors that have an impact on coastal erosion. They are available to the contractors through the European Environment Agency.

2.1.3.6 Global Monitoring for Environment and Security

Physical oceanography data is excluded from this contract. Lessons learned from the Marine Core Services ongoing under the Global Monitoring for Environment and Security¹¹ initiative will however feed into the EMODNET Action Plan. Hydrographic data provided by EMODNET are likely to be used by the GMES Marine Core Services.

2.1.3.7 One-Geology Europe

The 4-year eContentplus programme (2005–08), is aimed at tackling organisational barriers and promoting take up of leading-edge technical solutions to improve accessibility and usability of digital material in a multilingual environment. A proposal for the project "OneGeology-Europe" has been favourably evaluated under this programme and a contract is currently being negotiated under this programme. This would deliver an interoperable geology spatial dataset of the composition and structure of the surface geology at 1:1 million scale for onshore EU.

The differences between the project concerned by this call for tenders and "OneGeology-Europe" are that this project deals with offshore geology and will produce a contiguous map

Should the "OneGeology-Europe" negotiations be successful and the project go ahead then it is recommended that the contractor for lot 2 of the contract concerned by this tender adopt standards and protocols used within that project. The Inspire-based standards of EMODNET (section 0) are also those used within OneGeology. Any minor differences between the two projects can be resolved at the first meeting of the lot 2 contractor with the Commission.

¹⁰ <http://www.eurosion.org/>

¹¹ [Global Monitoring for Environment and Security \(GMES\): From Concept to Reality Brussels, 10.11.2005 COM\(2005\) 565 final](#)

2.1.3.8 SeaDataNet

SeaDataNet¹² is an Integrated Infrastructure Initiative of the EU Sixth Framework Programme for Research. Through common standards for communication and new developments in information technology, the 40 in-situ and satellite marine data platforms of the partnership are providing metadata, data and products as a unique virtual data centre.

The contractor should use the standards developed within this project (see section 0) unless there is a strong justification for not doing so.

2.1.3.9 Marine Broad Scale Habitats Map

In the second half of 2008 the Commission will propose a programme for the development of mutually compatible and multi-dimensional mapping of seas in Member States' waters. Part of this programme includes a mapping of EU habitats using existing data. The purpose is partly as a tool for better marine spatial planning and partly in order to assess the need for further surveys. As a first step, a preparatory action, sister to the present one, will be launched in order to develop a habitat map of a number of EU maritime basins.

Some of the data collated and processed under the present contract will feed into the European Broad Scale Marine Habitats Map. In order to meet the schedule of this sister preparatory action, the contractors of this project should deliver preliminary data 9 months after the start of the project and be prepared to deliver further updated data later as the project progresses.

2.1.3.10 Fisheries Data Collection Regulation

Data on fish stocks and fisheries is excluded from this contract because under the new Data Collection Regulation adopted by Council in February 2008, the Commission will have the possibility to collate data on fish stocks (targeted and not targeted by fisheries) and on fisheries (landings, effort, discards, capacity) from Member States. Lessons learned from calls for data under the current and the new Data Collection Regulation will feed into the EMODNET Action Plan.

2.1.3.11 Human activity data

A proper management of sea-basins requires not only information on the state of the ecosystem but also the pressures on it. The Commission intends that data on anthropogenic activities – shipping, gravel extraction etc – should fall within the scope of the final EMODNET but they are not included within this call for tender.

¹²<http://www.seadatanet.org/>

2.2 OBJECTIVE

The overall objective of each lot is to assemble fragmented and inaccessible marine data into interoperable, contiguous and publicly available data streams for complete maritime basins. This will help to define the appropriate processes, best technology and approximate costs of a final operational European Marine Observation and Data Network as well as provide first components of a final system which will themselves be useful to the marine science community and to commercial concerns who will use the data to provide value-added services¹³.

The specific objectives of each lot are to:

1. collate existing data from public and private organisations relating to the state of maritime basins; processing them into interoperable formats which includes agreed standards, common baselines or reference conditions; assessing their accuracy and precision and assembling them into common datasets;
2. develop, test, operate and maintain a portal allowing public access and viewing of these data and a link to WISE-marine
3. monitor and report on the effectiveness of the system in meeting the needs of users in terms of ease of use, quality of information and fitness for purpose of the products delivered;
4. analyse what further steps need to be taken to improve the accuracy, precision, coverage and ease of use of the data, including a scheme for sustainable quality assurance and control of the data delivered to the system, both in this preparatory action and in the future larger system.
5. analyse the necessary requirements to maintain the components built up in each lot as a sustainable infrastructure
6. keep the portal operational afterwards and be prepared to transfer to the Commission.

2.3 TASKS

The main tasks involved in achieving the five specific objectives – collation, development, monitoring, analysis and sustainability - for each lot are described in this section

2.3.1 Collating Data

2.3.1.1 Monitoring data and contiguous data

The data to be collated and made available through each portal will include both:

¹³ For this reason it is important that the data components delivered into the system are INSPIRE compliant (see section 2.3.1.3).

1. monitoring data – point, slice or area measurements at a certain time and place – harmonised into interoperable formats with common baselines, standards and nomenclature;
2. contiguous derived data - aggregated, assimilated, interpolated or extrapolated values that provide a complete coverage over the whole area at certain dates. The data could be defined spatially as points, lines, polygons or grids. In general each set of values will be defined on different dates and will therefore constitute a time series.

Earth observation data from one observation would be classed as monitoring data unless it has been assembled into a mosaic.

Where feasible each parameter that is monitored should also be presented as contiguous data. This may not be feasible for parameters that are measured only in a small number of points within a maritime basin.

All data delivered to EMODNET should be INSPIRE compliant (see section 2.3.1.3). In addition, there are a number of EMODNET system specific requirements and they include:

1. the contiguous data should include classes for missing data. Where data are missing, indications should be given as to the reason for them being missing – 1) not been collected, 2) not made available by data owner who would be identified; 3) not possible to make interoperable
2. all data should be accompanied by estimates of precision. This will not normally be a constant but variable in time and space.

No new data should be collected specifically for this project. The aim is to provide access to data from existing monitoring programmes.

2.3.1.2 Data Access

Intellectual property rights in general are dealt with in Article I.10 and Article II.8 of the draft contract.

As regards background data needed for producing the foreground data, tenderers should declare that they are the rightful owners of the IPR to background data and/or, if those IPR are the property of third parties, provide legal agreements ensuring that the background data will be available and free of use to the project.

Foreground data will be free of charge to users.

The requirements above are part of the selection criteria – technical capacity (section 4.3.2).

For purposes of statistics, users may be asked to indicate the use to which they intend to put the data.

Users should acknowledge the European Commission and EMODNET when using the data. The background data owner should also be acknowledged if it constitutes a significant component of the foreground data.

For highly processed data used to produce scientific articles, citations of where the method is explained should be included.

2.3.1.3 Standards

Data must be INSPIRE compliant as specified by the Inspire Directive¹⁴. Additional information on INSPIRE is available at <http://www.ec-gis.org/inspire/>. All geographical data should be georeferenced. The georeferencing should include longitude and latitude. Standards that should be used include:

1. standards for geographical data OGC (Open GIS Consortium)
2. metadata standards according to the INSPIRE Implementing Rule for Metadata.
3. vocabulary in conformance with SEADATANET (see 2.1.3.8)

During the kick-off meeting the Commission, assisted by the Expert Group will organise a workshop to ensure that the data is interoperable across the four lots and with other ongoing initiatives (SEADATANET, OneGeology etc)

2.3.1.4 Areas to be Covered

The maritime basins to be covered are regions and subregions as defined by the Marine Strategy Framework Directive (see Table 1). This includes territorial waters and jurisdictional waters of EU Member States and non-EU-Member States as well as high seas. The boundaries of these maritime basins are (1) coastlines and (2) boundaries with adjacent maritime basins. In the North East Atlantic Ocean basin, the western boundary is the edge of the exclusive economic zone of EU Member States or the edge of the continental shelf; whichever is the further west. The contractor will be expected to use common sense and common usage to determine the border between adjacent maritime basins – for instance between the Ionian and Central Mediterranean and the Aegean-Levantine. There are as yet no precise defined boundaries. Any areas of doubt can be settled in the kick-off meeting.

Each lot will cover a set of maritime basins as described below. Where these are contiguous the contractor should provide complete datasets for the contiguous data. Where they are not contiguous, the standards used must be identical.

All contractors should collate data for the Greater North Sea, including the Kattegat, and the English Channel. This will allow an analysis on completion of this project and not part of this project on relationships between the

¹⁴ Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE)

different layers – hydrographical, geological, chemical and biological. This maritime basin was chosen.

1. because it is confined by a large number of states and thus a good test for interoperability
2. because these states are all EU Member States or part of the European Economic Area
3. because a number of these states are developing frameworks for maritime spatial planning
4. because it includes stretches of water (Fair Isle, Cromarty, Forth, Forties, Dover, Wight, Portland) identified in a recent study¹⁵ as being those European waters most affected by human activity

Lot 1 (hydrographic)	the project should also cover the Celtic Seas, the Western Mediterranean, the Ionian Sea and the Central Mediterranean;
Lot 2 (geological)	the project should also cover the Baltic and Celtic Seas
Lot 3 (chemical)	the project should also cover the Black Sea
Lot 4 (biological)	the project should also cover the Bay of Biscay and the Iberian Coast

2.3.1.5 Parameters to be delivered

Lot1 Hydrography

For the maritime basins in question the consortium should produce the following geographical information system layers:

1. water depth in gridded form over whole of maritime basin on a grid of at least quarter a minute of longitude and latitude.
2. water depth in vector form with isobaths at a scale of at least one to one million.
3. depth profiles along tracklines
4. multibeam surveys along tracklines
5. coastlines
6. underwater features – wrecks, seabed obstructions etc

It is accepted that the accuracy and precision of the gridded data will vary over the basin in question (see section 2.3.1.1)

¹⁵ Benjamin S. Halpern et al. A Global Map of Human Impact on Marine Ecosystems, Science 15 February 2008,

Lot 2 Geology

For the maritime basins in question the contractor should produce geographical information system layers covering the whole basin at a scale of at least one to one million with layers for:

1. sea-bed sediments including rate of accumulation or sedimentation
2. sea-floor geology (age, lithology, origin)
3. boundaries and faults
4. rate of coastal erosion or sedimentation
5. geological events and event probabilities (landslides, volcanic, earthquake epicentres)
6. seismic profiles
7. minerals (including aggregates, oil and gas).

The contractor should be aware of the existence of the One-Geology project (see section 2.1.3.7). Should the negotiations with that project be successful then contractors will be encouraged to develop products that are interoperable.

Lot 3 Chemical data

The chemical parameters should include the groups of chemicals required for monitoring the Marine Strategy Directive

1. synthetic compounds (e.g. priority substances under Directive 2000/60/EC that are relevant for the marine environment),
 - a. pesticides,
 - b. antifoulants,
 - c. pharmaceuticals,
2. heavy metals,
3. radionuclides;
4. fertilisers and other nitrogen- and phosphorus-rich substances
5. organic matter (e.g. from sewers or mariculture)
6. hydrocarbons including oil pollution

At least one chemical should be defined for each of these 8 groups to make a minimum of 12 chemicals in all. The same chemicals should be used for all maritime basins. They should be chosen on a basis of their threat to the environment. It may be that the chemicals themselves are not monitored but rather indicators for these chemicals. The data should include:

1. all measurement points including inputs (from rivers, coastal activities, atmospheric deposition and ships) and concentrations (in sediments, water columns and biota - especially biota meant for human consumption where there is a risk to human or environmental health). For biota, the matrix (for example, type of mussel, fish or tissue) should be indicated.

2. aggregations at an appropriate level that allows seasonal or annual trends to be observed.
3. contiguous data. Those derived from sightings of short-lived events (eg oil spills) should be normalised to take account of the observation frequency (eg average number of events per month per square nautical mile).
4. indications whether guidelines (eg by OSPAR see section 2.1.1) have been followed in making measurements.

Both the original observations and harmonised maps should be accessible.

Lot 4 Biology

For the biological parameters the aim is to gather available information and assess the annual, seasonal (where appropriate), and spatial distribution of species composition, abundance and biomass in the water column and on the sea-bed from each of the following groups of species hereafter called categories.

1. phytoplankton
2. zooplankton
3. angiosperms
4. macro-algae
5. invertebrate bottom fauna,
6. bird communities
7. sea mammals.
8. reptiles (turtles etc if appropriate for the maritime basin in question)

This list does not include commercial fish species for the reasons outlined in section 2.1.3.10.

The data should be accessible by species and/or aggregated by group of species (genus, family, order as appropriate). The choice of species or groups of species selected will reflect the completeness of the monitoring programme, the diversity within each of the eight categories and the usefulness for describing ecosystem function or state.

For each of the eight categories the contractor should select at least three species (unless fewer species are present in the basin concerned or fewer species are monitored) or groups of species. For instance for mammals the contractor could provide access to data on walruses, minke whales and harbour porpoises. The species chosen will almost certainly be different in the different sea basins covered in this lot but the metadata should be the same.

Instead of one of the species chosen the contractor is free to propose a diversity index. In this case the data used to construct the index, and the method used to calculate it, should be made available.

The list of species (or groups of species) chosen by the contractors will be discussed and possibly modified at the inception meeting or at the meeting after the first interim report.

The group of species considered for the first four categories could include, where possible, a total biomass or abundance for that category in the particular spatial area considered. Indirect measures for groups of species can be used as proxies. For instance Chlorophyll-a can give an estimate of phytoplankton biomass. Abundance of angiosperms or macroalgae might be measured in percentage area coverage.

Additional supporting information related to the specific samples needed to compare between datasets should be included where relevant and where this data is not available from other sources to a sufficient degree of accuracy. These might include environmental conditions – water depth, temperature or salinity or reference to sampling method used.

Some regional sea conventions provide manuals for monitoring of some parameters and it should be indicated whether manuals have been used and if so, which one has been used.

Contiguous data derived from sightings of short-lived events (e.g. sightings of marine mammals) should be normalised to take account of the observation frequency (e.g. average number of events per month per square nautical mile).

Both the original observations and the aggregated data should be accessible. The aggregation might be by species (or group of species or diversity index), space and time.

2.3.2 The Portals

One portal will be developed for each lot. The main purpose of each portal is to allow the download of data for further analysis by users and to make it available for combination with data from other portals including the other portals developed in this preparatory action.

Each portal will also allow the maritime community and potential users to understand how the data was collected as well as the overall aims of the EMODNET project. They should allow them to see the coverage of the data, its resolution and its precision. Thus the portals should allow:

1. On-line instructions.
2. Viewing a catalogue of the data available. The catalogue shall be structured in line with best practices relevant to the field of science covered by the data.
3. Querying of data. The description of the data shall as much as possible employ the INSPIRE metadata implementing rule while downloading should be based on the INSPIRE download service implementing rule or should it not be available, on the OGC Web Feature and Coverages Services Specifications.
4. On-line capability to view the position and magnitude of data as well as geographical information system layers delivered in accordance with the INSPIRE View Service Implementation Rule. This should include an on-line viewer allowing layer-selection, attribute queries, panning and zooming.

5. Downloading of GIS layers, monitoring and contiguous data.
6. Understanding of the precision of the data and how it has been processed.
7. Users to receive feedback on queries sent by e-mail.
8. Links to other relevant web-sites (on measurements, standards, similar projects etc).

The portal should aim to be operational 24 hours a day, 7 days a week and support up to 50 simultaneous users at any given time.

2.3.3 Monitoring effectiveness

The portal should run in operational mode for at least six months. During this time statistics will be collected (number of hits, amount and type of data used, purpose for which it is intended). Users will be questioned about their experiences and their assessment of ease-of-use and fitness for purpose of the data. A report on intensity of use as well as possible improvements relating to the ease of use of the portal shall be submitted as part of the final report. All communications of users by e-mail to the portal shall be logged and annexed to the report. Ease of use improvements should be implemented by the end of the contract.

2.3.4 Analysis

The contractor for each lot should prepare an analysis of the lessons learned during this project. This will include analysis of:

1. The main barriers to the provision of data by data holders – scientific (uncertainties in measuring or obtaining indicator for required parameters), institutional (willingness of bodies to share data), legal (rules limiting access to data), commercial (cost of data), information technology (formats, standards, information systems) and financial (effort required to prepare data). The contractor will suggest a plan outlining how to overcome those barriers.
2. The challenges to rendering data interoperable including different measurement techniques, different baselines, different standards, different nomenclature etc. The contractor should indicate what steps that might be taken by data holders or the portal operator to improve interoperability.
3. The challenges to producing contiguous data over a maritime basin from fragmented, inhomogeneous data and how to overcome these challenges.
4. The fitness for purpose of the data for measuring ecosystem health of the maritime basin and what might be done to overcome any shortcomings.
5. The priorities and effort required for improving the accuracy, precision and coverage of the data collated including a description of how an appropriate data quality assurance and control system can be established.
6. The performance of the chosen portal technology in terms of speed of response, user-friendliness.

The relative attention attributed to any of the items above will be proportional to the contractor's perception of its significance for a functioning EMODNET.

2.3.5 Sustainability of an EMODNET

Taking the outcome of the analysis of task 2.3.4 the Contractor should prepare a set of recommendations describing what would be necessary for the overall EMODNET (of which the lots described would become a part) to remain as a sustained infrastructure. This will cover at least recommendations on:

- availability of standard procedures facilitating data flow,
- maintenance,
- the model for governance by actors in the system,
- the institutional setting,
- required resources including cost.

2.3.6 Maintenance

At the end of the development phase of this project (i.e. after month 24) the portal will be maintained on-line by the tenderer up till 36 months of the project. The period from month 25 to month 36 is the maintenance phase of the project. The contract will cover maintenance the portal as it was at the end of the development phase (month 24) but not upgrading or enhancement.

During this period the Commission may wish to install the portal software on the premises of the Commission or one of its Agencies. This installation is not part of the project but the documentation of the portal should be sufficiently clear to allow this to be done.

2.4 OUTPUT

The project will proceed in four phases.

Phase 1	Development	Months 1-12	Build
Phase 2		Months 13-18	Test and monitor
Phase 3		Months 19-24	Upgrade
Phase 4	Maintenance	Months 25-36	Maintenance

Each lot of this project should deliver:

1. An internet portal that should provide
 - a. public access to all the GIS layers, monitoring and contiguous data
 - b. on-line instructions allowing users to download and understand the data
 - c. indications of the precision of the data. This will normally not be a constant value but variable in time and space
 - d. a project web-site providing information on the progress of the project

The first operational version of the portal should be ready at the end of phase 1.

2. Reports
 - a. bimonthly progress reports to be posted on the project web-site indicating meetings held, difficulties encountered, inventories of data made available. These should start at month 2 and continue through phases 1 to 3.
 - b. a first interim report after phase 2
 - c. a second interim report after phase 3
 - d. a draft final report to be presented 2 months before the end of phase 3
 - e. a final report at the end of phase 3 indicating
 - i. what was done in the project,
 - ii. challenges faced,
 - iii. analysis of performance and lessons learned as indicated in sections 2.3.3 and 2.3.4
 - iv. analysis of sustainability as indicated in section 2.3.5
 - f. a maintenance report at the end of phase 4
 - g. a 15-page executive summary that can be read by a non-specialist
3. Exchange of data and information with other initiatives. This includes:
 - a. providing map layers
 - i. for the prototype European Atlas of the Seas. (see section 2.1.3.1)
 - ii. that can support the broad-scale European Marine Habitats map (see section 2.1.3.9)
 - iii. (for lot3) the pilot project for Environmental Monitoring in Black Sea (section 2.1.3.4)
 - iv. for environmental reporting in Wise-Marine (see section 2.1.3.2)the different timescales of these projects mean that preliminary layers can be provided after 9 months that can be updated at a later stage.
 - b. lessons learned in this project can help the development of the Inspire implementation rules. (see section 0)

2.5 MONITORING

2.5.1 Meetings

The project partners for each lot should meet with the Commission and appropriately chosen project reviewers in Brussels.

1. A kick-off meeting at the beginning of the project. All lots should be present at the meeting in order that a common understanding of interoperability issues be arrived at.

2. A meeting at the end of the first phase to present the first interim report, review progress, present the operational portal and exchange experience between different lots of the project
3. A meeting after the end of the second phase to present the second interim report
4. A meeting two months before the end of the third phase to coincide with the release of the final prototype product and draft final report

2.5.2 Expert Group

The Marine Observation and Data Expert Group (MODEG)¹⁶ will assist in monitoring the execution of the preparatory action and in ensuring that the lessons learned feed into the EMODNET action plan.

2.6 VARIANTS

Variants are not authorized.

2.7 VOLUME

The maximum amount that can be considered for each lot is:

Lot 1	hydrographic data	€ 975000
Lot 2	marine geological data	€ 925000
Lot 3	chemical data	€ 700000
Lot 4	biological data	€ 850000

These budgets should cover all expenses including personnel, transport, overheads, consumables and meetings. Although the development and the maintenance components should be specified separately, these amounts are the maximum of the sum of the two.

3 TERMS AND CONDITIONS APPLICABLE TO THE CALL FOR TENDERS

3.1 TENDERS

Tenders must include all information and documentation required to enable the authorising department to appraise tenders in accordance with the criteria set out in section 4.

All documents presented by the tenderers will become the property of the European Commission and are to be deemed confidential.

Tenders must be:

1. **submitted in triplicate:** one clearly identified “Original”, and two copies marked “Copy 1” and “Copy 2”; “Copy 2” should be unbound;

¹⁶ http://ec.europa.eu/maritimeaffairs/eu-marine-observation-data-network_en.html

2. accompanied by:

- | | |
|---|---|
| a) a covering letter | signed by the tenderer or his duly authorised representative; |
| b) the tender forms in Annex 2, | filled in and signed by the tenderer; |
| c) the questionnaire and checklist in Annex 3 | filled in and signed by the tenderer. |

All tenders will be opened in public at the place, on the date and at the time specified in the covering letter of this call for tenders. Tenderers or their authorised representatives are allowed to attend the opening. These persons will have to sign an attendance list. For practical reasons, tenderers are requested to inform DG MARE by e-mail (mare-tenders@ec.europa.eu) of their wish to attend to opening no later than one week beforehand.

3.2 PRICES

The Commission enters into contracts and makes payments in Euro.

Prices must be free of all duties, taxes and dues (on the grounds that the Commission is exempt from such charges under the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities annexed to the Treaty of 8 April 1965 establishing a Single Council and a Single Commission of the European Communities).

Prices must be quoted in Euro, exclusive of VAT and all taxes and dues. The amounts must be quoted to two decimal places.

Costs incurred in preparing and submitting tenders are borne by the tenderers.

All costs linked directly or indirectly with the performance of the contract shall be incorporated into the financial tender. No additional reimbursement of costs linked to the performance of the contract such as travel and subsistence expenses will be provided.

Prices shall be fixed and not subject to revision.

In signing and submitting an offer, the tenderer shall certify that:

- a) the prices indicated in the tender have been laid down in full independence, without consultation or communication on any of the points concerning the price with another tenderer or competitor;
- b) unless the law stipulates otherwise, the prices indicated in the tender have not been and will not be voluntarily communicated by the tenderer to another tenderer or competitor, directly or indirectly, before the offers are opened;
- c) the tenderer has not attempted and will not attempt to induce other persons to present a tender or to prevent them from so doing with a view to restricting competition.

3.3 JOINT TENDERS

A joint tender is a situation where an offer is submitted by a group of service providers. Partners in a joint tender assume joint and several liability towards the Commission for the performance of the contract as a whole.

Statements such as::

- a) one of the partners of the joint tender will be responsible for part of the contract and another one for the rest, or
- b) more than one contract should be signed if the joint tender is successful

are thus incompatible with the principle of joint and several liability. The Commission will disregard any such statement contained in a joint tender, and reserves the right to reject such a tender without further evaluation, on the grounds that it does not comply with the tendering specifications.

A joint tender has to be signed by all members of the group, or by one of the members, which has been duly authorised by the other members.

A joint tender must specify the role of each of the members involved.

If awarded the contract, each member of the group assumes a joint and several liability towards the Commission. The contract will have to be signed by all members of the group, or by one of the members, which has been duly authorised by the other members.

3.4 SUBCONTRACTORS

Any intention to subcontract part of the contract must be clearly stated in the tender. Tenderers should indicate the share that they intend to subcontract, with the identity of the proposed subcontractors and their agreement in writing.

In any case, the main contractor retains sole responsibility for the contract.

Subcontracting is the situation where a contract is to be established between the Commission and a contractor and where the contractor, in order to carry out that contract, enters into legal commitments with other legal entities for performing part of the service. However, the Commission has no direct legal commitment with the subcontractor(s).

The contractor retains full liability towards the Commission for performance of the contract as a whole. Accordingly:

- a) the Commission will treat all contractual matters (e.g. payments) exclusively with the contractor, whether or not the tasks are performed by a subcontractor;
- b) under no circumstances can the contractor avoid liability towards the Commission on the grounds that the subcontractor is at fault.

Any intention to subcontract part of the contract must be clearly stated in the tender. Tenderers should provide:

- a. a document stating clearly the identity, roles, activities and responsibilities of subcontractor(s) and specifying the volume/proportion for each subcontractor;
- b. a letter of intent by each subcontractor stating its unambiguous undertaking to collaborate with the tenderer if he wins the contract and the extent of the resources that it will put at the tenderer's disposal for the performance of the contract.
- c. If the above-mentioned documents are not provided, the Commission shall assume that the tenderer does not intend subcontracting.

3.5 CONTACTS

The contact point indicated in the covering letter of this call for tenders is the only one allowed. Tenderers are requested to put any questions in writing and to send them to the fax number or e-mail address indicated. Queries by telephone will not be considered.

Questions concerning the administrative procedures will be treated individually. If the reply to a question is of general interest, it will be made available on Directorate-General Fisheries website at the following address:

http://ec.europa.eu/fisheries/tenders_proposals_en.htm

The site will be updated regularly and it is tenderers' responsibility to check for updates and modifications during the tendering period.

4 EVALUATION AND AWARD OF THE CONTRACT

The evaluation will be based on the information provided by the tenderer in the tender submitted in reply to this call for tenders.

In addition, the Commission reserves the right to use any other information from public or specialist sources. All the information will be assessed in the light of the criteria set out in these specifications.

The evaluation will proceed in stages, as described below. Only the tenders meeting the requirements of each stage will pass on to the next stage of the evaluation. The final stage involves the award of the contract.

The stages of the evaluation procedure will be as follows:

- 1) Identification of the tenderer.
- 2) Exclusion criteria: the purpose of these criteria is to determine whether the tenderer is authorised to participate in the procurement procedure.
- 3) Selection criteria: the purpose of these criteria is to determine whether the tenderer has the necessary financial, economic, technical and professional capacity to carry out the contract.

4) Award criteria

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

4.1 IDENTIFICATION OF THE TENDERER

Tenderers must complete the questionnaire in Annex 3.

In addition, tenderers must fill in the "Legal entity form" (if they are not already registered as service providers of the Commission) and the "Financial identification form" available at the following addresses:

Legal entity form http://ec.europa.eu/budget/execution/legal_entities_en.htm

Financial information form http://ec.europa.eu/budget/execution/ftiers_en.htm

These forms should be attached to the identification questionnaire in Annex 3. In the case of a joint tender, the questionnaire and forms must be completed by one of the members, who has been duly authorised by the other members.

4.2 EXCLUSION CRITERIA

In the case of a joint tender and/or subcontracting, information on exclusion criteria must be provided by each member of the group and/or subcontractor.

The exclusion criteria will be assessed in relation to each member of the group and subcontractor individually. If a member of the group or a subcontractor is subject to exclusion, the tenderer shall be excluded.

If the total amount of all subcontracting is less than 10% of the total value of the project then these criteria do not apply to subcontractors.

4.2.1 Exclusion from participation in the procurement procedure

Tenderers must provide a declaration on their honour, duly signed and dated, stating that they are not in any of the situations described hereafter.

Tenderers will be disqualified from taking part in the procurement procedure if they:

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

- b) have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
- c) have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
- d) have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the contracting authority or those of the country where the contract is to be performed;
- e) have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
- f) are currently subject to an administrative penalty imposed by the contracting authority as a consequence of having been declared guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in a procurement procedure or as a consequence of having been declared to be in serious breach of their obligations under contracts covered by the Communities' budget.

Tenderers are informed that the tenderer to whom the contract is to be awarded will be requested to furnish, within a time limit defined by the contracting authority and preceding the signature of the contract, evidence confirming their declaration with regard to the situations of exclusion described in points (a), (b), (d) and (e).

In the case of a joint tender and/or subcontracting, evidence will have to be furnished by each member of the group and/or subcontractor. Evidence for subcontractors does not need to be provided if the total amount of subcontracting is less than 10% of the total value of the contract.

The contracting authority shall accept, as satisfactory evidence that the tenderer to whom the contract is to be awarded is not in one of the situations described in point (a), (b) or (e), a recent extract from the judicial record or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of origin or provenance showing that those requirements are satisfied.

The contracting authority shall accept, as satisfactory evidence that the tenderer is not in the situation described in point (d), a recent certificate issued by the competent authority of the State concerned.

Where the document or certificate referred to above is not issued in the country concerned, it may be replaced by a sworn or, failing that, a solemn statement made by the interested party before a judicial or administrative authority, a notary or a qualified professional body in his country of origin or provenance.

The contracting authority may waive the obligation of the tenderer to whom the contract is to be awarded to submit the documentary evidence if such evidence has already been submitted to it for the purposes of another

procurement procedure and provided that the issuing date of the documents does not exceed one year and that they are still valid.

In such a case, the tenderer to whom the contract is to be awarded shall declare on his honour that the documentary evidence has already been provided in a previous procurement procedure and confirm that no changes in his situation have occurred.

4.2.2 Exclusion from award of the contract

Tenderers must provide a declaration on their honour, duly signed and dated, stating that they are not in any of the situations described hereafter.

A contract shall not be awarded to tenderers who, during the procurement procedure for this contract:

- a) are subject to a conflict of interest;
- b) are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participation in the procurement procedure or fail to supply this information;
- c) find themselves in one of the situations of exclusion from participation in the procurement procedure.

4.2.3 Declaration that there are no conflicts of interest

Tenderers should declare that they:

- a) do not have any conflict of interest in connection with the contract; a conflict of interest could arise in particular as a result of economic interests, political or national affinities, family or emotional ties, or any other relevant connection or shared interest;
- b) will inform the contracting authority, without delay, of any situation constituting a conflict of interest or which could give rise to a conflict of interest;
- c) have not made and will not make any offer of any type whatsoever from which an advantage can be derived under the contract;
- d) have not granted and will not grant, have not sought and will not seek, have not attempted and will not attempt to obtain, and have not accepted and will not accept, any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal practice or involving corruption, either directly or indirectly, as an incentive or reward relating to the award of the contract.
- e) will carry out the studies and/or provide services to the highest professional standards, in particular in terms of objectiveness and impartiality and exclusively in the best interests of the contracting authority with no consideration linked to any possibility of a future contract;
- f) guarantees that there is no conflict of interests with other commitments or contracts recently concluded or to be concluded by the service provider

either individually or through any consortium to which the service provider might belong or through any subsidiary or related company.

The Commission reserves the right to check the above information.

4.3 SELECTION CRITERIA

4.3.1 Economic and financial capacity

In the case of a joint tender and/or subcontracting, information on economic and financial capacity must be provided by each member of the group and/or subcontractor.

The selection criteria for economic and financial capacity set as minimum standards on financial and economic standing will be assessed in relation to each member of the group and subcontractor individually. If a member of the group or a subcontractor does not fulfil these selection criteria, the tenderer shall not be selected.

The assessment of subcontractors (and their requirement to provide verification documents) is not necessary in the case that the total value of subcontracting is less than 10% of the total value of the project

Tenderers must furnish the following supporting documents for verification of their economic and financial capacity.

- a) Copy of the balance sheets for the last two years for which accounts have been closed, showing the annual pre-tax profit. If, for a valid reason, tenderers are unable to provide them, they must enclose a statement as to annual pre-tax profits for the last two years.
- b) If the balance sheets or the statement show an average loss, then tenderers must furnish another document as proof of their financial and economic capacity, such as appropriate bank references or proof of professional risk insurance cover.

Tenderers may, where appropriate, rely on the capacities of other entities, regardless of the legal nature of the links which they have with them. They must in this case prove to the contracting authority that they will have at their disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at their disposal.

Under the same conditions, a group of service providers may rely on the capacities of the members of the group or of other entities.

4.3.2 Technical and professional capacity

In the case of a joint tender and/or subcontracting the selection criteria for technical and professional capacity will be assessed in relation to the combined capacities of all members of the group and/or subcontractors, as a

whole, to the extent that subcontractors put their resources at the disposal of the tenderer for the performance of the contract.

Tenderers must furnish the following supporting documents for verification of their technical and professional capacity.

To be provided	Minimum level
A statement of the average annual manpower – technical, managerial and total number of staff - in the last three years	The tenderer should have an average of at least 10 staff in total in the past three years
<p>The educational qualifications and professional skills of the staff providing the service.</p> <p>Up to half a page on each person should be provided (with in the case of a joint tender and/or subcontracting a maximum of four people in each member of the group / subcontractor; if different departments of the same entity are working on the project then up to four from each department can be listed.)</p>	The tenderer should include a mix of skills in the science of the particular lot concerned and in information technology - particularly databases, geographical information systems and website/portals.
A summary of services relevant to this project provided in the past three years with dates, recipients (public or private) and sums (where appropriate). These may be projects, individual data sets or continuous services.	The tender should have provided services involving the processing of the type of data identified in the particular lot concerned in the past three years.

To be provided	Minimum level
<p>A description of the sources of data that will be used within the project. This should be divided into data that is already publicly accessible, data that can be bought and data that needs the agreement of a public or private body. (When the background data are not free of charge, then their cost should be included in the financial tender) Solid agreements from data providers must be provided indicating that background data can be used within the framework of this project.</p> <p>In the case of data delivered in lot 3 and lot 4 it should be indicated whether the data are part of an on-going monitoring activity that can be expected to continue for the next 5-10 years or part of a research activity with a limited duration</p>	<p>The tenderer should be able to indicate the source of the data to be used in the project, and guarantees that it will be made available within the framework of the project.</p>
<p>A description of the measures to ensure the quality of services. This will include a description (1) of the standards used and (2) how the precision of the data will be estimated.</p>	<p>The tenderer should (1) use recognised standards or justify why this is not appropriate (2) be able to demonstrate that the means to assess precision of data are available</p>

Tenderers may, where appropriate, rely on the capacities of other entities, regardless of the legal nature of the links which they have with them. They must in this case prove to the contracting authority that they will have at their disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at their disposal.

Under the same conditions, a group of service providers may rely on the capacities of the members of the group or of other entities.

4.4 AWARD CRITERIA

For each lot, the contract will be awarded to the tenderer offering the best value for money having regard to quality and price. To determine which tender offers the best value for money, the following evaluation method will be used:

4.4.1 Technical evaluation

A maximum of 100 points will be awarded for the quality of the tender.

The criteria for the assessment of the quality are:

Objective	To be provided	maximum	threshold
Understanding of objectives	Two page maximum description of objectives of project, potential usefulness of final delivered product, and potential end-users	10	5
Added value	Description of how project adds value to existing services or products. This should list other sources of publicly accessible data as well as relevant ongoing and completed projects. The tenderer should describe how this project adds value either by providing more data, higher quality data, more interoperable data, more precise data or a more sustainable data infrastructure.	30	15

Objective	To be provided	maximum	threshold
Coverage of data	<p>Thematic, spatial and temporal coverage of data. For data that are available as time series, the starting and end points as well as average interval should be indicated.</p> <p>The reasons for any gaps in coverage over the seas specified should be explained. Different levels of precision, accuracy, resolution or timespan are inevitable and acceptable.</p> <p>Coverage over a wide area will be favoured, even if this is at a lower resolution than that which gives detailed coverage over a small area. In section 0 a minimum lists of parameters are identified. Covering more parameters will increase the score.</p>	40	20
Quality of proposed Methodology + Time/work schedule Maintenance	<p>Breakdown of tasks into work packages with inputs, objectives, risks, technological choices and expected outcome. The effort involved for each work package should be indicated and the role of each individual (or each partner if the tender is from a consortium) indicated. A Gantt Chart should show the progress of work packages</p>	20	10

Only the tenders having reached the minimum number of points required for each of the criteria for the assessment of the quality and a minimum score of 62 out of 100 will be considered for the financial evaluation.

4.4.2 Financial evaluation

The financial value of the tenders that pass the quality examination will be determined by calculating the price index as follows:

(Lowest price tender / Price of the tender in question) X 100.

4.4.3 Award of the contract

The contract shall be awarded to the tender offering the best quality/price ratio, with a weighting between technical quality and financial value.

This will be achieved by multiplying:

- the result of the technical evaluation (number of points) by 0.7.
- the result of the financial evaluation (price index) by 0.3.

The two results will be added together and the contract will be awarded to the tender obtaining the highest score at the end of this process.