

**CALL TO EXPRESS INTEREST
FOR PARTICIPATING IN THE
PROCUREMENT FOR THE
“PROVISION OF LEARNING AND DEVELOPMENT ACTIVITIES”**

**5-quote procedure
with publication of a contract notice**

2019/S 113-276191

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I. Introduction

As announced in the contract notice of 14 June 2019 (2019/S 113-276191) the European Central Bank (ECB) is seeking through this Call to Express Interest, parties interested in participating in a negotiated procurement procedure for the Provision of Learning & Development activities (PRO-004793).

1. Specifications

1.1 Background

The European Central Bank (ECB) is an official EU institution which is responsible for the monetary policy of the European Union. The ECB fulfils this mandate together with the 19 national central banks (NCB's) of the Member States whose currency is the euro (the 'Eurosystème'). Since 2014, the ECB is also entrusted with the task of banking supervision within the European Union to ensure the stability of the banking system. This is conducted by the Single Supervisory Mechanism (SSM) which consists of the ECB and the national supervisory authorities (NCA's) of the participating countries¹. It currently employs around 3,500 staff members.

To ensure that staff of the ECB and the SSM have the necessary skills, knowledge and competencies to perform to the best of their abilities and to deliver on the ECB's business objectives, the Talent Management Division of the Directorate General Human Resources, provides a variety of learning and development activities. These activities may also be offered to the European System of Central Banks (ESCB)².

The ECB is therefore looking for up to 5 providers to co-create, develop, deliver and administer a variety of learning and development activities in English.

Interested parties may establish temporary groupings or use subcontractors for the provision of the requested learning and development activities, as further detailed in Chapter V "General Rules" below.

1.2 Scope of services

The selected provider(s) shall provide learning and development activities in the areas of **"(Inter) personal"** and **"People Management"** skills. Examples of skill areas that could be requested under these two umbrellas include:

- Communication skills e.g. drafting, visualisation, storytelling, assertiveness etc.
- Generic business skills e.g. change management, project management, design thinking, etc.

¹ For more information on the tasks of the ECB and the SSM please refer to:

<https://www.ecb.europa.eu/ecb/html/index.en.html> and
<https://www.bankingsupervision.europa.eu/about/mission-statement/mission-statement-of-the-ssm/html/index.en.html>

² The ESCB consists of the ECB and the national central banks (NCB's) of all EU Member States.

- Personal growth e.g. stress management, time management and career planning etc.
- People management skills e.g. performance management, recruitment etc.

Further examples of topics envisaged can be found in Annex 2. It should be noted that the list detailed in Annex 2 is non-exhaustive and serves only to provide examples of the types of training that could be requested. Additional skill areas may be added as well as long as they fall within the overall umbrellas of “**(Inter) personal**” and “**People Management**” skills. The requested learning and development activities may either be off the shelf or tailor made to specific needs or target audiences.

The selected provider(s) will be expected to:

- Analyse and identify appropriate learning and development activities (L&D), learning paths and/or curriculum in line with developments in the job/skills market, the ECB's strategic direction, its values and HR frameworks e.g. the ECB competency model, role profiles and strategic workforce planning outcome.³
- Design, co-create and deliver the above identified L&D activities, learning paths and/or curriculum.
- Keep abreast of technological and pedagogical developments in methods of knowledge transmission and L&D and make full use of these emerging trends by pro-actively embedding the most appropriate methods into the identified L&D activities/solutions. These shall include but not be restricted to e-learning, gamification, (live) web learning, (serious) games e.g. Lego serious play, classroom training, (software) simulations, collaborative platforms, peer exchange, communities of practice, bite-size/modular courses etc. and shall, where appropriate, be suitable for mobile devices.
- Identify & develop **or** source appropriate learning tools and materials to support the learning activities/solutions above. These shall include but not be restricted to course material, self-study material, (self) evaluation tests, biographies, web references, psychometric tests, peer review/support networks etc., as well as online platforms where such activities/solutions can be offered.
- Provide supplementary coaching to embed the learning of the proposed learning activities and when needed, support management in their role and/or in periods of career moves.
- Provide all related administrative support e.g. the handling of registrations/cancellations, emailing of any material to the learning and development team of the ECB and/or individual participants, organising any coaching sessions directly with the registered participants(s), communicating directly with participants and sharing relevant information (as described above) and collecting and reporting feedback in either aggregate or individual way.

The successful interested parties will receive the tender documentation including a more detailed technical specification as part of the next stage in the process, please refer to

³ Relevant documentation will be made available to the tenderers that are invited to the second stage of the process

Chapter IV “Outcome of the Call to express interest for participation” for more details on the tender procedure.

1.3 Framework agreements and orders

The ECB intends to conclude a Framework Agreement (Contract) covering both services and works with up to 5 contractors who have the necessary expertise and capability to provide the required services on a ranking basis.

The Contract(s) will be valid for a period of three years which can be extended for up to one additional year. The envisaged start date of the Contract(s) is January 2020.

The learning and development activities will be open to all staff, including management of the ECB, and where applicable, to employees of NCAs of the SSM and NCBs of the ESCB.

The main location of any onsite learning and development activities shall be the premises of the ECB in Frankfurt am Main, Germany. Where applicable, some activities will be delivered at other National Central Banks of the ESCB or at National Competent Authorities (NCAs).

In line with the terms and conditions of the Contract(s), the ECB will issue Orders for the provision of services (and works) to the provider who is ranked first (1st) as the outcome of the tender procedure. The ECB will contact the next-ranked contractor for the required services if; i) the first ranked contractor cannot offer the requested learning and development activity or ii) the ECB after a defined number of validation rounds, is not satisfied with a proposed concept for the requested learning and development activity or iii) in case of continuously poor feedback from participants for the same learning and development activity.

Payment will be made for work actually completed by the contractor. More details on the ranking process will be provided to the successful interested parties as part of the tender documentation forming part of the next stage of the process.

1.4 Prospective demand of the ECB⁴

In 2018, the ECB offered around 15 different courses in the field of (Inter) Personal skills as well as 5 different courses in the area of People Management⁵. On average each of these courses are offered at least 3 to 4 times a year although this will vary depending on the topic and target audience.

Selected provider(s) will be expected to cater for a similar if not higher volume of learning and development activities per calendar year for the duration of the Contract(s).

⁴ The following figures constitute non-binding estimates on the basis of past contract performance. The ECB does not have an obligation to order Services in this volume from the selected provider.

⁵ Open to all staff who have a people management function/role and excluding specific leadership programmes

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 Procurement⁶, Articles 35 and 36 and the provisions of this Call to express interest.

II. Preparation and submission of expression of interest to participate

2. Communication, queries regarding the procedure

- 2.1 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.
- 2.2 Interested parties shall address all queries regarding this procedure to Mrs Amalia Friman, European Central Bank, Central Procurement Division, 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.
- 2.3 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.
- 2.4 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.
- 2.5 During the Call to express interest, those parties interested shall not contact any other ECB staff members (apart from the contact point specified in section 1.2 above) 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.
- 2.6 Unless otherwise provided, all communication with the ECB shall be made in English.

3. 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

⁶ 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>

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.

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

4.1 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.

4.2 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.

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

5.1 Interested parties shall submit their expressions of interest to participate no later than **5 July 2019, 18:00** 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.

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

6. 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 are requested to 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.

7. 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 a minimum of five interested parties to submit a tender provided that a sufficient number of interested parties meeting the selection criteria is available. The

ECB intends to invite the interested parties who meet the selection criteria set out in Section 4 below. In addition, the ECB may, at its own discretion, invite suitable suppliers that have already been identified by the ECB.

- 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 may 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

- 3.2 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. Selection criteria and minimum capacity levels

- 4.1 Interested parties shall have the economic, financial, technical and professional capacity to perform the Contract.
- 4.2 Interested parties must meet the following minimum requirements:

Economic and financial capacity

- The interested parties' economic and financial capacity will be assessed on the basis of their financial situation during the last three financial years (2016-2018). As a minimum, interested parties shall have had, in the last three financial years (2016-2018), an accumulated net turnover of at least EUR 9 million. If the interested party is a temporary grouping it may add the respective turnover of its members.

Technical and professional capacity

- Have performed three similar contracts during the last three financial years (2016-2018), which are comparable in terms of **scope, size and complexity** with the Contract to be tendered by the ECB. Each of these contracts must have covered at least one of the required skill areas as described in section 1.2. Together, all three reference contracts should demonstrate an ability to cover all four skill areas as described in section 1.2. Similar contract

in terms of scope means contracts that cover the skill areas as described in section 1.2 and were delivered to an international/multinational target audience;

- Two contract managers (one lead and one back up) experienced with managing similar contracts with an English proficiency level of C1 who shall be the ECB's sole point of contact for all contractual and administrative matters;

As proof, interested parties shall submit:

- Their financial accounts for the years 2016, 2017 and 2018 as well as the financial accounts for these years of the other members of its temporary grouping or any subcontractors in case an interested party is relying on a subcontractor to meet this selection criterion.
- A filled-in Response Form.

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' / 'pending selection decision' / 'closed') is available on the ECB's website under the Procurement section (www.ecb.europa.eu => about => procurement => Tenders (ongoing) or Archives ('pending selection decision' or '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 a 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, 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 confidentiality⁷. 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 individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁸ as well as with Decision ECB/2007/1 of 17 April 2007 adopting implementing rules concerning data protection at the European Central Bank⁹.

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 Division (Sonnemannstrasse 22, 60314 Frankfurt am Main, Germany, procurement@ecb.europa.eu, Fax +49 69 1344 7110).

⁷ 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.

⁸ OJ L 8, 12.1.2001, p. 1.

⁹ OJ L 116, 4.5.2007, p. 64.

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).