



**EUROPEAN COMMISSION**

DIRECTORATE-GENERAL FOR EDUCATION AND CULTURE

Culture and Creativity

**Cultural Diversity and Innovation**

## **CALL FOR TENDERS**

**Open procedure N° EAC/03/2015**

**Pilot project on**

**"CROWDFUNDING FOR THE CULTURAL AND CREATIVE  
SECTORS: KICK-STARTING THE CULTURAL ECONOMY"**

# **TENDER SPECIFICATIONS**

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# **1. INFORMATION ON TENDERING**

## **1.1. Participation**

Participation in this tender procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the Multilateral Agreement on Government Procurement<sup>1</sup> concluded within the WTO applies, the participation to the call for tender is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down.

## **1.2. Contractual conditions**

The tenderer should bear in mind the provisions of the draft contract which specifies the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, and checks and audits.

## **1.3. Joint tenders**

A joint tender is a situation where a tender is submitted by a group of economic operators (consortium). Joint tenders may include subcontractors in addition to the joint tenderers.

In case of joint tender, all economic operators in a joint tender assume joint and several liability towards the Contracting Authority for the performance of the contract as a whole. Nevertheless, tenderers must designate a single point of contact for the Contracting Authority.

After the award, the Contracting Authority will sign the contract either with all members of the group, or with the member duly authorised by the other members via a power of attorney.

## **1.4. Subcontracting**

Subcontracting is permitted in the tender but the contractor will retain full liability towards the Contracting Authority for performance of the contract as a whole.

Tenderers are required to identify all subcontractors whose share of the contract is above 10%.

The Tenderer must indicate clearly in their offer, which tasks will be sub-contracted, and the identity of all sub-contractors. The following documents shall therefore be provided:

- A document, signed by the Tenderer:

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<sup>1</sup> See [http://www.wto.org/english/tratop\\_E/gproc\\_e/gp\\_gpa\\_e.htm](http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm)

- stating clearly the identity, roles, activities and responsibilities of the sub-contractor(s) and;
- specifying the volume/proportion for each sub-contractor.
  - Point 6 of Annex 1 must be completed for each sub-contractor proposed to undertake more than 10% of the tasks (by value).
  - A letter of intent by each sub-contractor undertaking more than 10% of the tasks (by value), stating their undertaking to collaborate with the Tenderer if they are awarded the contract and the extent of the resources that they will put at the Tenderer's disposal for the performance of the contract.

When requested by the Contracting Authority, the Tenderer shall submit a declaration on honour with respect to the Exclusion Criteria and absence of conflict of interest from the intended subcontractor according to Articles 93 and 94 of the Financial Regulation (Council Regulation 1605/2002 of 25/06/2002, as amended). In case of doubt on this declaration on honour, the Contracting Authority shall request the evidence (see point 4 Exclusion Criteria).

If your offer includes sub-contracting, it is recommended that contractual arrangements with sub-contractors include mediation as a method of dispute resolution.

During contract execution, the change of any subcontractor identified in the tender will be subject to prior written approval of the Contracting Authority.

### **1.5. Content of the tender**

The tenders must be presented as follows:

Part A: Identification of the tenderer (see below)

Part B: Evidence for exclusion criteria (see section 4.2)

Part C: Evidence for selection criteria (see section 4.3)

PART D: Evaluation of the tenderers on basis of award criteria (see section 4.4)

Part E: Technical offer (see section 4.5)

Part F: Financial offer (see section 4.6)

### **1.6. Identification of the tenderer: legal capacity and status**

The tender must include Annex 1 presenting the name of the tenderer (including all entities in case of joint offer) and identified subcontractors if applicable, and the name of the single contact person in relation to this tender.

If applicable, **Annex 1** must indicate the proportion of the contract to be subcontracted.

In case of joint tender, Annex 1 must be signed by a duly authorised representative for each tenderer, or by a single tenderer duly authorised by other tenderers (with power of attorney).

Subcontractors must provide a letter of intent stating their willingness to provide the service foreseen in the offer and in line with the present tender specification.

In order to prove their legal capacity and their status, all tenderers must provide a signed Legal Entity Form with its supporting evidence. The form is available on:

[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/legal\\_entities/legal\\_entities\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm)

Tenderers that are already registered in the Contracting Authority's accounting system (i.e. they have already been direct contractors) must provide the form but are not obliged to provide the supporting evidence where 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.

The tenderer (or the single point of contact in case of joint tender) must provide a Financial Identification Form and supporting documents. Only one form per offer should be submitted (no form is needed for subcontractors and other joint tenderers). The form is available on: [http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/index\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm)

Tenderers must provide the following information if it has not been included with the Legal Entity Form:

- For legal persons, a legible copy of the notice of appointment of the persons authorised to represent the tenderer in dealings with third parties and in legal proceedings, or a copy of the publication of such appointment if the legislation which applies to the legal entity concerned requires such publication. Any delegation of this authorisation to another representative not indicated in the official appointment must be evidenced.
- For natural persons, where applicable, a proof of registration on a professional or trade register or any other official document showing the registration number.

## **2. TECHNICAL SPECIFICATIONS**

### **2.1. Background information**

The European Parliament has approved a budget line (15 04 77 08) in the 2015 budget for a pilot project on 'Kick-starting the cultural economy (crowdfunding)', which aims at, *"the identification and analysis of best practices in Europe's crowd funding market in relation to cultural organisations"*.

Crowdfunding is a practice of funding a project or venture by raising monetary contributions from a large number of people, typically via the internet. The crowdfunding model is fuelled by three types of actors: the project initiator who proposes the idea and/or project to be funded; individuals or groups who support the idea; and a moderating organization (the "platform") that brings the parties together to launch the idea. In 2012, crowdfunding in Europe saw an estimated 65% growth compared to 2011 and reached € 735 million. In 2013, the crowdfunding industry grew to be over \$5.1 billion worldwide.

Faced with severe cuts in public funding and barriers to accessing private finance, the cultural and creative sectors are increasingly turning towards crowd-funding, which has a potential of becoming a trusted vehicle of transferring money between potential customers and the cultural sector.

The part of Europe's crowdfunding sector which particularly supports cultural and creative content is fragmented along linguistic lines and follows several models. Some platforms, for example, link public funding with private donations. There is a need to better understand the different models currently operating in the sector and to disseminate those practices which are best suited to supporting the cultural and creative sectors.

Crowdfunding has many promising benefits that fit with the objectives of the European Commission, including the Entrepreneurship 2020 Action Plan, the Green paper on long term financing of the European economy, and the Green Paper on the Capital Markets Union. In a wider context, the President of the Commission Jean-Claude Juncker has set out a strategic vision for the cultural and creative sectors by means of promoting culture as a catalyst for innovation. Access to finance, including alternative forms of financing; is one of the key aspects in this context.

In order to explore the area and attempt a first mapping of crowdfunding mechanisms, the Commission held a public consultation on crowdfunding in the EU<sup>2</sup> in 2013. The aim of this public consultation was to explore how EU action, including a range of soft-law measures, could promote crowdfunding in Europe. On this basis, the Commission published a communication on "unleashing the potential of Crowdfunding in the European Union" (27.3.2014).<sup>3</sup> Both the Consultation and the communication of the Commission underlined the potential of crowdfunding as a promising new form of fundraising, either complementary to traditional sources of finance or as the only way to finance innovative, cultural or creative projects. In this context, the Commission has also established an Expert Group on crowdfunding, the European Crowdfunding Stakeholder Forum (ESCF)<sup>4</sup> with the task to assist the Commission in developing policies for crowdfunding, raising awareness, providing information and designing training modules for project owners. In 2015 the Commission also published a guide for SMEs on crowdfunding<sup>5</sup>.

None of the aforementioned actions, though, focused specifically on crowdfunding which benefits the cultural and creative sectors (CCS). Crowdfunding is generally perceived as an effective alternative way to support and finance SMEs in the field of the CCS; and it is associated with a range of expectations, such as promoting innovation, growth and job creation, and fostering entrepreneurship.

The new Council Work Plan for Culture 2015-2018, which was adopted in November 2014, has among its priorities support to the cultural and creative sectors, addressing in particular the creative economy and innovation. An Open Method of Coordination expert group on Access to finance for the cultural and creative sectors has set the discussion on cultural crowdfunding high on the agenda of its upcoming meetings. It is scheduled to deliver a good practice report

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<sup>2</sup> "Summary: Responses to the public consultation on crowdfunding in the EU", March 2014. European Commission, Directorate General Internal Market and Services.

[http://ec.europa.eu/internal\\_market/consultations/2013/crowdfunding/docs/summary-of-responses\\_en.pdf](http://ec.europa.eu/internal_market/consultations/2013/crowdfunding/docs/summary-of-responses_en.pdf)

<sup>3</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Unleashing the potential of Crowdfunding in the European Union. Brussels, 27.3.2014.

[http://ec.europa.eu/internal\\_market/finances/docs/crowdfunding/140327-communication\\_en.pdf](http://ec.europa.eu/internal_market/finances/docs/crowdfunding/140327-communication_en.pdf)

<sup>4</sup> [http://ec.europa.eu/finance/general-policy/crowdfunding/index\\_en.htm](http://ec.europa.eu/finance/general-policy/crowdfunding/index_en.htm)

<sup>5</sup> [http://ec.europa.eu/growth/tools-databases/crowdfunding-guide/index\\_en.htm](http://ec.europa.eu/growth/tools-databases/crowdfunding-guide/index_en.htm)

and recommendations on how to improve access to finance for the CCS, including alternative forms of financing, by the end of 2015.

Against this background, the pilot project should take into account the results of the initiatives, studies and projects implemented so far. It should also take into account of and develop complementarities with parallel studies and initiatives currently undertaken or planned by other services within the Commission (DG FISMA, DG RTD, DG GROW and DG CNECT), and in particular:

- the study on "Crowdfunding: Mapping EU markets and events study" carried out by DG FISMA with the purpose to gather comprehensive data on the volume of the crowdfunding market in the EU, to be completed by the autumn of 2015.
- the planned study on " Assessing the potential for crowdfunding and other forms of alternative finance to support research and innovation" (DG RTD) which is expected to deliver a more comprehensive picture of the potential for crowdfunding investors to improve access to risk finance in the EU for, in particular, SMEs and small mid-caps, together with recommendations for action at EU, national and regional levels.
- The study on "Crowdfunding innovative ventures in Europe - The financial ecosystem and regulatory landscape" (DG CNECT, SMART 2013/0074) published in February 2015.
- the planned study on "Boosting the competitiveness of cultural and creative industries for growth and jobs" by DG GROW, which will tackle crowdfunding as one of the strategies put in place at national and regional levels to enhance the competitiveness of CCIs.

## **2.2. General and Specific Objectives**

The aim of the Pilot Project is to identify, analyse and publicise the best practice in Europe's crowdfunding market in relation to the cultural and creative sectors (CCS), including inter alia architecture, archives, libraries and museums, artistic crafts, audiovisual (including film, television, video games and multimedia), tangible and intangible cultural heritage, design, festivals, music, literature, performing arts, publishing, radio and visual arts<sup>6</sup>.

The project is expected to provide an overview of the different crowdfunding models currently operating in Europe which can be used to finance projects in the field of the cultural and creative sectors.

The purpose of the study on crowdfunding for the CCS - which is the main element of the pilot project - is to collect and analyse data in order to support the European Commission in the implementation of its political objectives regarding access to alternative sources of finance for SMEs and to provide case studies of good practice.

The Contractor is expected to reflect on some essential questions related to crowdfunding benefiting the CCS, including:

- How do you define crowdfunding for the CCS and what are its specificities?

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<sup>6</sup> For the definition of the CCS, see Art 2 of the Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020)

- What is the market situation for funding cultural and creative activities using crowdfunding (including the volume of investment, number of platforms and number of projects) in various EU Member States?
- Could crowdfunding, offer a sustainable model of funding for cultural and creative activities and if so, what are the necessary pre-conditions for that? Could a crowdfunding experience be the starting point for the creation of a commercial enterprise for a project owner?
- How can crowdfunding contribute not only to the production of cultural projects, but also to the promotion of culture, develop new audiences, and strengthen local communities, by opening up new opportunities,
- How can crowdfunding contribute to public spheres and ensure fair distribution of benefits?
- How can crowdfunding contribute not only to the production of cultural projects, but also promote the culture that emerges from the relationship between creators, funders, public and online/offline communities?
- What is the relationship between crowdfunding and public financial support to culture and creativity, and how could it develop in the future? Are there examples of successful matching of crowdfunding and public funds to finance cultural and creative projects?
- Are there any specific trends to be observed at the national level such as concentration of platforms; increasing/ decreasing volume of financing for CCS projects; or creation of other innovation forms of funding?
- What are the terms of use of different crowdfunding platforms, including the services offered (such as coaching; promotion, legal advice) and the operational costs (the commission charged for the use of the platform) and what makes a platform particularly attractive for the authors of cultural and creative projects?

### 2.3. Deliverables

The action will consist of four main deliverables, for details see 2.5:

(1) A **main study composed of three parts**, identifying and analysing the models of crowdfunding benefiting the cultural and creative sectors and best practice in Europe's crowdfunding market in relation to cultural organisations and SMEs active in all the sectors covered by Creative Europe<sup>7</sup>. Building on the evidence-base produced by previous studies, the study will explore the difference between crowdfunding for the CCS and in other sectors and include detailed case studies covering a wide range of sectorial and geographical experiences with regard to crowdfunding.

It will also look in detail at the public/private partnerships set up for the purpose of crowdfunding, their modus operandi and effectiveness in terms of delivering support to the cultural and creative sectors, as well as how crowdfunding schemes can be supported by business angels or other forms of funding or sponsorship.

The study should develop recommendations towards a plan of action at both European and national levels with regard to the crowdfunding market for the CCS.

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<sup>7</sup> Regulation (EU) No 1295/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020)



(2) A **feasibility study** of the potential to connect existing crowdfunding platforms focusing on cultural and creative projects into a joint umbrella platform benefiting the CCS in Europe.

(3) A **website/interactive communication tool** benefiting the cultural organisations and creative SMEs gathering all useful links and information on crowdfunding platforms and schemes operating in the EU and benefiting the CCS.

(4) A **conference** involving approximately 200 representatives from the cultural and creative sectors in the different Member States, representing investors, crowdfunding platforms and EU policy makers involved in crowdfunding at national and regional levels. At this event the draft results of the main study and of the feasibility study, including the recommendations, will be presented and discussed to feed into the final report and action plan.

## 2.4. Scope of the work

To implement the action, the European Commission will select one contractor in charge of the specific tasks described under 2.5.

The geographical area to be covered includes the 28 Member States of the European Union.

The target group of this action includes a broad range of stakeholders in the cultural and creative sectors, crowdfunding platform experts, policy makers at national, regional and local levels, relevant NGOs, EU institutions etc.

## 2.5. Specific tasks

In order to achieve the objectives, the Contractor should perform the following tasks.

In relation to **Deliverable 1 (main study)**:

- **PART I: Mapping of crowdfunding benefiting the CCS.** Carry out a mapping exercise on cultural crowdfunding in Europe, including presentation of data on: number and types of cultural projects funded, average project/campaign size, average contribution size (organised by type of crowdfunding, including donation, reward based, lending and equity), average success rate for CCS projects in comparison to other projects seeking crowdfunding, types and number of platforms where cultural projects are launched, and geographical coverage and cross-border campaigns. The mapping exercise should also include an analysis of the project owners and the investor/donor profile (e.g. gender, age, nationality), and the default rates for company/entrepreneurs financed via crowdfunding, analysed by sector. Mapping could be implemented by means of desk research and survey of European crowdfunding platforms as well as associations of financial institutions, in order to collect information about crowdfunding activities in the different sub-sectors of the CCS.

- **PART II: Market analysis of crowdfunding benefiting the CCS.** Provide information not only on the crowdfunded cultural projects (the volume, size and type, amount of money invested etc.), but also on the investors/donors regarding their motivation (or reluctance) to pledge, and the creators themselves. An in depth quantitative and qualitative analysis of the collected data it is expected to showcase the mechanisms of crowdfunding for cultural and creative activities and examine whether it differs from crowdfunding in other sectors.

- Provide examples/case studies with good practice and examples of failures with regard to crowdfunding benefiting the CCS. Develop an analysis of success and failure factors.

- Explore the public/private partnerships set up for the purpose of crowdfunding, their modus operandi and effectiveness in terms of supporting the cultural and creative sectors, including a proportional analysis of their share in the overall crowdfunded cultural projects. The support of crowdfunding schemes by business angels or other forms of funding or sponsorships is a further aspect to be explored.

- Analyse any specific trends to be observed at the national and European level (concentration of platforms; increasing/ decreasing volume of financing for CCS projects; creation of other innovation forms of funding) which may impact on crowdfunding activities in the future.

- **PART III: Recommendations to the Commission and to the Member States.** Develop recommendations towards a plan of action at European level, covering such issues as the regulatory framework (including intellectual property rights and taxation), political considerations, governance aspects, transparency issues, conduct of business rules and links to EU funding programmes. Recommendations should take into consideration the need for awareness raising, protection of users/investors and creators, facilitation of cross-border activities through transparency as well as the requirements of a unified regulatory framework in order to enhance the benefits of crowdfunding.

In relation to **Deliverable 2 (feasibility study)**:

- Deliver a feasibility study on the potential for connecting existing crowdfunding platforms focusing on the cultural and creative projects. The feasibility study should look at different options such as establishing a joint umbrella platform, meta-platforms with or without a centralised module, as well as other options. For each of the options it should examine the pros and cons of the different technological possibilities and legal requirements, as well as issues related to operability, liability, as well as financial and other implications.

In relation to **Deliverable 3 (website)**:

- Create and launch a website / interactive communication tool benefiting the cultural and creative organisations, the creators and SMEs. The website should gather and provide useful links to cultural crowdfunding schemes operating in the EU, successful crowdfunded cultural projects, studies, articles and surveys on crowdfunding benefiting the CCS. It should also contain technical and legal information on creating/using a crowdfunding platform, including information about services provided by the platform (such as coaching, promotion etc.) and terms of use (including the commission charged for using the platform). It should also address transparency and transaction risks. The website will not be hosted on the "Europa" site.

- Ensure that the website develops complementarities with existing Commission awareness-raising activities on crowdfunding, including the EU guide on crowdfunding, published by the Commission in 2015.<sup>8</sup>

- Guarantee that the necessary rights and authorisations are obtained for the use of the content available on the website.

- Ensure the sustainability of the website by providing all reasonable assistance and information in order to ensure that the website and its content are smoothly transferred back to the Commission or to a future contractor, at the choice of the Commission, at its request and at no additional costs.

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<sup>8</sup> [http://ec.europa.eu/growth/tools-databases/crowdfunding-guide/index\\_en.htm](http://ec.europa.eu/growth/tools-databases/crowdfunding-guide/index_en.htm)

- Provide the Commission, at its request and before the expiry of the contract, with documentation containing all necessary information for a smooth transfer of the website.

In relation to **Deliverable 4 (conference)**:

- Organise a conference to present and discuss the results of the main study (deliverable 1) and the proposed action plan. The conference will take place in Brussels and gather approximately 200 representatives of the cultural and creative sectors, investors, crowdfunding platforms and EU policy makers at national and regional levels involved in crowdfunding
- The travel costs of the participants as well as all the costs of the conference will be covered by the contract. The Commission will discuss the agenda and technicalities of the conference with the Contractor, as well as the list of attendants. The Contractor will be expected to get the Commission's approval before making final arrangements.

## 2.6. Commencement date and Period of execution

Actual commencement will take place after entry into force of the Contract. The period of execution of the tasks will be 22 months.

## 2.7. Organisation and timetable

An **inception meeting** will be organised by the Commission's services at the Commission's premises in Brussels within 3 weeks of the signature of the contract. This meeting will discuss the priorities of the project and agree refinements to the work plan and orientation of the work.

An **interim meeting** during which the contractor will present the interim findings will be held approximately 3 weeks after the draft interim report has been delivered to the Commission (please refer to the time schedule, point 2.8). The meeting will discuss the first deliverables of the project, including the mapping of the cultural crowdfunding, the draft feasibility study and the website scheme. It will be organised by the Commission's Services at the Commission's premises in Brussels. The meeting may be coupled with a brainstorming session with other Commission services and contractors implementing crowdfunding-related projects, notably DG's FISMA, RTD, CNECT and GROW (see also point 2.1).

A **final meeting** will be held approximately 3 weeks after the final draft of the main study has been delivered to the Commission; taking into account the results of the conference (please refer to the time schedule 2.8). The contractor is expected to provide a senior member of staff having worked on the contract to deliver a presentation on the main findings. The above meetings will be organised by the Commission's Services at the Commission's premises in Brussels. Different Commission services will be invited to participate in the meeting.

At the end of the contract, the Contractor has to submit a **final technical report** to the Commission.

## 2.8. Time Schedule

T0	Contract start
T0+ 3 weeks	<i>Inception meeting</i>

T0+ 6 months	Submission of the first part of the main study (deliverable 1, part I): mapping of crowdfunding benefiting the CCS. See specific tasks point 2.5.
T0+ 8 months	Submission of the website scheme (deliverable 3). See specific tasks point 2.5.
T0+ 9 months	Submission of the draft feasibility study (deliverable 2). See specific tasks point 2.5.
<i>T0+ 10 months</i>	<i>Submission of draft interim report on the progress in the implementation of the project</i>
<i>T0+ 10,5 months</i>	<i>Interim meeting</i>  <i>First interim payment after the first interim report has been accepted (40%)</i>
T0+ 12 months	Launch of the website (deliverable 3)
T0+ 14 months	Submission of the second part of the main study (deliverable 1, part II):market analysis. See specific tasks point 2.5.
T0+ 17 months	Submission of the third part of the main study (deliverable 1, part III): recommendations. See specific tasks point 2.5., together with parts I and II.  <i>Second interim payment (30%) after the draft main study, comprising Parts I; II and III has been accepted</i>
T0+ 19 months	Conference with representatives of the cultural and creative sectors and EU policy makers (deliverable 4); presentation of the results of the draft main study (deliverable 1) and of the feasibility study (deliverable 2)
T0+ 20 months	Submission of the final version of the main study (deliverable 1), revised after the conference and taking into account its outcomes
T0+ 20,5 months	Final meeting with the Commission
<i>T0+ 22 months</i>	<i>Submission of the final technical report, addressing a description of the outcomes and deliverables; assessment of achievements, description of communication activities, suggestions for ensuring the sustainability of the project; and including accompanying documents.</i>  <i>Final payment (30%) after the final technical report has been accepted</i>

### **3. CONTENT, STRUCTURE AND GRAPHIC REQUIREMENTS OF THE FINAL DELIVERABLES**

All studies produced for the European Commission and Executive Agencies shall conform to the corporate visual identity of the European Commission by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo<sup>9</sup>.

The Commission is committed to making online information as accessible as possible to the largest possible number of users including those with visual, auditory, cognitive or physical disabilities, and those not having the latest technologies. The Commission supports the [Web Content Accessibility Guidelines 2.0](#) of the W3C.

For full details on Commission policy on accessibility for information providers, see: [http://ec.europa.eu/ipg/standards/accessibility/index\\_en.htm](http://ec.europa.eu/ipg/standards/accessibility/index_en.htm)

Pdf versions of studies destined for online publication should respect W3C guidelines for accessible pdf documents. See: <http://www.w3.org/WAI/>

#### **3.1. Content**

##### **3.1.1. Final study report**

The final study report shall include:

an abstract of no more than 200 words and an executive summary of maximum 6 pages, both in English and French;

the following standard disclaimer:

“The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”

specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

##### **3.1.2. Publishable executive summary**

The publishable executive summary shall be provided in both in English and French and shall include:

the following standard disclaimer:

“The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the

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<sup>9</sup> The Visual Identity Manual of the European Commission is available upon request. Requests should be made to the following e-mail address: [comm-visual-identity@ec.europa.eu](mailto:comm-visual-identity@ec.europa.eu)

Commission nor any person acting on the Commission's behalf may be held responsible for the use which may be made of the information contained therein.”

specific identifiers which shall be incorporated on the cover page provided by the Contracting Authority.

### **3.1.3. Glossary of key terms and a bibliography**

The final study report shall also include a glossary of key terms and a bibliography.

## **3.2. Structure**

The main study (deliverable 1) shall comprise three main parts, which should be delivered progressively to the Commission in accordance with the timetable set in chapter 2.8.

(I) Mapping of crowdfunding benefiting the CCS

(II) Market analysis of crowdfunding benefiting the CCS

(III) Recommendations to the Commission and to the Member States

In addition the study should include an abstract (see 3.1.1.), an executive summary (see 3.1.2), a glossary of key terms and a bibliography (see 3.1.3)

## **3.3. Graphic requirements**

Graphic design of both, the cover page and the internal pages of the study, shall apply rules set out in Visual Identity Manual. The professional font (EC Square Sans Pro) will be made available to the contractor free of charge upon acceptance of the terms and conditions of its use. Please contact [comm-visual-identity@ec.europa.eu](mailto:comm-visual-identity@ec.europa.eu) for further details.

## **4. EVALUATION AND AWARD**

### **4.1. Evaluation steps**

The evaluation is based on the information provided in the submitted tender. It takes place in three steps:

(1) Verification of non-exclusion of tenderers on the basis of the exclusion criteria

(2) Selection of tenderers on the basis of selection criteria

(3) Evaluation of tenders on the basis of the award criteria

Only tenders meeting the requirements of one step will pass on to the next step.

### **4.2. Exclusion criteria**

All tenderers shall provide a declaration on their honour (see Annex 2), duly signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in the Annex 2.

The declaration on honour is also required for identified subcontractors whose intended share of the contract is above 10%.

The successful tenderer shall provide the documents mentioned as supporting evidence in Annex 2 before signature of the contract and within the standstill period.

The standstill period is a period of 10 days during which the contract cannot be signed by the contracting authority. This period counts from the day after simultaneous dispatch of the notification by fax or electronic means to all tenderers (successful and unsuccessful).

If, due to technical reasons, the dispatch is made on paper, the standstill period is 14 days (Article 171 RAP). In the case of a negotiated procedure without prior publication of a contract notice, the standstill period of 14 days is applicable and starts the day after the contract award notice is published in the OJ S.

If the requested evidence is not submitted in due time, the Contracting Authority can award the Contract to the Tenderer evaluated as the next-best. This requirement applies to all members of the consortium in case of joint tender and to identified subcontractors whose intended share of the contract is above 10%.

### **4.3. Selection criteria**

Tenderers must prove their economic, financial, technical and professional capacity to carry out the work subject to this call for tender.

The evidence requested should be provided by each member of the group in case of joint tender and identified subcontractor whose intended share of the contract is above 10%. However a consolidated assessment will be made to verify compliance with the minimum capacity levels.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its 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 its disposal.

#### **4.3.1 Economic and financial capacity criteria and evidence**

In order to prove their economic and financial capacity, the tenderer (i.e. in case of joint tender, the combined capacity of all members of the consortium and identified subcontractors) must comply with the following criteria:

- Annual turnover for the last two financial years above € 550.000

The analysis of the financial capacity will be performed by the Contracting Authority based on the following methodology:  
[http://ec.europa.eu/dgs/education\\_culture/calls/evaluation-procurements\\_en.htm](http://ec.europa.eu/dgs/education_culture/calls/evaluation-procurements_en.htm).

The following evidence should be provided:

- Annex 3 " Economic and financial capacity analysis form" filled in with the relevant statutory accounting figures, in order to calculate the financial ratios
- for economic operators required under national law to keep a complete set of accounts: the balance sheet, profit and loss account and annexes of the last two years for which accounts have been closed;

- for economic operators required under national law to keep a simplified set of accounts: the statement of expenditure and revenue and the annex showing assets and liabilities for the last two financial years for which accounts have been closed;
- in all cases, a statement of overall turnover and turnover concerning the supplies or services covered by the contract, provided over the last two financial years for which accounts have been closed.

If, for some exceptional reason which the Contracting Authority considers justified, a tenderer is unable to provide one or other of the above documents, he or she may prove his or her economic and financial capacity by any other document which the Contracting Authority considers appropriate. In any case, the Contracting Authority must at least be notified of the exceptional reason and its justification in the tender. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

#### **4.3.2. Technical and professional capacity criteria and evidence**

##### **Criteria relating to tenderers**

Tenderers (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria:

- The tenderer must have proven experience in the field of the cultural and creative sectors in order to understand their specificities, in particular in relation to the access to finance, while demonstrating the capacity to work at a broad European level. The experience will be demonstrated by projects managed by the tenderer that have resulted in minimum three publications in the past five years.
- The tenderer must prove capacity to draft reports in English, as demonstrated by relevant experience.
- The tenderer must prove experience of working in different EU countries with at least 2 European projects delivered in the last three years, the combination of which must show coverage in at least five EU countries.
- The tenderer must prove experience in data collection, economic analysis and drafting reports and recommendations, as demonstrated by at least three relevant publications.

##### **Criteria relating to the team delivering the service:**

The team proposed by the tenderer must have an in-depth knowledge in the areas of finance of SME policy and insight in the Cultural and Creative Sectors. Experience can be proven either through the profiles (CVs) of the proposed team or by other means, including publications.

The team delivering the service will include, as a minimum, the following profiles:

**Project Manager:** At least 5-years' experience in project management in relation to the cultural and creative sectors/economy of culture including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution , experience in projects, with experience in management of a team.



Language quality check: At least 1 member of the team must have native-level language skills in English, or equivalent, as guaranteed by a certificate or past relevant experience.

Expertise in crowdfunding: At least 1 member of the team must have relevant higher education degree (bachelors in economics or business specialisation or equivalent) or 3 years' professional practical experience in the field of crowdfunding, with projects or publications demonstrating thorough knowledge of the financial engineering for the SMEs and the applicable legal framework in more than one EU Member State.

Team for data collection, data processing and data analysis: At least 1 member of the team must have proven experience of minimum 2 years in data collection and economic analysis.

### **Evidence:**

The following evidence should be provided to fulfil the above criteria:

- List of relevant services provided in the past three years, with sums, dates and recipients, public or private.

The most important services shall be accompanied by certificates of satisfactory execution, specifying that they have been carried out in a professional manner and have been fully completed.

- Detailed curriculum vitae for each of the team members of up to two A4 pages and covering relevant educational and professional qualifications. The CVs must specify:

- ⌚ The different diplomas obtained (copies of which may be requested by the contracting authority where appropriate);
- ⌚ Languages spoken and level (supporting evidence may be requested by the contracting authority where appropriate);
- ⌚ Expertise and experience relevant to the subject matter of the present invitation to tender gathered within the last 8 years;
- ⌚ For the project manager, proof of experience in project management gathered within the last 5 years.

- A summary table indicating the members of the team and describing their roles and involvement in each project phase.

The contracting authority may reject tenderers at selection stage in case of professional conflicting interests that may affect the performance of the contract.

### **4.4. Award criteria**

The tender will be awarded according to the best-value-for-money procedure.

The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is **100** points.

#### **- Relevance and quality of the methodology (40 points)**

The extent to which the offer addresses the priorities of the action and contributes to attain its objectives. This includes the quality of the overall design of the activities proposed and the methodology to achieve the objectives, including risk assessment strategy and sustainability of the proposed actions.

**- Management of the project/organisation of the work (30 points)**

The quality of the tender regarding the capability to organize, coordinate and implement the various aspects of the proposed activities. Composition and quality of the team executing the required tasks with respect to their individual role. Assessment of the roles and responsibilities of the proposed team and the distribution for each task. It also assesses the global allocation of time to the project and to each task or deliverable, and whether this allocation is adequate for the work. The tender should provide details on the allocation of time and resources and the rationale behind the choice of this allocation.

**- Quality control measures (30 points)**

This criterion will assess the quality control system applied to the service foreseen in this tender specification concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality system should be detailed in the tender and specific to the tasks at hand; a generic quality system will result in a low score.

Tenders must score minimum 50% for each criterion and sub-criterion, and minimum 70% in total. Tenders that do not reach the minimum quality thresholds will be rejected and will not be ranked.

After evaluation of the quality of the tender, the tenders are ranked using the formula below to determine the tender offering best value for money. A weight of 60/40 is given to quality and price.

Score for tender X = cheapest price / price of tender X \* 40 + total quality score (out of 100) for all award criteria of tender X / 100 \* 60

Score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}}$	*	40	+	$\frac{\text{total quality score (out of 100) for all award criteria of tender X}}{100}$	*	60
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**4.5. Technical offer**

The technical offer must cover all aspects and tasks required in the technical specification and provide all the information needed to apply the award criteria. Offers deviating from the requirements or not covering all requirements may be excluded on the basis of non-conformity with the tender specifications and will not be evaluated.

**4.6. Financial offer**

The price for the tender must be quoted in euro (use Annex 4). 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 assume the risks or the benefits deriving from any variation.

Prices must be quoted free of all duties, taxes and other charges, including VAT, as the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union. The amount of VAT may be shown separately.

The quoted price must be a fixed amount which includes all charges (including travel and subsistence). Travel and subsistence expenses are not refundable separately.

The financial offer must include the breakdown of costs per team member and number of hours / days each team member will spend on each project phase.

## **5. ANNEXES**

The following documents are annexed to these Tender Specifications and form an integral part of them:

- Annex 1 : Tenderer Information
- Annex 2 : Declaration on Honour
- Annex 3 : [Economic & Financial Capacity](#)
- Annex 4 : Price
- Annex 5 : Draft Contract