



TENDER SPECIFICATIONS

Reference: OC/EFSA/BIOCONTAM/2021/02

Subject: Microbiological hazards associated with the use of water in the post-harvest handling and processing operations of fresh and frozen fruits, vegetables and herbs (ffFVHs)

Procurement procedure: Open call (Article 164(1) (a) of the Financial Regulation)

Project/Process code: D01.01-BIOCONTAM-20

Budget Line: 3210

Tender specifications purpose:

1. specify what EFSA will buy under the contract resulting from this procurement procedure;
2. announce the criteria which EFSA will use to identify the successful contractor;
3. guide tenderers in the preparation and sending of their offer;
4. form annex 1 of the contract resulting from this procurement procedure and be binding for contract implementation.

Additional guidance:

Please read the [EFSA Guidance for tenderers](#) available on the EFSA website, designed to assist potential tenderers in their understanding of EFSA procurement procedures.

Provide EFSA with feedback:

If you considered applying to this call for tenders but finally decided not to, please provide EFSAProcurement@efsa.europa.eu with your feedback on the call and reasons for not applying. Feedback will be treated confidentially and will only be used for improving future EFSA procurement calls.



PROCEDURE TIMETABLE

Milestone	Date ¹	Comments
Launch date	22/10/2021	Date Contract Notice is sent to Official Journal
Deadline for sending request for clarification to EFSA	03/12/2021 at 14:30 (CET)	Requests for clarification may only be submitted through the e-Tendering website as described in the Invitation Letter. EFSA is not obliged to reply to clarifications received less than 6 working days before the deadline for submission of offers.
Deadline for EFSA to reply to clarification questions	07/12/2021	
"Receipt Time Limit" - Closing date and time for receipt of offers	13/12/2021 at 14:30 (CET)	Refer to the Invitation letter and part 3 of these tender specifications regarding how to submit your offer.
Opening session	14 December 2021 at 10:00 (CET)	Requests to attend the virtual opening session must be made 2 working days in advance of the opening session. Refer to Invitation letter for details.
Notification of evaluation results	End of January 2022	The outcome of the procurement procedure will be communicated to all tenderers exclusively using the e-mail address indicated in their offer. Please check regularly the inbox in question.
Contract signature	February - March 2022	

¹ All times are in the time zone of Italy, the country in which EFSA is based.



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PART 1 TECHNICAL SPECIFICATIONS - WHAT DOES EFSA NEED TO BUY THROUGH THIS PROCUREMENT PROCEDURE?

1.1 BACKGROUND

Large volumes of water are used during harvest and post-harvest handling and processing operations of fresh and frozen fruits, vegetables and herbs (ffVHs) as well as during fresh-cut/freeze value-added operations, distribution and end-user handling of ffVHs. The quality of the water used in post-harvest handling and processing operations of ffVHs should be monitored and controlled to prevent accumulation of microbiological hazards. To avoid cross-contamination of the product due to the use of contaminated water, water disinfection treatments are needed to eliminate, or reduce to an acceptable level, microorganisms of public health concern but these treatments should not have an adverse effect on the quality and safety of the produce.

Water quality and use in post-harvest handling and processing operations of ffVHs is an increasing concern at the EU and global level, mostly because there is an expected decline of the availability of water of drinking quality due to climate change. Recent FAO/WHO JEMRA MRA series reports address the: (i) safety and quality of water used in food production and processing as well as (ii) microbiological hazards in fresh leafy vegetables and herbs. In 2017, the European Commission developed a Commission notice on guidance document on addressing microbiological risks in fresh fruits and vegetables at primary production through good hygiene (OJ 2017/C 163/01), including good hygiene practices related to the use of irrigation water and water used in on-farm post-harvest associated operations. During the 43th session of the Codex Alimentarius Commission on the Joint FAO/WHO Food Standards Programme in Autumn 2020, the development of guidelines for the safe use and reuse of water in food production was approved. These guidelines will contain a specific Annex on the use and reuse of water in fresh produce production.

This tender has been developed in the context of an ongoing self-task mandate from the BIOHAZ Panel on the microbiological hazards associated with the use of water in the post-harvest handling and processing operations of ffVHs². This self-task mandate is related to all past scientific opinions from the BIOHAZ Panel on food of non-animal origin (FoNAO). Due to the expected scarcity of available data and information on the topics listed above, this tender is envisaged to generate specific deliverables (e.g. external scientific report, summary tables/figures) containing data representative of the industry settings and of relevance to address some of the specific assessment questions in the self-task mandate. This tender will also facilitate the review of available scientific literature/information to support the self-task mandate.

This call is based on EFSA's 2021 Work Programme for grants and operational procurements as presented in Annex XIa of the Programming Document 2021 - 2023, available on the EFSA's website³.

² <https://open.efsa.europa.eu/questions/EFSA-Q-2021-00374>

³ https://www.efsa.europa.eu/sites/default/files/corporate_publications/files/amp2123.pdf



1.2 OBJECTIVES

The aim of this procurement procedure is to conclude a direct contract for the execution of specific tasks over a clearly defined period as defined in these tender specifications.

The main objective of this procurement procedure is to **gain insights on the characteristics of the water and practices followed by the industry to maintain water quality used during the post-harvest handling and processing operations for fffVHs**. In the packinghouses and processing facilities, large volumes of water are used and, in many cases, the same water is used in the same unit operation (e.g. washing or cooling) for many kilograms of product. Under these conditions, it is difficult to maintain properly the microbiological quality of the processing water because of the accumulation of organic matter and the lack of operational limits and test methods to monitor the processing operation. Water disinfection treatment is one of the most critical processing steps in the production of fffVHs aimed at preventing cross-contamination. The information obtained via this tender should allow to have an overview of different water quality scenarios in industry settings.

Specific objectives

The specific objectives of the contract resulting from the present procurement procedure are as follows:

- **Objective 1: to characterize the water used in different post-harvest handling and processing operations of fffVHs where processing water is not subject to any water disinfection treatment**

The first objective is to carry out the characterisation of water used in different post-harvest handling and processing operations of fffVHs with the aim to evaluate the microbiological and physico-chemical quality of the processing water during the working day in industry settings where processing water is not subject to any water disinfection treatment. Three food categories should be considered in this study, namely: (i) whole fresh FVHs, (ii) fresh-cut FVHs and (iii) frozen FVHs, including at least two and ideally three different food products per food category. At least one post-harvest handling or processing operation, but ideally two processing operations should be assessed for each food product (e.g. cooling, pre-washing, washing, rinsing, glazing or blanching). Experiments are expected to be repeated at least twice on different processing days. Different types of industry settings should be included e.g. small, medium and large enterprises. At least two different dimensions (industry size) should be included. The selection of the different food product/food handling or processing operation/industry size combinations should be well justified and aim as much as possible at covering the relevant variability in food products/processing operations/industry size.

Examples of scenarios (food product, industry size, and handling and processing operation combinations) that could be included in the study performed for this objective (see also Table 1) are as follows:

- Whole fresh FVHs: cooling and washing of peppers, apples or pears
- Fresh-cut FVHs: pre-washing and washing of leafy greens, fresh herbs as well as cut vegetables such as peppers, carrots or onions



- Frozen FVHs: washing and cooling of peppers, onions, leek or sweet corn

The selected contractor is expected, as part of the project, to take processing water samples at different time points during post-harvest handling and processing operations in the industry settings starting at the beginning of the working day and covering a large part of the processing time for one single day. The handling and processing operations should be characterised with at least three sampling points distributed along the working day (e.g. beginning, middle and end of the working day) to have insight on the variability of the processing. Ideally four to five sampling points distributed along the working day should be assessed.

The aim is to characterize the evolution of the physico-chemical and microbial quality of the processing water in each scenario during the working day. This characterization should allow the investigation of the contamination rate of the processing water in different situations. Efforts should be made to ensure that the characterized processing water comes from industry settings where different ffVHs are being processed. The microbial characterization of the processing water should include the prevalence and concentration of foodborne pathogens including several pathogenic microorganisms (e.g. *Salmonella* spp., STEC, *Listeria monocytogenes*, norovirus, parasites) as well as microbial indicators (e.g. non-pathogenic *E. coli*, *Listeria* spp., coliphages) providing justification for all the selected microbial parameters. The physicochemical characterization of the processing water should include at least the chemical oxygen demand (COD), the turbidity, the redox potential and the UV-absorbance. The proposed food categories/food products/handling and processing operations/microbiological and physicochemical characterisation will be discussed, fine-tuned and agreed during the kick-off meeting.

The selected contractor is expected, as part of the project, to determine the potential contamination rate between different batches of product that are processed in the same volume of water. The potential contamination rate could be determined based on the evaluation of pathogenic and/or indicator microorganisms previously mentioned along processing time.

Establishment of potential correlations between the prevalence/concentration of foodborne pathogens and microbial indicators present in processing water and ffVHs should be also attempted.



Table 1. Examples of possible scenarios that could be included in the assessment of the processing water performed for objective 1. (Note: these are provided only as examples, scenarios selected by the tenderers could be different from the ones shown in the table).

Food category	Food product	Processing operations	Foodborne pathogens based on ISO methods ^a	Microbial indicators in processing water based on ISO methods ^a	Physicochemical analyses in processing water
Whole FVHs	Melons	Cooling Washing	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Redox potential, pH
	Pepper	Cooling Washing	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Redox potential, pH
Fresh-cut FVHs	Leafy greens Fresh herbs	Pre-washing Washing	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Redox potential, pH
	Onion	Pre-washing Washing	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Redox potential, pH
Frozen FVHs	Peppers Peas	Washing Cooling	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Redox potential pH
	Sweet corn	Washing Cooling	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Redox potential pH

^a Other testing procedures may be used, if it can be demonstrated that these procedures provide at least equivalent guarantees.



- **Objective 2: to develop case-studies in industry settings to provide evidence of the efficacy of different intervention strategies during the post-harvest handling and processing operations of fffVHs**

The second objective is to develop specific case-studies in industry settings for the post-harvest handling and processing operations of fffVHs. These case studies should be designed to provide evidence of the efficacy of different intervention strategies used in the post-harvest handling and processing operations of fffVHs to maintain the microbiological quality of processing water in industry settings. Ideally, the study should include at least two different food products per each food category, namely: (i) whole fresh FVHs, (ii) fresh-cut FVHs and (iii) frozen FVHs in at least one processing operation using different intervention strategies, i.e. different water disinfection treatments or water replenishment rates or their combination (see Table 2). Different types of industry settings should be included including e.g. small, medium and large enterprise. At least two different dimensions (industry size) should be included. Experiments are expected to be repeated at least twice allowing to sample different batches. The selection of different food product/food handling or processing operation/industry size/water disinfection treatment or water replenishment rate or their combination should be well justified and aim as much as possible at covering the relevant variability in food products/processing operations/industry size/water disinfection treatment or water replenishment rate or their combination.

Water samples should be taken at different time points during post-harvest handling and processing in the industry settings starting at the beginning of the working day and covering a large part of the processing time for one single day. A minimum of three sampling points distributed along the working day (e.g. beginning, middle and end of the working day) should be assessed. Ideally four to five sampling points distributed along the working day should be assessed.

Ideally the selected contractor should assess different water disinfection treatments (e.g. chlorine, peroxyacetic acid, chlorine dioxide, UV-light, filtration, combinations of different treatments) as well as several water replenishment rates (e.g. 100 L/h versus 500 L/h) and their combinations.



Table 2. Examples of possible scenarios that could be included in the assessment performed for objective 2.
(Note: These are provided only as examples, scenarios selected by the tenderers could be different from the ones shown in the table).

Food category	Food product	Water disinfection treatment or replenishment rate or their combination	Foodborne pathogens based on ISO methods ^a	Microbial indicators in processing water based on ISO methods ^a	Physicochemical analyses in processing water
Whole FVHs	Apples Pears	Peroxyacetic acid	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Disinfectant residual Redox potential pH
	Pepper	100 L/h replenishment rate	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Disinfectant residual Redox potential pH
Fresh-cut FVHs	Leafy greens	Chlorine	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Disinfectant residual Redox potential pH
	Onion	Chlorine	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Disinfectant residual Redox potential pH
Frozen FVHs	Strawberry	Chlorine dioxide	<i>L. monocytogenes</i> <i>Salmonella</i> spp. STEC norovirus parasites	<i>E. coli</i> <i>Listeria</i> spp. coliphages	Turbidity COD UV-absorbance Disinfectant residual Redox potential
	Sweet corn	500 L/h replenishment rate	<i>L. monocytogenes</i>	<i>E. coli</i>	Turbidity



			<i>Salmonella</i> spp. STEC norovirus parasites	<i>Listeria</i> spp. coliphages	COD UV-absorbance Disinfectant residual Redox potential pH
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^a Other testing procedures may be used, if it can be demonstrated that these procedures provide at least equivalent guarantees.



The physicochemical characterization should include at least the residual concentration of the water disinfection treatment, if any, the chemical oxygen demand (COD), the turbidity, the redox potential and the UV-absorbance. The tenderer is expected to determine the potential contamination rate between different batches of product that are processed in the same volume of water. The microbial characterization should include the prevalence and concentration of foodborne pathogens including several pathogenic microorganisms (e.g. *Salmonella* spp., *E. coli* O157:H7, *Listeria monocytogenes*, norovirus, parasites) as well as microbial indicators (e.g. non-pathogenic *E. coli*, *Listeria* spp., coliphages) providing justification for all the selected microbial parameters. The potential contamination rate could be determined based on the evaluation of the pathogenic and/or indicator microorganisms previously mentioned. Establishment of potential correlations between the prevalence/concentration of foodborne pathogens and microbial indicators present in processing water and fffVHs should be attempted.

The proposed food categories/food products/food handling or processing operation/industry size/ water disinfection treatment or water replenishment rate or their combination/microbiological and physicochemical characterisation will be discussed, fine-tuned and agreed during the kick-off meeting.

The selected contractor is also expected, as part of this tender, to characterize the physiological state of the bacteria present in the processing water as well as in the studied fffVHs including culturable and 'viable but non-culturable' (VBNC) pathogenic bacteria and indicator microorganisms. The techniques implemented by the contractor to distinguish between culturable and VBNC cells should have been optimized for its use in processing water, due to the complexity of the matrix, such as the viability PCR using propidium monoazide and ethidium monoazide (e.g. PMA-EMA qPCR or digital PCR (v-dPCR)).

- **Objective 3: to search quantitative data and mathematical models for the microbial contamination of water used in post-harvest handling and processing operations of fffVHs and between fffVHs batches**

The third objective is to search (identify, describe and validate) the available quantitative data and mathematical models for the microbial contamination of water used in different post-harvest handling and processing operations of fffVHs and between batches of fffVHs including whole, fresh-cut and frozen FVHs. The literature search must be comprehensive, structured and transparent e.g. following the EFSA guidance for those carrying out systematic reviews⁴. The methodological quality of included studies must be appraised with a special focus on those studies performed under pilot and industry settings. The relevant data extracted from selected studies should be summarized in tables and figures which should be used to interpret the results and draw conclusions.

The tenderer is expected to consider the most relevant microbiological hazards associated with the use of water in different post-harvest handling and processing operations of fffVHs in different scenarios, including whole, fresh-cut and frozen FVHs. The most suitable mathematical models used to characterize the contamination of water used in different post-harvest handling and processing operations of fffVHs selected from the literature search should be validated with the quantitative data **obtained from Objectives 1 and 2**. This will allow the

⁴ <https://efsa.onlinelibrary.wiley.com/doi/pdf/10.2903/j.efsa.2010.1637>



identification of the most adequate models based on data obtained from the industry settings in the context of objectives 1 and 2 of this tender.

- **Objective 4: to explore quantitative data and mathematical models on parameters which can be used to validate/verify and/or monitor the microbiological quality of the water used for post-harvest handling and processing operations of fffVHs**

The last objective is to explore (search, select, investigate) the available quantitative data and mathematical models on microbiological and physico-chemical parameters which are used to validate/verify and/or monitor the microbiological quality of the water used for different post-harvest handling and processing operations of fffVHs. The microbiological parameters should also cover viruses and parasites in addition to indicator and pathogenic bacteria. The literature search must be comprehensive, structured and transparent e.g. following the EFSA guidance for those carrying out systematic reviews⁵. The methodological quality of included studies must be appraised with a special focus on those studies performed under pilot and industry settings. The relevant data extracted from selected studies should be summarized in tables and figures which should be used to interpret the results and draw conclusions, including correlations between microbiological and non-microbiological parameters which can be used to validate/verify and/or monitor the microbiological quality of the water used for different post-harvest handling and processing operations of fffVHs.

The awarded contractor is expected to also present a summary of available in-line systems/methodologies to validate/verify and/or monitor the relevant parameters needed to maintain the microbiological quality of water used for post-harvest handling and processing operations of fffVHs. The awarded contractor is expected to provide information of suitable validation/verification and /or monitoring systems that can be used in different scenarios, including whole, fresh-cut and frozen FVHs. The selected in-line validation/verification and /or monitoring systems should be tested under industry conditions.

1.3 DELIVERABLES, TIMELINE AND PAYMENTS

No.	Deliverables	Can be subcontracted?	Deadline
1	<p>Deliverable 1: Description of the experimental set up and planning of the tasks that will be executed for all objectives, as discussed, fine-tuned and agreed with EFSA after the kick-off meeting, indicating and justifying adequately the selection of the:</p> <ul style="list-style-type: none"> - Targeted 'food/post-harvest handling and processing operation' combinations - Targeted water treatment conditions; - Sampling points; 	No	2 months after the entry into force of the contract

⁵ <https://efsa.onlinelibrary.wiley.com/doi/pdf/10.2903/j.efsa.2010.1637>



	<ul style="list-style-type: none"> - Targeted microbiological and non-microbiological parameters and - Analytical methodology for microbiological and non-microbiological analysis. 		
2	<p>Deliverable 2: First interim report with an update on the progress and preliminary results of the analyses <u>developed for objectives 1, 2, 3 and 4</u> including tables, graphs, discussion and conclusions of the preliminary data collected for this tender. The first interim report must contain an outline of the final report including the following sections: introduction, objectives (terms of reference), data and methodologies, results, discussion and conclusions. Relevant template and guidance will be provided by EFSA.</p>	No	6 months after the entry into force of the contract.
3	<p>Deliverable 3: Second interim report with an update on the progress and preliminary results of the analyses including tables, graphs and discussion of the preliminary data collected for this tender. <u>This report should include the final results for the objective 3 and 4.</u> The second interim must contain the following sections: introduction, objectives (terms of reference), data and methodologies, results, discussion and conclusions. Relevant template and guidance will be provided by EFSA</p>	No	12 months after the entry into force of the contract.
4	<p>Deliverable 4: Third interim report with an update on the progress and preliminary results of the analyses including tables and graphs with the data collected for this tender. <u>This report should include the final results for the objective 1.</u> The third interim must contain the following sections: introduction, objectives (terms of reference), data and methodologies, results, discussion and conclusions. Relevant template and guidance will be provided by EFSA.</p>	No	18 months after the entry into force of the contract.
5	<p>Deliverable 5: Final report containing the full analyses developed to <u>conclude the work developed for objectives 1, 2, 3 and 4</u> including tables, graphs, discussion and conclusions of the data obtained. The EFSA template for external scientific report should be used to produce this report. The final report must contain the following sections: introduction, objectives (terms of reference), data and methodologies, results,</p>	No	23 months after the entry into force of the contract.



	discussion and conclusions. Relevant template and guidance will be provided by EFSA	
No.	Meetings*	Deadline for finalisation
1	Kick-off meeting with EFSA to describe overall strategy and project plan and agree on detailed experimental set up design and work plan. At least the Project coordinator and partners' representatives (in case of joint tender) should attend the meeting. The meeting will be held as teleconference due to COVID-19 pandemics measures/restrictions. The agenda of the meeting will be agreed between the awarded contractor and EFSA.	1 month after the entry into force of the contract.
2	Interim meeting with EFSA to present and discuss deliverable 2 (first interim report). At least the Project coordinator and partners' representatives (in case of joint tender) should attend the meeting.	7 months after the entry into force of the contract.
3	Interim meeting with EFSA to present and discuss deliverable 3 (second interim report). At least the Project coordinator and partners' representatives (in case of joint tender) should attend the meeting.	13 months after the entry into force of the contract.
4	Interim meeting with EFSA to present and discuss deliverable 4 (third interim report). At least the Project coordinator and partners' representatives (in case of joint tender) should attend the meeting.	19 months after the entry into force of the contract.
5	Final Meeting with EFSA to present and discuss the final report (deliverable 5). At least the Project coordinator and partners' representatives (in case of joint tender) should attend the meeting.	24 months after the entry into force of the contract.
*	This meeting structure/calendar is not limitative and should allow for having further exchange and ad-hoc meetings to provide regular update to EFSA or request any clarification, if needed. We expect that among all the listed meetings, up to 2 meetings (maximum) should be presential in Parma, including the final meeting.	
No.	Payments	Linked to EFSA approval of deliverable No.
1	Interim payment 1 of 25 % of the contract amount	1 and 2
2	Payment of the balance of 75% of the contract amount	3, 4 and 5

The working language for the contract implementation: execution of tasks, meetings and deliverables shall be English. The deliverables 1, 2, 3, 4 and 5 must be to a high standard of English which does not require proof reading and shall be delivered to EFSA in WORD format.

1.4 INFORMATION ON THE CONTRACT

Nature of expense services

Type of contract direct

Place of performance: EFSA premises/contractor's premises



Duration of tasks in direct contract

24 months after entry into force of contract.

Budget information

Direct contract: The maximum budget EFSA has available is 500,000€. Any offer exceeding this maximum will be excluded from further assessment during evaluation.

1.5 OWNERSHIP, INTELLECTUAL PROPERTY RIGHTS, USE OF RESULTS

As regards any product or delivery commissioned by EFSA and developed by the contractor in the context of the contract resulting from this call for tenders, as well as source codes of IT applications and models developed for EFSA, the intellectual property rights will be owned by EFSA only in its capacity as financial source of the contract. The contractor cannot file a trademark, patent, copyright or other IPR protection scheme in relation to any of the results or rights obtained by EFSA in performance of the contract, unless the contractor requests EFSA ex-ante authorisation and obtains from EFSA a written consent in this regard.

In addition, the contractor selected as a result of the present procurement procedure shall be solely responsible and liable for the following:

- To ensure that terms and conditions asserted by any copyright holder of publications or information referred to in the final deliverable for EFSA are fully satisfied;
- To make the necessary arrangements enabling EFSA to reproduce and make non-commercial use of publications and information referred to in the final deliverable it commissioned. As needed, the contractor shall consult with copyright licensing authorities (i.e. at national level) for guidance on purchasing copyright licenses to reproduce any publications provided to EFSA. The contractor remains solely responsible and liable for obtaining all necessary authorizations and rights to use, reproduce and share the publications provided to EFSA.

In the specific case of literature reviews, should the entirety or partial texts covered by pre-existing rights be used in the final deliverables for EFSA the "Contractor shall consult with copyright licensing authorities (i.e. at national level) for guidance on purchasing copyright licenses to reproduce any publications provided to EFSA. The contractor remains solely responsible and liable for obtaining all necessary authorizations and rights to use, reproduce and share the publications provided to EFSA".

In practical terms in the context of systematic reviews, EFSA requires a list of references to be provided as part of the deliverables that does not entail any copyright issues. In addition in case of systematic reviews full texts may be shared with EFSA for the sole purpose of assessing the completeness of deliverables. Full texts will not be part of final deliverables



PARTS OF RESULTS PRE-EXISTING THE CONTRACT

If the results are not fully created for the purpose of the contract this should be clearly pointed out in the tender. Information should be provided about the scope of pre-existing materials, their source and when and how the rights to these materials have been or will be acquired.

The draft contract in Annex 2 contains further provisions on ownership of intellectual property rights. All quotations or information the tenderer provides in the technical and financial offer for EFSA which originates from other sources to which third parties may claim rights, have to be clearly marked in the offer in a way allowing easy identification (source publications, including date & place, creator, number, full title etc.). The tenderer shall take account of the above specification on ownership and copyrights in their technical and financial offer.

Use of results

EFSA is committed to the publication of contract deliverables - such as supporting evidence in the form of datasets, raw data, protocols etc. in the Knowledge Junction in order to improve transparency, reproducibility and evidence reuse. The [Knowledge Junction](#)⁶ repository of EFSA runs on the EU-funded Zenodo research-sharing platform where uploaded items receive a unique Digital Object Identifier to make them citable. Any part of the output resulting from this contract may be published (at EFSA's discretion) on the Knowledge Junction repository, with attribution to the contractor, and several deliverables can be cross-linked among them and to the published final Report on Wiley Online Library.

1.6 PERSONAL DATA PROTECTION AND CONFIDENTIALITY

Processing of personal data in the context of this contract shall comply with Regulation (EU) 2018/1725 ('the EDPR')⁷. The EDPR constitutes the specific data protection legal framework applicable to EU institutions, bodies, offices and agencies, including EFSA and is aligned with the rules and principles under the General Data Protection Regulation (EU) 2016/679 (GDPR), applicable in the European Union.

In terms of the EDPR, EFSA acts as the controller for processing of personal data under the contract and the selected contractor, any consortium partner, as the processor or sub-processor.

Processing of personal data by EFSA as contracting authority (controller)

Information on the processing of personal data by EFSA as contracting authority in charge of the present procurement procedure is available in the [Privacy Statement](#) on the EFSA website as well as in Article II.9.1 of the draft contract in Annex 2.

Please note that your personal data as a tenderer or selected contractor may be registered in the Early Detection and Exclusion System (EDES) if you are in one of the situations mentioned in Article 136 of the Financial Regulation. The relevant Privacy Statement is available on the European Commission's website, here:

http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm#BDCE.

⁶ <http://www.efsa.europa.eu/en/press/news/190117> and <https://zenodo.org/communities/efsa-kj/?page=1&size=20>

⁷ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32018R1725>



Processing of personal data by the selected contractor (processor/sub-processor)

In case tasks and activities under this call relate to the processing of personal data, Article II.9.2 of the draft contract in Annex 2 shall be observed.

For further information on data protection, please refer to the [EFSA guidance for tenderers](#) on the EFSA website, page 13.

Confidentiality

Tender bids will be treated confidentially in accordance with the case law of the European Courts, which confirms the existence of a presumption of non-disclosure in case of a request for public access to documents in accordance with Regulation (EC) No 1049/2001. This does not prevent that specific parts of the submitted tender may be subject to disclosure when applicable law so requires. Unless there is an overriding public interest in disclosure, EFSA will refuse full access to the submitted tender, redacting the parts that contain confidential information, the disclosure of which would undermine the protection of commercial interests and intellectual property of the tenderer.

Accordingly, EFSA will disregard general statements that the whole tender or substantial parts thereof are confidential information. Tenderers need to mark clearly the specific parts of their tender bid they consider confidential providing an explanation why the information should not be disclosed, which may be subject to EFSA's further assessment in accordance with applicable law.



PART 2 EVALUATION - HOW WILL YOUR OFFER BE ASSESSED?

In case you apply as a group of economic operators in a joint offer, please refer to the [EFSA Guidance for tenderers](#).

2.1 OPENING OFFERS

The aim of the public opening session is to check whether the offer received was dispatched by the deadline for tender receipt and that the tenders are electronically protected until the official opening.

2.2 ORDER OF EVALUATION

Tenderers should note that the content of their offers will be assessed in no particular order against the following criteria : Exclusion criteria (Access to EU Market); Selection criteria (Technical & Professional capacity and Professional Conflict of Interest – Institutional and Individual Declarations of Interest); Compliance with tender specifications; Award Criteria (Quality and Price).

Following the above assessment and identification of the winning tender, the following will be assessed only for the tenderer proposed for contract award: Exclusion criteria (Declaration on Honour on exclusion criteria); Selection criteria (Declaration on Honour on selection criteria); Selection criteria (Economic & Financial capacity).

Evidence under sections 2.3 and 2.4 does not have to be submitted to EFSA if it has already been submitted in response to a previous EFSA call. In such case the evidence must be exactly the same as requested in these tender specifications and not older than 12 months. Please specify the reference of the EFSA call for tenders under which you have already submitted the evidence to EFSA if you chose to rely on such evidence.

2.3 GROUNDS FOR EXCLUSION

Eligibility – access to EU Market

Only offers from tenderers established in eligible countries will be allowed to the next step of the evaluation. Please refer to the [EFSA Guidance for tenderers](#) for further details.

Evidence requested in your offer:

Tenderers must submit the Administrative data forms (including LEF and BAF) available [here](#).

Exclusion

Tenderers must not be in one of the exclusion situations listed in article 136 of the Financial Regulation, explained in the [EFSA Guidance for tenderers](#).

Evidence requested in your offer:

Tenderers must declare that they are not in one of the exclusion situations by providing a signed and dated Declaration on Honour on exclusion criteria, available [here](#). In case of a joint offer from a group of economic operators such declaration should be submitted for each member of the group.



Further supporting evidence in support of this declaration may be requested from the successful tenderer prior to signature of the contract. Such requested evidence will be specified in the award letter and may have to be provided to EFSA before the contract is signed.

2.4 SELECTION CRITERIA

In addition to the evidence requested below, EFSA has the right, during the evaluation process, to request further evidence on the tenderer's compliance with the economic, financial, technical and professional capacity requirements.

A) Economic and financial capacity

The tenderer must have generated an overall annual turnover of at least 480,000€ in each of the last 3 closed financial years (2017, 2019 and 2020).

Evidence requested in the offer:

Tenderers must declare they fulfil the economic and financial capacity by providing a signed and dated Declaration on Honour on selection criteria, available [here](#). In case of a joint offer from a group of economic operators, such declaration should be completed by the leading partner only.

EFSA will request proof of annual turnover from the successful tenderer prior to signature of the contract. Such requested evidence will be specified in the award letter and must be provided to EFSA before the contract is signed. This evidence will be evaluated on a consolidated basis.

During contract implementation, in case of request for the addition of assignment of the contract to a new legal entity, the economic and financial capacity will be checked for the last 2 most recent closed financial years and not necessarily the financial years published with the call.

B) Technical and professional capacity

The tenderer must have the following **minimum professional capacity** to perform the contract:

- a) The tenderer(s) overall must have extensive and demonstrable experience in:
 - generating experimental data to assess the microbiological quality of food samples and the physico-chemical and microbiological quality of water samples;
 - reviewing and synthesising data and information from various sources leading to a solid interpretation of the findings and reporting them to a scientific audience;
 - a systematic approach to literature reviews, having access to and knowledge how to use reference management systems;
 - preparing reports and scientific articles in English and
 - having a solid scientific background to understand the problems and analyse the issues related to the objectives of this call.
- b) Ability to provide a team of experts compliant with these specific expertise requirements:
 - extensive and demonstrable experience in the area of food microbiology and in particular of ffFVHs; microbiological safety of fruits and/or



vegetables, control of microbiological contamination during production and processing of fruits and/or vegetables, impact of pre- and post-harvest technological interventions in microbial ecology and safety of fruits and/or vegetables, water quality and water treatments in the production of fffVHs and quantitative microbiological risk assessment.

- for each of the above mentioned areas there should be a minimum of one expert with at least 5 years of experience (one person can cover more than one area).
 - There should be one project leader who will manage the coordination of the project development and be responsible for the overall contract and for the implementation of all services requested by EFSA in this call for tender. The project leader will be the contact point for the services requested by EFSA and must update regularly EFSA on the progress of work.
- c) The team of experts must have overall an excellent level of spoken and written standard UK English.

The tenderer must have the following **minimum technical capacity** to perform the contract:

- d) The tenderer(s) must have access to library services to complete the systematic literature reviews required for the achievement of objectives 3 and 4 and for the background literature review related to objectives 1 and 2 as well as any tools/equipment needed to evaluate the microbiological and physico-chemical quality of samples of water used to handle/process fffVHs;
- e) The tenderer(s) must have access to different types of industry settings producing fffVHs (e.g. small, medium and large enterprises), including at least two different dimensions, for the purpose of collecting the relevant samples as indicated in the tender's objectives 1 and 2. The selection of the different "food products / food handling or processing operations / industry size / water disinfection treatment or water replenishment rate or their combination" combinations should cover the relevant variability observed in the food production sector for fffVHs.

Evidence requested in the offer:

- Requirement a): A list of at least three relevant projects or publications related to the subject matter of this contract, carried out in the course of the past 7 years. Please provide the name/title of projects, the years range for the project execution (start-end), a brief explanation of the project including links to published project outputs (e.g. publications) and specific role in managing multidisciplinary teams and facilitating communications;
- Requirements b) and c): Detailed CVs of all the Project team members proposed for the assignment taking into account the minimum expertise requirements detailed above. EFSA strongly recommends submitting the CVs in the EU CV format which can be accessed [here](#); Tenderers should also provide a one page summary of the names of the individual Project team members.
- Requirement d): A statement from the tenderer(s) confirming to have the above mentioned accesses;
- Requirement e): Letters of agreement from the industries that will facilitate access to their settings for sampling purposes. These industries should be made aware by the tenderer(s) that no reference to their identification will be made in the final



external scientific report that will be published as final deliverable, as all the information regarding the providers of samples will be anonymised.

- **Declaration on Honour on selection criteria** available [here](#). To be signed by the tenderer (in case of joint offer signed by the leading partner only);
- **Confirmatory statement of resources** (*only applicable for joint offers*): a statement signed by each partner confirming they will provide the necessary resources for the performance of the contract;

C) Professional conflicting interest

In accordance with article 167(1)(c) of the Financial Regulation and paragraph 104 of the recitals, if EFSA, based on the assessment of the technical and professional capacity evidence, concludes that the tenderer has a professional conflicting interest and therefore does not possess the professional capacity to perform the contract to an appropriate quality standard, the tenderer may be rejected.

Evidence requested:

The tenderer must provide with its tender:

Institutional declaration of interests available [here](#) In case of a group of economic operators, such declaration will need to be completed separately and submitted for each partner and;

Individual declarations of interests available [here](#) for each member of the proposed project team.

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

The tenderer must be committed not to pay the industry nor receive payment from the industry, from which he is collecting the water samples.

Evidence requested:

Declaration on honour from the tenderer that he will not pay nor accept payment from the industry from which he is collecting the water samples or in the execution of any other tasks under the contract outcome of the present procurement procedure.

With the exception of declarations of interest, evidence must be included in the offer for partners in a joint offer only if the capacity of those entities is necessary to satisfy the minimum economic, financial, technical and professional capacity requirements.

If any of the declarations or information provided proves to be false, EFSA may impose administrative sanctions (exclusion or financial penalties) on the entity providing the false declarations/information.



2.5 COMPLIANCE WITH TENDER SPECIFICATION AND MINIMUM REQUIREMENTS

Your offer will be assessed for compliance with the tender specifications before its assessment against the award criteria.

Tenders do not comply with the tender specifications and will be rejected if they:

- do not comply with minimum requirements laid down in the tender specifications;
- propose a solution different from the one imposed;
- propose a price above the fixed maximum set in the specifications;
- are submitted as variants, when the specifications do not authorise them;
- do not comply with applicable obligations under environmental, social and labour law established by Union law, national law and collective agreements or by the international environmental, social and labour law provisions listed in Annex X to Directive 2014/24/EU⁸ and compliance with data protection obligations resulting from Regulation (EU) 2016/679 and Regulation (EU) 2018/1725⁹.

The grounds for rejection is not linked to the award criteria so there is no evaluation. The tenderer will be informed of the grounds for rejection without being given feedback on the content of the tender other than on the non-compliant elements.

2.6 AWARD CRITERIA

Tenders will be evaluated against the below award criteria. The award criteria serve to identify the **most economically advantageous offer**.

A) QUALITY AWARD CRITERIA

1. METHODOLOGY PROPOSED FOR IMPLEMENTATION (70 points - minimum threshold 70%)

- Convincing justification of the choice of proposed methodology to achieve all the 4 objectives, examining also the related advantages and disadvantages of the approaches proposed **(20 points)**
- Logical and structured step by step explanation of methodology proposed to achieve all the 4 objectives of this tender **(25 points)**
- Proposed selection of the different "food product/food handling or processing operation/industry size/water disinfection treatment or water replenishment rate or their combination" combinations are justified and cover the relevant variability that may occur in the food industry sector producing fffVHs **(25 points)**

⁸ OJ L 94 of 28.03.2014, p. 65

⁹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295/39 21.11.2018, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R1725&from=EN>



2. PROJECT ORGANISATION, RISK MANAGEMENT AND MEASURES TO GUARANTEE QUALITY OF DELIVERABLES (30 points)

- Clear and detailed information on distribution of the tasks among the project team; in case of joint offer, clarity on who does what, when and why for all tasks inherent to all 4 objectives and to the requested deliverables (justify why the partner is proposed to do the particular task/work-package); Clarity of organization of project into work packages, if suitable **(10 points)**
- The internal team communication; in case of joint offers also the communication between joint offers partners along the whole duration of the contract; role of team leader/leading partner and the communication with EFSA (who, how, when); clear description of intermediate checkpoints with EFSA to ensure a regular update of the progress of work in relation to the proposed deadlines **(10 points)**
- Risk identification and proposed mitigation actions (ability to identify any potential risks to the achievement of the project objectives, assess risk impact & likelihood, and ability to foresee effective mitigating actions); **(5 points)**
- Measures to ensure availability of proposed team members/partners and mitigation strategies to cover absences or unforeseen events) and measures proposed to ensure the meeting of deadlines; **(5 points)**

The sum of all quality award criteria gives a maximum possible total of 100 points.

Tenderers must provide a detailed technical offer addressing all points in the technical specifications and each of the quality award criteria. Repetition of mandatory requirements in the technical specifications without providing detail in the technical offer will only result in a very low score.

Offers must score at least 70% for criterion 1 (i.e. a minimum of 49 points out of the 70 points available), and at least 70% of maximum possible total points against the quality award criteria.

Tenders that do not reach these minimum quality thresholds will be eliminated from subsequent stages of the evaluation process.

B) PRICE AWARD CRITERION

Tenders which passed the quality thresholds will be further assessed to ensure:

- I. the price offer is made within the maximum budget for financial offers indicated in the tender specifications and;
- II. the financial offer satisfies the formal requirements of the tender specifications.

C) THE BEST PRICE-QUALITY RATIO

Tenders for which financial offers were made within the maximum budget and satisfied the formal requirements indicated in the tender specification will be retained for the identification of the tender with the best price-quality ratio based on the following formula:



TOTAL SCORE OF THE EVALUATED OFFER (C) =

30 * Cheapest price offer/price of tender X

+

**70 * Total quality score (out of 100) for all quality award criteria of tender
X/100**



PART 3 - HOW TO SUBMIT YOUR OFFER USING e-SUBMISSION

You must submit your tender electronically via the e-Submission application available from the e-Tendering website before the time limit for receipt of tenders.

The e-Submission application allows economic operators to respond to call for tenders by preparing their tenders electronically in a structured and secured way and submitting their tenders electronically. The e-Tendering is the starting point for launching the e-Submission application.

Make sure you submit your tender on time: you are advised to start completing your tender early. To avoid any complications with regard to late receipt/non-receipt of tenders within the deadline, please ensure that you submit your tender several hours before the deadline. It is not possible to submit a tender through eSubmission after the time-limit for receipt of tenders indicated in the contract notice and/or the TED eTendering website.

Registration in the Participant Register

Any economic operator willing to submit a tender must be registered in the [Participant Register](#) - an online register of organisations and natural persons participating in European Commission's calls for tenders or proposals.

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

At any moment during the procurement procedure the Research Executive Agency Validation Services (hereafter *the EU Validation Services*) may contact the participant and ask for supporting documents on legal existence and status [and financial capacity].

The requests will be made through the register's messaging system to the e-mail address of the participant's contact person indicated in the register. It is the responsibility of the participant to provide a valid e-mail address and to check it regularly.

The documents that may be requested by *the EU Validation Services* are listed in the [EU Grants and Tenders Rules on Legal Entity Validation, LEAR appointment and Financial Capacity assessment](#).

Please note that a request for supporting documents by the *EU Validation Services* in no way implies that the tenderer has been successful.

How to Submit your Tender in e-Submission

You can access the e-Submission application via the corresponding call for tender in TED e-Tendering, as specified in the Invitation Letter.



In order to have access to e-Submission, you will need to "Subscribe to call for tenders" on TED e-Tendering first. To subscribe, you will need to login with your an [EU Login](#)¹⁰. In case you don't have an [EU Login](#), you can [create an account](#) at any moment. For more information see the [EU login help](#). After logging in with your EU Login password, the e-Tendering will then display a button 'submit your tender' and you will be able to access the e-Submission.

The e-Submission "[quick guide for economic operators](#)" is available after logging in with your EU Login password.

Information to be filled in

In the e-Submission application, fill in and upload all necessary fields and documents as appropriate. All tenders must be clear, complete and consistent with all the requirements laid down in the tender specifications, including:

- **Signed declaration on Honour on Exclusion criteria.** All members of a joint tender – if applicable – must upload the signed and dated declaration on honour on exclusion criteria using the template available [here](#).
- **Signed declaration on Honour on Selection criteria.** In case of a joint offer from a group of economic operators, such declaration should be completed by the leading partner using the template available [here](#).
- **Exclusion criteria.** If requested in the tender specifications, the tenderer and all members of a joint tender – if applicable – must provide the documentary evidence for exclusion criteria.
- **Selection criteria.** If requested in the tender specifications, the tenderer and all members of a joint tender – if applicable –, must provide the documentary evidence for selection criteria.
- **Technical tender.** It must address all the requirements laid down in the tender specifications.
- **Financial tender** The complete financial tender, including the breakdown of the price as provided in the tender specifications.

For detailed instructions on how to submit your tender, consult the Quick Reference Guide for Economic Operators where you will find:

- Technical requirements to use e-Submission
- Step-by-step guide to help you submit your tender
- Important advices and information on how to get technical support

Please make sure all required documents and evidence are submitted with your tender.

Documents to be signed and dated while creating your Tender

¹⁰ Previously called European Commission authentication system (ECAS)



The following documents must be signed and dated during the creation of your tender in e-Submission:

- **Declaration on honour(s).** All members of a joint tender, must sign and date the declaration on Exclusion criteria. Only the leader in a joint tender must sign and date the declaration on Selection criteria. The declaration on honour(s) must be converted to PDF format and then signed by the authorised representatives with advanced electronic signature based on qualified certificates or by hand.

Re-submission of a tender

After submitting a tender, but within the time limit for receipt of tenders, you may still submit a new version of your tender. **If you submit a new Tender you must include all your Tender documents, including the Qualification and Tender documents.**

You must formally notify EFSA that the previous tender is withdrawn. The notification letter must be signed by the legal representative who signed the original tender stating the call reference and the Tender ID you wish to withdraw. The notification must be uploaded in e-submission together with the new version of all tender documents. You are kindly requested to also e-mail the notification letter to EFSAProcurement@efsa.europa.eu.

Withdrawal of tenders

If after submitting a tender, you wish to completely withdraw your tender, you must formally notify EFSA that you wish to withdraw your submitted Tender(s) as indicated above.

Alternative tender

You are entitled to send several tenders to one call for tenders.

Deadline for receipt of tenders

The tender (including all documents) must be fully uploaded and received before the deadline for receipt of tenders indicated in the invitation to tender. It is not possible to submit a tender through eSubmission after the time-limit for receipt of tenders indicated in the contract notice and/or the TED eTendering website.

Please note that you are responsible to ensure that your full tender reaches the destination in due time.

In case of problems with the submission of the electronic tender, we recommend that you call the helpdesk in reasonable time before the time limit for receipt. The time it takes to submit the tender and upload all your documents may vary considerably depending on the number of concurrent submissions by other economic operators, the size of your tender and the type of internet service you are using. We recommend that you upload the documents the day before the deadline.



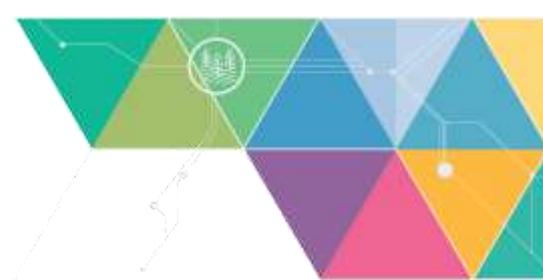
If the contracting authority detects technical faults in the functioning of the electronic equipment used for submitting and receiving tenders due to which it is impossible to electronically submit and receive tenders, you will be informed of the extension of the time limit by the contracting authority at the e-Tendering link.

For more information or technical support on e-Submission, please visit the [e-Submission help site](#).

Contact

- Notifications for re-submission or withdrawal of tenders must be sent to: EFSAProcurement@efsa.europa.eu

When communicating state the reference to the call for tenders and, if applicable, the Tender ID.



ANNEX 1 - FINANCIAL OFFER TEMPLATE

Tenderers are requested to use this template for preparing their financial offer. In doing so tenderers confirm they are aware of the following facts:

- As referred to in part 1.4, the maximum budget EFSA has available for this assignment is 500,000€. Any offer exceeding this maximum will not be retained for contract award.
- Prices must be quoted in Euro. Tenderers from countries outside the euro zone have to quote their prices in euro. The price quoted may not be revised in line with exchange rate movements. It is for the tenderer to bear the risks or the benefits deriving from any variation.
- Pursuant to the provisions of Article 9 of the Italian Law n. 17 dated 10/01/2006 and under Article 151 of Council Directive 2006/112/EC, EFSA is exempt from all duties, taxes and other charges, including VAT. For this reason, all prices given in the financial breakdown should be free of VAT and other taxes or duties.
- The price offered below is understood to be all-inclusive. For example any additional costs which can be incurred by the contractor in performing the contract, such as overheads, travel, subsistence/accommodation expenses, etc. should also be factored in to the all-inclusive price. In addition, if the deliverables incorporate pre-existing rights, the tenderer should factor into their total price the cost of licensing those pre-existing rights to EFSA.
- It is the responsibility of each tenderer to ensure that the total amount of the tender inserted in the relevant field of the e-Submission application corresponds to the amount indicated in the uploaded financial offer. In case of discrepancies, only the amount indicated in the financial offer will be taken into account.

<p style="text-align: center;">ALL INCLUSIVE TOTAL PRICE</p> <p style="text-align: center;">to be used for the evaluation and for contract implementation in the case of award.</p>	<p style="text-align: right;">..... €</p>
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Tenderer name:

Name of person signing the financial offer:

His/her position in the company:

His/her signature:

Date:



ANNEX 2 - DRAFT CONTRACT

The contract which results from this procurement procedure will be based on the model annexed to these tender specifications.