



EUROPEAN CENTRAL BANK

EUROSYSTEM

ECB-RESTRICTED

**CALL TO EXPRESS INTEREST
FOR PARTICIPATING IN THE PROCUREMENT PROCEDURE FOR
DRAFTING SKILLS AND WRITTEN COMMUNICATION TRAINING**

PRO-001797

Contract notice number: 2016/S 153-276547

Table of contents

I.	Introduction	3
1.	Background	3
2.	Legal framework	4
II.	Preparation and submission of expression of interest to participate	4
1.	Communication, queries regarding the procedure	4
2.	Changes to documentation	5
3.	Preparation of the expressions of interest to participate; expenses	5
4.	E-mail address and time-limit for submission	5
5.	Format of the expression of interest to participate	5
6.	Language	5
III.	Evaluation of expressions of interest for participation	6
1.	Evaluation process	6
2.	Formal requirements	6
3.	Eligibility criteria	6
4.	Minimum capacity levels and selection criteria	6
IV.	Outcome of the Call to express interest for participation	8
1.	Notification of outcome	8
2.	Jurisdiction	9
3.	European Ombudsman	9
V.	General rules	9
1.	Temporary groupings	9
2.	Subcontracting	9
3.	No multiple expressions of interest to participate	9
4.	Confidentiality; professional secrecy	10
5.	Data protection	10
6.	No obligation to award the Contract; cancellation	11

I. Introduction

As announced in the contract notice of 10 August 2016 (Contract notice number: 2016/S 153-276547 / internal reference number: PRO-001797), the European Central Bank (ECB) is seeking interested parties through this Call to express interest for participating in a procurement procedure for Drafting Skills and Written Communication Training.

1. Background

The European Central Bank (ECB) is the central bank of the 19 European Union countries which have adopted the euro. Our main task is to maintain price stability in the euro area and to preserve the purchasing power of the single currency. The ECB is an official EU institution at the heart of the Eurosystem as well as the Single Supervisory Mechanism for banking supervision.

The purpose of the training services is to enhance staff members' drafting skills and written communication skills (identify the main messages, the audiences to be targeted, etc.). It is also important to raise awareness on the political sensitivity of the documents the ECB produces and explain to participants¹ how to handle this dimension.

Staff members prepare many different types of documents such as technical memos, reports, minutes, press releases or speeches. Whatever the type, it needs to be a clear document, effective and easily and quickly understood. English is the working language at the ECB. All staff members² across different Business Areas (Economics, Banking supervision, Statistics, IT, Communication, Law, etc.) and different roles (non-managerial to managerial positions) should follow the ECB drafting standards.

The ECB is looking for a provider able to develop and deliver a set of drafting courses that together compose a programme called "WritCom Programme". The WritCom is a hands-on Programme designed for those who need to improve their writing skills, write more effectively, or acquire new business writing techniques. The Programme is modular, which allows for tailored participation aligned with both best practice at the ECB and the needs of the individual participants. To accommodate participants, the seminars and workshops are regularly offered throughout the year.

More particularly, the selected provider is expected to:

- a) Assess the needs of each participant and propose individualised training plans accordingly and
- b) Deliver seminars and workshops (generic ones such as "Principles of clear writing" or "Increase the impact of your documents" as well as specialised ones such as "Drafting press releases" or "Legal drafting") and coaching sessions.

¹ This programme will be open to ECB staff members as well as to a number of other colleagues such as staff members of National Central Banks part of the ESCB (European System of Central Banks) and of National Competent Authorities part of the SSM (Single Supervisory Mechanism).

² ECB staff members come from the 28 EU countries.

The envisaged starting date of the contract is in the first quarter of 2017 (for a duration of 3 years with a possible renewal for an additional year) and for the WritCom Programme to be up and running as of the second quarter of 2017.

2. Legal framework

This Call to express interest for participation shall be governed by Decision ECB/2016/2 of 9 February 2016 laying down the Rules on Procurement³, Articles 35 and 36 and the provisions of this Call to express interest.

II. Preparation and submission of expression of interest to participate

1. Communication, queries regarding the procedure

- 1.1 During the preparation of their expression of interest to participate all interested parties are encouraged to submit questions to the ECB on any aspect of the Call to express interest for participation.
- 1.2 Interested parties shall address all queries regarding this procedure to Mr Javier Insa, European Central Bank, Central Procurement Office, Sonnemannstrasse 22, 60314, Frankfurt am Main, Germany. Queries shall be submitted by e-mail to procurement@ecb.europa.eu. The ECB does not assume any responsibility for queries which are not submitted in writing.
- 1.3 The ECB shall endeavour to answer all queries as quickly as possible but cannot guarantee a minimum time response. The ECB shall not be bound to reply to queries received less than seven calendar days before the time-limit for the submission of expressed interest, but will try to do so if possible.
- 1.4 If a query is of general interest, the ECB shall communicate the query and the corresponding answer (Q&A) to all those interested to participate. The query shall be anonymised and information of a commercially confidential nature shall not be disclosed. The communication will be published by the ECB via the Internet platform as set out in the contract notice. Interested parties shall therefore regularly access the internet platform to verify whether a Q&A document is published. It should be noted that it is the sole responsibility of the interested parties to do so as the ECB will not follow up on this issue.
- 1.5 During the Call to express interest, those parties interested shall not contact any other ECB staff members or organisations/persons working for the ECB with regard to this Call to express interest. Interested parties shall also not contact potential competitors unless they intend to form a temporary grouping with them or to involve them as subcontractors. Any violation of this communication rule may lead to the exclusion of the interested party in question.
- 1.6 Unless otherwise provided, all communication with the ECB shall be made in English.

³ OJ L 45, 20.2.2016, p. 15-43, as amended by Decision ECB/2016/17 (OJ L 159, 16.6.2016, p. 21–22), both published on <http://www.ecb.europa.eu/ecb/proc/tenders/html/index.en.html>

2. Changes to documentation

The ECB may at any time prior to the expiry of the time-limit for the submission of expression of interests to participate, change or supplement the requirements set out in the contract notice or the Call to express interests for participation. The ECB may, if necessary, extend the time-limit for the submission of expressions of interest to participate. If need be, the ECB will also publish a corrigendum to the contract notice.

3. Preparation of the expressions of interest to participate; expenses

3.1 Interested parties shall obtain at their own responsibility and expense all information necessary for the preparation of their expressions of interest to participate. Interested parties are solely responsible for the costs and expenses incurred in connection with the preparation and submission of their expressions of interest to participate and all other stages of the tender procedure. The ECB shall not be liable for any costs or expenses borne by interested parties or persons involved by them.

3.2 Interested parties are solely responsible for obtaining the information which they consider is necessary in order to make decisions regarding the content of their Call to express interest and to undertake any investigations they consider necessary in order to verify any information provided to them.

4. E-mail address and time-limit for submission

4.1 Interested parties shall submit their expressions of interest to participate no later than 19 September 2016, 18:00 CEST to the following e-mail address procurement@ecb.europa.eu making clear reference in the subject matter of the email to the relevant procurement number and procurement title.

4.2 The ECB will not consider expressions of interest to participate which reach the ECB after expiry of the above time-limit.

5. Format of the expression of interest to participate

5.1 The expression of interest to participate shall consist of the completed Response form (template attached as Annex 1) and, where appropriate, supporting documents.

5.2 Interested parties shall submit their expression of interest to participate in digital version via e-mail. The digital version shall consist of pdf files. Generated pdf files shall be used except for documents which must be scanned for technical reasons (e.g. paper-based certificates). Filled-out forms shall be submitted as MS-Office documents (Word or Excel). In case of doubt, interested parties shall demonstrate the ECB's receipt of their e-mail submission.

6. Language

Interested parties shall submit all documents and information in English. Legal, financial, ISO and other certificates that have not been issued in English may be submitted in the original language. The ECB may request interested parties to provide a certified translation of the original document.

III. Evaluation of expressions of interest for participation

1. Evaluation process

- 1.1 The ECB intends to invite five interested parties to submit a tender provided that a sufficient number of interested parties meeting the selection criteria are available. The ECB intends to invite the interested parties who best meet the selection criteria set out in Section 4 below.
- 1.2 The ECB may request interested parties to supplement their expressions of interest for participation or to clarify specific points. Interested parties shall respond to such requests within the reasonable time-limits set by the ECB. The ECB may not consider replies submitted after the expiry of the time-limit.
- 1.3 For the purpose of the evaluation the ECB may also take account of any other relevant information from public or specialist sources. The ECB may contact the reference persons indicated by the interested parties and ask specific questions. The questions and answers shall be documented in writing.

2. Formal requirements

- 2.1 The ECB shall exclude expressions of interest for participation that
- (a) Were submitted after the expiry of the time-limit for the submission; or
 - (b) Are substantially incomplete; or
 - (c) Were not submitted in English.
- 2.2 The ECB may, at its own discretion, exclude interested parties that do not comply with other substantial formal requirements laid down in this Call to express interest.

3. Eligibility criteria

During the actual tender procedure, tenderers (i.e. interested parties that were invited to tender) will have to state in their declaration of honour that they meet the eligibility criteria. Failure to comply may lead to the exclusion of the tenderer. The ECB will exclude tenderers that are in one of the situations described in Article 30 of Decision ECB/2016/2.

4. Minimum capacity levels and selection criteria

- 4.1 Interested parties shall have the economic, financial, technical and professional capacity to perform the Contract.
- 4.2 Minimum capacity levels:

Interested parties must meet the following minimum requirements:

- (a) **Economic and financial capacity:** Accumulated total net turnover for training activities for the last three financial years of EUR 600,000.
- If the interested party is a temporary grouping:
- It may add the respective turnover of its members.
 - However, one of the members shall have achieved on its own 60% of the above amount(s).

(b) **Technical capacity:**

- Comparable contract: at least one contract performed during the last three financial years, which is comparable in terms of scope, target audience and complexity with the Contract to be tendered by the ECB.
- Field of expertise: at least one training in the last three financial years on each of the following subjects:
 - i. Generic drafting skills (e.g. on principle of clear drafting, increase the impact of your documents, how to take minutes, etc.);
 - ii. Specific drafting skills for communication professionals (e.g. on press releases, speech writing, digital writing);
 - iii. Specific drafting skills for other professionals (e.g. Legal drafting).

(c) **Professional capacity:** At least two trainers available both able to deliver a wide range of trainings in the field of drafting and clear writing communication skills in English Language for an international audience (including trainings for communication professionals, e.g. press releases, speech writing).**As proof, interested parties shall submit:**

- Documents proving their overall economic and financial capacity, i.e. profit and loss statements and balance sheets or extracts thereof for at least the three financial years as specified in Section 3 of the Response Form. If the accounts for these financial years have not been closed yet or if the (company) law of the country where you/your company are/is established does not require you to publish the profit and loss statement and/or balance sheet, please submit equivalent documentation. If you tender as a natural person, please include a copy of a signed statement from your tax consultant from the three financial years showing your overall economic and financial capacity.
- Reference and description of similar contract(s) performed during the last three financial years.

4.3 Selection criteria:

Among the interested parties meeting the minimum requirements set out in Section 4.2, the ECB shall select those (alone or together with sub-contractors or as part of a temporary grouping) which general experience, assessed on the basis of the reference contracts provided in Annex 1, Section 4.3, best meet ECB's expectations.

This general experience will be measured through the following selection criteria:

- **Size** (number of people trained as well as total number of hours of classroom training) – 25%
- **Scope** (relevance of the topics for the ECB) – 50%
- **Audience** (composition of the audience) – 25%

For the sub-criteria please refer to Annex 1.

- 4.4 The selection criteria listed in Section 4.3 above shall be assessed one by one and evaluated on the basis of a scoring system from zero to five points as follows:

Score	Definition
0 point	No evidence/Total failure: The interested party totally fails to address the criterion under examination or cannot be assessed due to missing evidence.
1 point	Very Poor: The criterion under examination is addressed in an incomplete and unsatisfactory manner; serious concerns.
2 points	Poor: The criterion under examination is partly addressed but with a few major gaps or issues.
3 points	Fair: The criterion under examination is generally addressed with minor issues.
4 points	Good: The criterion under examination is fully addressed.
5 points	Excellent: The criterion under examination is fully addressed and the interested party offers some added value.

The ECB shall evaluate the selection criteria listed in Section 4.3 above using a scoring system with a maximum of 100 points, based on the criteria and corresponding weightings set out in Section 4.3. The score obtained for each selection criterion will be multiplied with its allocated weight to calculate the weighted score per criterion. All the weighted scores will be added together (“added scores”) and hereafter converted into points. The expression of interest for participation with the highest added score will, for the purpose of the ranking of the interested parties, obtain the maximum of 100 points, and the other will receive proportionally less.

IV. Outcome of the Call to express interest for participation

1. Notification of outcome

- 1.1 The ECB will inform those interested parties that are invited to participate in a tender procedure in writing. The successful interested parties will receive the tender documentation within the time frame indicated in the notification. The status of the Call to express interest for participating (i.e. ‘ongoing’ / ‘closed’) is available on the ECB’s website under the Procurement section (www.ecb.europa.eu => about => procurement => Tenders (ongoing) or Archives (closed), <http://www.ecb.europa.eu/ecb/jobsproc/tenders/html/index.en.html>). Interested parties shall regularly check the status.
- 1.2 Interested parties may, within 15 calendar days after closing the Call to express interest for participating, request the ECB to provide general information for rejecting their expression of interest for participation. Such requests shall be submitted in writing (by e-mail to procurement@ecb.europa.eu). The ECB does not assume any responsibility for queries which are not submitted accordingly. In case of doubt, interested parties shall demonstrate the ECB’s receipt of such request.

- 1.3 The ECB may decide to withhold certain information where the release of such information would affect other interested parties' legitimate commercial interests, would hinder application of the law or would otherwise be contrary to the public interest.

2. Jurisdiction

The General Court of the European Union in Luxembourg (Rue du Fort Niedergrünwald L-2925 Luxembourg) shall have exclusive jurisdiction in any dispute between the ECB and an interested party relating to this procedure. The time-limit to bring proceedings under Article 263 of the Treaty on the Functioning of the European Union shall begin to run two months from receipt of the appeal decision.

3. European Ombudsman

An interested party may also lodge a complaint with the European Ombudsman (1 Avenue du Président Robert Schuman, CS 30403, FR - 67001 Strasbourg Cedex) in accordance with Article 228 of the Treaty on the Functioning of the European Union and the Statute of the European Ombudsman. A complaint must be made within two years from the date when the complainant becomes aware of the facts on which the complaint is based.

V. General rules

1. Temporary groupings

- 1.1 Interested parties may establish temporary groupings with a view to jointly obtaining the Contract.
- 1.2 Temporary groupings shall remain unchanged throughout the actual tender procedure.

2. Subcontracting

- 2.1 Interested parties may subcontract parts of the envisaged scope.
- 2.2 If interested parties intend to rely on the capacities of subcontractors or other entities for the purpose of fulfilling the selection criteria set out in Chapter III, Section 4, and would be invited to participate in the subsequent tender procedure following this Call to express interest for participation, they will be requested to prove to the ECB that they will have at their disposal the subcontractor's resources necessary to perform the Contract.

3. No multiple expressions of interest to participate

Interested parties shall submit only one expression of interest for participation. The ECB may exclude from participation any interested parties who submit several expressions of interest to participate or who:

- (a) are members of the same group of affiliated undertakings as another interested party;
- (b) are members of a temporary grouping together with other interested parties;
- (c) offer a substantial part of the Contract to another interested party as subcontractor;
- (d) if there are indications that they have received information regarding the expression of interest for participation prepared by another interested party or

- (e) if the submission of separate expressions of interest for participation distorts otherwise free competition among interested parties.

4. Confidentiality; professional secrecy

- 4.1 Subject to the exceptions referred to in Section 4.2 below, interested parties shall:
 - (a) at all times treat the contents of this and any related documents and information (together the 'Information') as confidential;
 - (b) not disclose, copy, reproduce, distribute or pass any of the Information to any other person at any time or allow any of these things to happen;
 - (c) not use any of the Information for any purpose other than for the purposes of submitting (or deciding whether to submit) a expressions of interest to participate; and
 - (d) not undertake any publicity activity within any section of the media.
- 4.2 Interested parties may disclose, distribute or pass Information to third parties provided that either:
 - (a) the Information is already publicly available (other than through a breach of these confidentiality rules); or
 - (b) the Information is disclosed for the sole purpose of preparing expression of interest to participate and the person receiving the Information undertakes in writing to keep the Information confidential on the same terms as if that person were the Candidate; or
 - (c) the interested parties obtains the prior written consent of the ECB in relation to such disclosure, distribution or passing of Information; or
 - (d) the Candidate is legally required to make such a disclosure.
- 4.3 The ECB is by law subject to the highest standards of professional secrecy and confidentiality⁴. The ECB may disclose detailed information relating to the expression of interest for participation:
 - (a) to its staff and other organisations, companies or persons involved in the expressions of interest and/or subsequent tender procedure;
 - (b) to other Interested parties, if the information is materially relevant for all Interested parties or if the ECB is required by law to disclose such information in both cases subject to the duty to protect the Candidate's commercial interests;
 - (c) to the general public to the extent the ECB is obliged to disclose the information in order to fulfil statutory transparency requirements.

5. Data protection

- 5.1 The ECB shall process personal data received (such as names, contact details and other information provided in curriculum vitae) in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of

⁴ See Article 37 of the Statute of the European System of Central Banks and of the European Central Bank and Article 26(4) of Decision ECB/2016/2.

individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁵ as well as with Decision ECB/2007/1 of 17 April 2007 adopting implementing rules concerning data protection at the European Central Bank⁶.

- 5.2 The ECB shall use such personal data solely for the purpose of evaluating the received and maintaining a database of potential interested parties. Within these limits, the ECB may transfer the personal data to third parties supporting the ECB in the procurement process including external contractors, national central banks or other partner organisations. The data subjects concerned may request access to their personal data and request the rectification of any data that is inaccurate or incomplete.
- 5.3 For all queries relating to such data, data subjects may address the data controller who is the Head of the ECB's Central Procurement Office (Sonnemannstrasse 22, 60314 Frankfurt am Main, Germany, procurement@ecb.europa.eu, Fax +49 69 1344 7110).
- 5.4 Data subjects shall have the right to have recourse to the European Data Protection Supervisor.

6. No obligation to award the Contract; cancellation

- 6.1 The initiation of this procedure imposes no obligation on the ECB to award the Contract.
- 6.2 The ECB may cancel the Call to express interest for participation and/or the subsequent tender procedure as a whole or in parts at any time before the Contract is signed without interested parties being entitled to claim any compensation (Article 38 of Decision ECB/2016/2).

⁵ OJ L 8, 12.1.2001, p. 1.

⁶ OJ L 116, 4.5.2007, p. 64.