



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR EDUCATION, CULTURE, YOUTH AND SPORT
Directorate for Culture and Creativity
Cultural Policy

CALL FOR TENDERS

N° EAC/13/2018

STUDY ON

**Music Moves Europe – A European Music Export
Strategy**

TENDER SPECIFICATIONS

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1. INFORMATION ON TENDERING

1.1. Participation

Open procedure

Participation in this procurement procedure is open on equal terms to all natural and legal persons coming within the scope of the Treaties, as well as to international organisations.

For British candidates or tenderers:

Please be aware that after the UK's withdrawal from the EU, the rules of access to EU procurement procedures of economic operators established in third countries will apply to candidates or tenderers from the UK depending on the outcome of the negotiations. In case such access is not provided by legal provisions in force candidates or tenderers from the UK could be rejected from the procurement procedure.

It is also open to all natural and legal persons established in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the plurilateral Agreement on Government Procurement¹ concluded within the World Trade Organisation applies, the participation to this procedure is also open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions it lays down.

1.2. Contractual conditions

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

1.3. Compliance with applicable law

The tender must comply with applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU².

1.4. Joint tenders

A joint tender is a situation where a tender is submitted by a group of economic operators (natural or legal persons). Joint tenders may include subcontractors in addition to the members of the group.

¹ See http://www.wto.org/english/tratop_e/gp_gpa_e.htm

² Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

In case of joint tender, all members of the group assume joint and several liability towards the Contracting Authority for the performance of the contract as a whole, i.e. both financial and operational liability. Nevertheless, tenderers must designate one of the economic operators as a single point of contact (the leader) for the Contracting Authority for administrative and financial aspects as well as operational management of the contract.

After the award, the Contracting Authority will sign the contract either with all members of the group, or with the leader on behalf of all members of the group, authorised by the other members via powers of attorney.

1.5. Subcontracting

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

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

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

1.6. Structure and content of the tender

The tenders must be presented as follows:

Part A: Identification of the tenderer (see section 1.7)

Part B: Technical offer

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

Part C: Financial offer

The price for the tender 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.

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

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

Part D: Non-exclusion (see section 4.3)

Part E: Selection (see section 4.4)

1.7. Identification of the tenderer

The tender must include the annex 1 signed by an authorised representative presenting the name of the tenderer (including all entities in case of joint tender) and identified subcontractors if applicable, and the name of the single contact point (leader) in relation to this procedure.

In case of joint tender, the annex 1 must be signed either by an authorised representative for each member, or by the leader authorised by the other members with powers of attorney. The signed powers of attorney must be included in the tender as well. Subcontractors that are identified in the tender must provide a letter of intent signed by an authorised representative stating their willingness to provide the services presented in the tender and in line with the present tender specifications.

All tenderers (including all members of the group in case of joint tender) must provide a signed Legal Entity Form with its supporting evidence. The form is available on:

http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

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

The tenderer (or the leader in case of joint tender) must provide a Financial Identification Form with its supporting documents. Only one form per tender should be submitted. No form is needed for subcontractors and other members of the group in case of joint tender. The form is available on: http://ec.europa.eu/budget/contracts_grants/info_contracts/index_en.cfm

2. TECHNICAL SPECIFICATIONS

2.1. Background

Overall EU policy context for culture

The European Union's role in the culture area is specified in [Article 167 of the Treaty of the Functioning of the EU](#). The European Commission's activities in this area are framed in particular by the [European Agenda for Culture](#), which aims to reinforce the role and position of culture in an increasingly globalised world. The role of the Commission is to help address common challenges, such as the impact of the digital shift, changing models of cultural governance, and the need to support the innovation potential of the cultural and creative sectors. The Commission is also committed to promoting cultural diversity, protecting cultural heritage, easing obstacles to the mobility of cultural professionals, and supporting the contribution of cultural and creative industries to boosting growth and jobs across the EU, in line with the principles of the European Agenda. The international dimension of culture is at

the core of this Agenda. EU cooperation on culture will be strengthened further in the future under a New European Agenda for Culture.³

Since 2014 Creative Europe has served as a consolidated framework programme in support of Europe's cultural and audiovisual sectors. It has supported the implementation of actions in line with the EU's cultural policy. In the context of the preparations of the next Multiannual Financial Framework (MFF) post-2020, discussions on the future EU programme for culture have started.⁴

About the music sector in Europe

Music constitutes an important pillar of European culture. There is the economic significance of the sector – it employs more people than film and generates more than 25bn EUR revenue annually. It is also an essential component of Europe's cultural diversity and it has the power to bring positive changes to many levels of society.

Over the past decade, Europe's music sector has been heavily influenced by the digital shift and increased competition from global players. It has been experiencing significant challenges that have led to fundamental changes in the way music is created, produced, distributed, consumed and monetised. The music industry is adapting to use the opportunities offered (e.g. new business models, extending audience reach, new way of interacting) paving the way for other content industries. A part from the many opportunities, important challenges remain, for instance, the repartition of revenue and the fair remuneration of artists in this new digital environment. The so-called “value gap” has become a subject of much discussion at national and European level in the past few years.

Europe is a strong global player all along the music value chain, including online distribution. Streaming revenues grow extremely rapidly, compensating declines in physical formats and downloads. Europe is home to the world's biggest music markets (e.g. Germany, UK, France and Italy); its music industry can be considered one of the most creative and diverse in the world. However, the European music ecosystem is a fragmented, diverse and complex landscape with structural differences between its main operator groups or sub-sectors (such as classical and amateur music sub-sector, live music sub-sector, recorded music sub-sector, digital distribution sub-sector, etc.). There is also a great deal of national fragmentation along with language barriers, which hamper promotion and visibility of music repertoire across national borders within Europe and beyond. Non-English music repertoire from Europe struggles to cross European borders and obstacles exist to internationalising the careers of artists. The United States and the United Kingdom enjoy a better access to the European music market, for historical, cultural and linguistic reasons, but also because they host the majority of major music labels, international promoters, and distribution services. The dominance of English music repertoire crossing borders through live performances, radio and

³ Following the request from the Leaders' meeting in Gothenburg in November 2017, the Commission is currently preparing an initiative for a New European Agenda for Culture, scheduled for adoption in May.

⁴ The Commission's Communication "A Modern Budget for a Union that Protects, Empowers and Defends - The Multiannual Financial Framework for 2021-2027" was adopted on 2 May, COM(2018) 321 final; press release: http://europa.eu/rapid/press-release_IP-18-3570_en.htm. The Commission's proposals for the new programmes are expected in May-June 2018.

online services in Europe and powerful American-led corporations⁵ seem to hamper promotion and visibility of European acts. Concentration and distorted competition are key challenges for the music ecosystem in Europe.

There is a need to support the competitiveness and the diversity of the music sector and to promote musical creation. In this context, also export strategies for European music might be needed to explore non-European markets and their audiences.

EU support for music – Music Moves Europe

In late 2015, therefore, the European Commission started a dialogue with representatives from the music sector in Europe with the aim to identify key challenges and possible ways to tackle them, including EU support. “Music Moves Europe” has since become the framework for these discussions and more broadly for EU initiatives and actions to promote the diversity and competitiveness of Europe’s music sector, in terms of policy and funding. One important outcome of that dialogue is the [AB Music Working Group report](#) in 2016. The report revealed the need to support music creation, promote musical diversity and to explore the opportunities offered by music online and offline distribution more effectively.

Against this background, in the context of the EU budgetary procedure for 2018, the European Parliament secured a budget of 1.5m EUR for a ***Preparatory Action “Music Moves Europe: Boosting European music diversity and talent”*** with the aim to test suitable actions for more targeted EU funding for music post-2020.⁶ The focus should be on four strands of action: offline and online distribution, artist and repertoire development, professionalisation and education, export of European music outside Europe.

The European Commission has been supportive to the process leading to the inclusion of this Preparatory Action in the 2018 EU budget considering that it comes at a timely moment when the Commission is preparing its proposals for new funding instruments post-2020. The implementation of this Preparatory Action is an opportunity to test new ideas on how to complement the existing forms of EU support for music under the Creative Europe programme, notably the co-financing of music cooperation projects, platforms, networks, and the European prize for music (EBBA awards), as well as policy action impacting on the music sector (e.g. in the context of the Digital Single Market).

To implement the Preparatory Action, the Commission will launch four calls (two calls for proposals and two calls for tenders) in the spring 2018 as follows:

- (a) Music Moves Europe - Online and offline distributions
- (b) Music Moves Europe - The feasibility study for the establishment of a European Music Observatory, and a gap analysis of funding needs for the music sector
- (c) Music Moves Europe - Training Scheme For Young Music Professionals
- (d) Music Moves Europe - Study on a European Music Export Strategy

⁵ Music Moves Europe – A support programme for the European Music Sector, compiled and researched by Pop100 for Yourope, May 2016.

⁶ Text of the Preparatory Action: https://ec.europa.eu/programmes/creative-europe/sites/creative-europe/files/preparatory_action_music_moves_europe_2018.pdf

In parallel, the Commission has committed to have a regular dialogue with the European music sector on these and other themes, starting in 2018.

The present call for tender focuses on the development of a *European Music Export Strategy (d)*.

Existing forms of support to music export

There is a wide-range of existing forms of support for music export of home-grown musical talent ranking from national or regional public funding (e.g. governmental grants; fiscal support schemes), over public-private partnerships (e.g. FACTOR geared towards advancing the Canadian music industry or WHY Portugal export group), to private schemes (e.g. music funds by private foundations) that support e.g. touring in another country. In Europe, National Music Export Offices and major labels remain the principal launch pads of artists' careers outside Europe; emerging and non-English singing artists remain under-represented on the international stage.

There is currently no consolidated approach or strategy in the EU for promoting European music internationally. And there is currently no direct EU support for the export of Europe's music abroad (e.g. in terms of supporting business development, marketing campaigns, showcases or touring outside Europe).

2.2. Objectives

General objective

The general objective of this call is to develop a proposal for a European Music Export Strategy⁷ that promotes Europe's music diversity and talent beyond European borders and that enhances the competitiveness of Europe's music sector on the international market.

The Strategy should help national and European policy makers to take more informed decisions (policy and funding) with regard to music export and enable decision-makers in the music sector to adapt or align their choices in that field.⁸

Specific objectives

The proposal for a European Music Export Strategy, which will take the form of a *study*, should:

- build on the success factors of existing national strategies for music export and complement existing initiatives (including those co-funded by the EU) to encourage the cross-border circulation of emerging talents and repertoire within and beyond Europe;

⁷ The focus should be on the EU-28; however, if for some reason the future contractor prefers a wider European coverage, this can be discussed and agreed upon at the kick-off meeting.

⁸ For the purpose of this call, "music" is defined in a broad sense and the term is understood to cover all music genres.

- examine relevant features of the most important international music markets (at least the US, Canada, one Asian and one African country) in light of prevalence of and entry options for European music repertoire, as well as the limiting factors in this regard;
- take into account differences between EU countries regarding the facilitation of cross-border mobility in the music sector within Europe (e.g. in terms of infrastructure and professionalization, different stages of development of national music industries);
- ultimately, outline in a strategic approach the key elements and measures, that would facilitate and promote the access of European music to the global market, including recommendations for action at the national and EU level;
- be based on a broad consensus among key players, including at least those representing artists, managers, labels, publishers, radio, platforms, festivals, and directly involving national music export offices in Europe.

2.3. Tasks and Deliverables

The successful tenderer should prepare a high-quality policy document outlining a strategy on European music export on the international market (hereafter: the Strategy).

The preparation of this document will entail **two subsequent tasks** and a **final deliverable**, as follows:

- a **stocktaking exercise** (including identification of challenges, opportunities and success factors for the export of European music talent and repertoire; mapping of music export support schemes in Europe; analysis of findings);
- the **organisation of a conference** with key players to present and discuss the analysis, and to test main elements for the Strategy;
- building on these tasks, the **drafting of a forward-looking Strategy**, which clearly outlines recommendations for policy-making at national and European level and for decision-making within the sector.

A) Subsequent task n°1: stocktaking exercise

As a basis for designing the Strategy, the successful tenderer will identify vital issues around the circulation of European talent and musical repertoire within and especially outside of Europe. The key focus should be on identifying opportunities and success factors for European music globally, including the access to key international markets (covering as a minimum the US, Canada, one Asian and one African country). To do this, the identification of key challenges and obstacles regarding cross-border mobility of music within Europe is a prerequisite, and it is hence also part of the assignment. On the latter, the gaps and differences between European countries' capacities and structures for music export should be addressed.

The study should identify and analyse the main success factors of existing national (and regional, as appropriate) strategies and schemes for music export. This can include strategies and schemes outside Europe. The study should also look at existing EU projects / initiatives to encourage the cross-border circulation of artists and repertoire within and beyond Europe, and analyse their potential for being extended beyond Europe or suitable for an inclusion in a European-wide strategy.

The conditions for market entry of European music in the selected key international markets should be carefully considered and analysed (e.g. economic features, existing policies or legal frameworks; audiences and consumption patterns).

These specific tasks should be done through extensive literature review and desk research as well as reach out (e.g. consultations, interviews) to relevant national structures, especially national music export offices, and to key players in the different music branches.

The results of this work will feed into the drafting of the final Strategy.

The intermediate deliverables for this task (n°1), to be annexed to the Final study report, consist of:

- **Mapping of national support strategies and schemes for music export within Europe and an assessment of their relative successes and their transformability to other countries and Europe as a whole;**
- **Identification of success factors for the export of European musical talent and repertoire to key international markets.**

B) Subsequent task n°2: organisation of the conference

The successful tenderer will present the draft intermediate deliverables (Mapping and assessment of national support strategies and schemes for music export within Europe; Identification of success factors for the export of European musical talent and repertoire to key international markets) in the framework of a conference.

The conference should involve +/- 80 representatives from the music sector and relevant sub-branches (in particular from Europe), representatives from national export offices, representatives from the national and EU policy level, and experts on music export.

The event serves to discuss findings and to explore and test ideas for the Strategy, including the recommendations.

The successful tenderer will be in charge of the organisation of the event. All costs will be covered by the contract.

The Commission will discuss the agenda and technicalities of the conference with the Contractor, as well as the list of participants. The Commission will approve the final concept for the conference, before the Contractor will make arrangements.

The intermediate deliverable of the conference consists of a Report summarising the discussion and outlining key elements for the future Strategy. The Conference report will be annexed to the Final study report.

C) Final deliverable: the drafting of a European Music Export Strategy

Based on the previous work carried under A) and B), the successful tenderer will have gathered important elements to draft the Strategy.

The Strategy will need to be comprehensive (i.e. work for the EU as a whole, for big and small countries, for countries that promote the cross-border circulation of their local repertoire, e.g. France, and for those that traditionally less do so, e.g. Eastern European countries) and a forward-looking tool establishing the direction of Europe's approach on music export and providing long-term purpose (e.g. suitable to be used / implemented over the next 5-10 years).

The Strategy should:

- Develop an aspirational *vision* for the export of European musical talent and repertoire setting out the overall direction; express a consensus within the European music sector and help unify efforts towards this common future goal; it should be bold and inspiring.

- Describe in detail the *starting point*, *how to get to achieving the set goals* and the *envisaged outcomes*.
- Make proposals to *measure outcomes and progress* regarding the implementation of the Strategy.
- Make *recommendations* for the policy level (in the Member States and for the EU) and for the sector; these recommendations should build on existing types of support for music and music export.

The proposal for the European Music Export Strategy should address inter alia the following key questions:

- What are the key winning factors for the European music sector to be(come) strong enough to export worldwide?
- Which obstacles and barriers hinder a full exploitation of Europe’s potential in the large international markets? What are the biggest (unexplored) opportunities to expand audience and revenue for European talent internationally?
- Do obstacles and barriers that hinder a full exploitation of home-grown talent and local repertoire within Europe affect Europe's potential to boom on international music markets?
- How can European countries with small populations and markets export their music to bigger markets? How can European countries with less developed infrastructures export their music?
- What are successful national strategies and schemes for music export suitable to be extended to other countries and/or to Europe as a whole? Can publicly funded music exports generally attest economic and/or social benefits?
- What are the key economic, political, legal and structural features to be addressed with a view to an entry of European music into major international music markets?
- How to champion European music exports right alongside "other exports"?
- What are the benefits of European-wide collaboration among relevant public and private actors on issues around music export? How can European cooperation on an international project (e.g. ‘joint’ European presence in an international music market or at a music fair) be stimulated?
- What kinds of support mechanisms should be considered in a European Strategy? What policy measures? What types of funding?
- What are the activities that should be promoted in the context of such a Strategy (e.g. marketing campaigns, branding, showcases, tour support, visa costs)? What should not be considered (e.g. too expensive, too risky, not sustainable, very limited benefits)?

2.4. Scope and Duration

The European Commission will select one contractor (this can be a consortium) to carry out the above tasks.

The proposed European Music Export Strategy should have a geographical coverage including at least the 28 Member States of the European Union (in line with footnote 7 above). In addition, elements of the study will address as a minimum four international music markets, as follows: the US, the Canadian one Asian and one African market.

The contract shall enter into force on the date on which it is signed by the last contracting party. The period of implementation of the tasks shall not exceed 12 months and shall start in the autumn 2018.

2.5. Organisation of work and timetable

Meetings with the contracting authority

Three meetings will be organised by the Commission's services at its premises in Brussels; the Commission will provide the meeting room; it will not cover travel and accommodation costs related to those meetings:

- A **kick-off meeting** will be organised at the latest after 4 weeks of the signature of the contract. This meeting will discuss the priorities of the project and agree refinements to the work plan and orientation of the work. This should feed into the Inception Report.
- An **interim meeting** will be organised within 2-3 weeks after the submission of the draft Interim Report to the Commission. At this meeting the contractor will present the interim findings, in particular the intermediate deliverables, as described under point 2.3 A), will be discussed. The meeting should also serve to prepare the conference (subsequent task n°2, as described under point 2.3 B).
- A final **meeting** will be organised 2-3 weeks after the submission of the draft Final Report (including the draft Strategy and its annexes) to the Commission. The contractor is expected to provide a senior member of staff having worked on the contract to deliver a presentation of the main findings. Other Commission services may be invited to participate in this meeting.

Indicative timetable

T0	Contract start (in the autumn 2018)
T0 + 4 weeks	Kick-off meeting with the Commission
T0 + 6 weeks	Submission of draft Inception Report (see point 2.6.)
T0 + 8 weeks	Submission of the Inception Report (see point 2.6.) + <i>First interim payment</i>
T0 + 5 months	Submission of the draft Interim Report (see point 2.6.) + 2 nd meeting with the Commission
T0 + 7 months	Submission of the Interim Report (see point 2.6.)
T0 + 8 months	Organisation of the conference
T0 + 10 months	Submission of the draft Final Study (see point 3) + 3 rd meeting with the Commission
T0 + 12 months	Submission of the Final Study by the Commission + <i>payment of the balance</i>

2.6. Inception and Interim Reports Requirements

Inception Report

The *draft Inception Report* must be submitted within 2 weeks after the Kick-off meeting with the Commission.

The *Inception Report* must be submitted within 8 weeks after the entry into force of the contract and it must include at least:

- a detailed work plan, including timetable and resource allocation, for implementing the work;
- details on the approach to be followed for each task.

Interim Report

The *draft Interim Report* must be submitted within 5 months after the entry into force of the contract. It should provide the interim deliverables indicated under point 2.3 A). It shall include a proposal for the structure of the Final Study for the Commission's comments and approval.

The *Interim Report* must be submitted within 7 months after the start of the contract. It will:

- Contain complete information on the activities carried out in pursuit of the results set out in the technical specifications;
- Outline problems encountered, solutions found or proposed, and the impact this has on future work;
- Include a detailed timetable and methodology for completion of the work (including also a concept for the conference).

Each report will be submitted in English, proof-edited by a native English speaker, and sent to the Contracting authority in printed form (4 copies) and by e-mail. Electronic files must be drafted and editable in MS Word for Windows format.

In the absence of observations from the Commission within the payment deadline, the reports will be considered as being approved.

The Commission Decision of 12 December 2011 on the reuse of Commission documents applies to the results of this contract.⁹

This Decision determines the conditions for the reuse of documents held by the Commission or on its behalf by the Publications Office of the European Union (the Publications Office) with the aim of facilitating a wider reuse of information, enhancing the image of openness of the Commission, and avoiding unnecessary administrative burdens for re-users and the Commission services alike.

⁹ COMMISSION DECISION of 12 December 2011 on the reuse of Commission documents (2011/833/EU) <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:330:0039:0042:EN:PDF>

3. CONTENT AND STRUCTURE OF THE FINAL STUDY REPORT AND OTHER REQUIREMENTS OF THE DELIVERABLES

The contractor must deliver the study and other deliverables as indicated hereafter.

3.1. Content of the Final study report

The Final Report must include:

- an **abstract** of no more than 200 words, in English, French and German;
- a **publishable executive summary** of maximum 6 pages, in English, French and German. It should provide a succinct overview of the whole study and its main recommendations, and it should be drafted in such a way that it can serve as a stand-alone and self-explaining document.
- a **glossary** of key terms and abbreviations used;
- a **bibliography**;
- **3 intermediate deliverables, as an annex:**
 - o Mapping of national support strategies and schemes for music export within Europe and an assessment of their relative successes and their transformability to other countries and Europe a whole;
 - o Summary of success factors for the export of European musical talent and repertoire to key international markets;
 - o Summary report from the conference to be organised in the context of the contract.

The Final Report and the Executive Summary must both include:

- specific **identifiers** which must be incorporated on the cover page provided by the Contracting Authority;
- the following **disclaimer**: *“The information and views set out in this [report/study/article/publication...] are those of the author(s) and do not necessarily reflect the official opinion of the Commission. The Commission does not guarantee the accuracy of the data included in this study. Neither the Commission nor any person acting on the Commission’s behalf may be held responsible for the use which may be made of the information contained therein.”*

The Final study report should be accompanied by a **PowerPoint presentation** (MS PPT) that will focus on the study outcomes. The PPT should include graphs, pictures and other visual elements, while only using a limited amount of text. The PPT should be in English and suitable for presentation to the general public.

3.2. Structure of the Final study report

There is no obligation to follow a pre-defined structure for the presentation of the study final report. However, it will be important to ensure that key content elements of the study can be clearly and easily identified in the structure, in particular:

- the description of the “state of play”
- the vision and how to get there
- the mapping of successful music export support strategies and schemes
- the international markets analysis (at least covering the US, Canada, one Asian and one African country)
- the executive summary
- the recommendations

3.3. Other requirements for the Final study report

Publication on the internet

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

For full details on the Commission policy on accessibility for information providers, see: http://ec.europa.eu/ipg/standards/accessibility/index_en.htm

For the publishable versions of the study, abstract and executive summary, the contractor must respect the W3C guidelines for accessible pdf documents as provided at: <http://www.w3.org/WAI/>.

Graphic requirements

The contractor must deliver the study and all publishable deliverables in full compliance with the corporate visual identity of the European Commission, by applying the graphic rules set out in the European Commission's Visual Identity Manual, including its logo. The graphic rules, the Manual and further information are available at:

http://ec.europa.eu/dgs/communication/services/visual_identity/index_en.htm

A simple Word template will be provided to the contractor after contract signature. The contractor must fill in the cover page in accordance with the instructions provided in the template. The use of templates for studies is exclusive to European Commission's contractors. No template will be provided to tenderers while preparing their tenders.

4. EVALUATION AND AWARD

The evaluation is based solely on the information provided in the submitted tender. It involves the following:

1. Verification of compliance with the minimum requirements set out in these tender specifications under point 2 (i.e. in particular 'geographical coverage' - referred to

under footnote 7, 'key international markets' – referred to under points 2.3 A) and 2.4).

2. Verification of exclusion and selection criteria based on Declaration on the honour.
3. Evaluation of tenders on the basis of the award criteria
4. Selection on the basis of selection criteria of tenderers whose tenders have been ranked first and second in relation to the assessment of the award criteria and to the ranking formula

The contracting authority may reject abnormally low tenders, in particular if it established that the tenderer or a subcontractor does not comply with applicable obligations in the fields of environmental, social and labour law.

The tenders will be assessed in the order indicated above. Only tenders meeting the requirements of one step will pass on to the next step.

4.1. Award criteria

The contract will be awarded based on the most economically advantageous tender, according to the 'best price-quality ratio' award method. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points.

4.1.1. Relevance and quality of the proposed methodology (50 points - minimum score 50%)

This criterion will assess the relevance and quality of the methodology proposed for designing the European Music Export Strategy, notably the extent to which the offer addresses the objectives and complies with the tasks described under point 2.3. This will include an assessment of how well the proposed concept for establishing the Strategy can be expected to reply to the key questions and to ultimately deliver the recommendations.

This criterion will also look at the quality of the overall design of the activities proposed, at the way the proposal is written and presented, the logical sequence and consistency of steps, the coherent use of information, the innovative character of the proposal, the quality of sources used and level of representativeness of expertise in the field of music export in the study works.

A particular focus will be put on the quality of the proposed methodology for delivering on subsequent task n°1 (stocktaking exercise) by assessing the way it is presented, including the nature and scope of information and data to be collected and assessed, the level of diversity and representativeness regarding interviews and consultations, the way the international dimension (incl. choice of countries) is proposed to be covered, the quality and robustness of the concepts proposed for the mapping and the identification of success factors.

4.1.2. Organisation of the work and resources (40 points – minimum score 50%)

This criterion will assess how the roles and responsibilities of the proposed team and of the different economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task. It will in particular look at the quality of the tender regarding the capability to organise, coordinate and implement the various aspects of the proposed activities. It also assesses the global allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the work. The tender should

provide details on the allocation of time and human resources and the rationale behind the choice of this allocation. Details should be provided as part of the technical offer. It is not a budget requested as part of the financial offer.

4.1.3. Quality control measures (10 points – minimum score 50%)

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

Tenders must score minimum 50% for each criterion and minimum 60% in total. Tenders that do not reach the minimum quality levels will be rejected and will not be ranked.

4.2. Ranking of tenders

The contract will be awarded to the most economically advantageous tender, i.e. the tender offering the best price-quality ratio determined in accordance with the formula below. A weight of 60/40 is given to quality and price.

score for tender X	=	$\frac{\text{cheapest price}}{\text{price of tender X}}$	*	100	*	price weighting (in %)	+	total quality score (out of 100) for all award criteria of tender X	*	quality criteria weighting (in %)
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4.3. Verification of non-exclusion

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

In case of joint tender, each member of the group must provide a declaration on honour signed by an authorised representative.

In case of subcontracting, subcontractors whose share of the contract is above 10% must provide a declaration on honour signed by an authorised representative.

The Contracting Authority reserves the right to verify whether the successful tenderer is in one of the situations of exclusion by requiring the supporting documents listed in the declaration of honour.

The successful tenderer must provide the documents mentioned as supporting evidence in the declaration on honour before signature of the contract and within the standstill period.

The standstill period is a period of 10 days during which the contract cannot be signed by the contracting authority. This period counts from the day after simultaneous dispatch of the notification by electronic means to all tenderers whose tenders have been considered regular at the opening phase (Art. 161 RAP)

If, due to technical reasons, the dispatch is made when using other means, the standstill period is 15 days (Article 171 RAP). If the requested evidence is not submitted in due time, the Contracting Authority can award the Contract to the Tenderer evaluated as the next-best.

This requirement applies to each member of the group in case of joint tender and to all identified subcontractors whose share of the contract is above 10%.

The obligation to submit supporting evidence does not apply to international organisations.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the contracting authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that there has been no change in its situation.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the contracting authority can access the document in question on a national database free of charge.

4.4. Selection criteria

Tenderers must prove their legal, regulatory, economic, financial, technical and professional capacity to carry out the work subject to this procurement procedure.

The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal.

The tender must include the proportion of the contract that the tenderer intends to subcontract.

The tenderer (and each member of the group in case of joint tender) must declare whether it is a Small or Medium Size Enterprise in accordance with [Commission Recommendation 2003/361/EC](#). This information is used for statistical purposes only.

4.4.1. Declaration and evidence

The tenderers (and each member of the group in case of joint tender) and subcontractors whose capacity is necessary to fulfil the selection criteria must provide the declaration on honour (see Annex 2), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them. In case of joint tender or subcontracting, the criteria applicable to the tenderer as a whole will be verified by combining the various declarations for a consolidated assessment.

This declaration is part of the declaration used for exclusion criteria (see section 4.3 so only one declaration covering both aspects should be provided by each concerned entity).

In order to speed up the evaluation process, the tenderers are also required to provide, at the time of submitting their tender, the evidence that they fulfil the selection criteria.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit the documentary evidence if it has already been submitted for another procurement procedure and provided the documents were issued not more than one year before the date of their request by the contracting authority and are still valid at that date. In such cases, the tenderer must declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that there has been no change in its situation.

A tenderer (or a member of the group in case of joint tender, or a subcontractor) is not required to submit a specific document if the contracting authority can access the document in question on a national database free of charge.

4.4.2. Legal and regulatory capacity

Tenderers must prove that they are allowed to pursue the professional activity necessary to carry out the work subject to this call for tenders. The tenderer (including each member of the group in case of joint tender) must provide the following information if it has not been provided with the Legal Entity Form:

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

4.4.3. Economic and financial capacity criteria

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

- Annual turnover of the last two financial years above € 400 000;
- Satisfactory results following the analysis of the financial capacity which will be performed by the Contracting Authority based on the methodology in Annex 3 a):

The following evidence should be provided:

Contracts worth more than EUR 260 000

For contracts worth more than EUR 260 000, proof of economic and financial capacity is provided by the following documents:

- the declaration on the honour in Annex 2.

- the economic and financial capacity analysis form showing the financial data of the economic operator, completed and signed by the operator (see Annex 3, 'Economic & financial capacity form');
- for economic operators required under national law to keep a complete set of accounts: the annual accounts (balance sheet, income statement and annexes) for the last two years for which accounts have been closed;
- for economic operators required under national law to keep a simplified set of accounts: the statement of expenditure and revenue and the annex showing assets and liabilities for the last two financial years for which accounts have been closed;
- in all cases, a statement of overall turnover and turnover specifically related to the supplies or services covered by the contract for the last two financial years for which accounts have been closed.

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

4.4.4. Technical and professional capacity criteria and evidence

A. Criteria relating to tenderers

Tenderers (in case of a joint tender the combined capacity of all members of the group and identified subcontractors) must comply with the criteria listed below.

The project references indicated below consist in a list of relevant services provided in the past three years, with the sums, dates and clients, public or private, accompanied by statements issued by the clients.

Criterion A1: The tenderer must prove professional knowledge of the European music sector, including expertise regarding cross-border circulation of music and music export.

- **Evidence A1:** The tenderer must provide references (copies or weblinks) for at least two publications delivered in these fields in the last 5 years.

Criterion A2: The tenderer must prove experience in planning and managing European studies or projects, including data collection and analysis and drafting reports and recommendations.

- **Evidence A2:** The tenderer must provide references for at least 2 European projects delivered in the last 5 years with a minimum value for each project of € 50,000.

Criterion A3: The tenderer must prove professional capacity to work and draft reports in English (level C1 or equivalent).

- **Evidence A3:** The tenderer must provide references (copies or weblinks) to 2 published documents (reports, studies, etc.) in this language delivered in the last three years showing this capacity.

B. Criteria relating to the team delivering the service:

The team delivering the service should include, as a minimum, the following profiles.

Evidence will consist in CVs of the team responsible to deliver the service. Each CV should indicate the intended function in the delivery of the service.

B1 - Project Manager: At least 5 years experience in European project management, including overseeing project delivery, quality control of delivered service, client orientation and conflict resolution experience in project of a similar size and coverage, with experience in management of team of at least 5 people.

Evidence: CV

B2 - Language quality check: At least 2 members of the team should have at least C1 level in the Common European Framework for Reference for Languages¹⁰ in English.

Evidence: a language certificate or past relevant experience

B3 - Experts in the field of music export: At least 2 experts with at least 5 years of professional experience relating to the circulation of European music, and international music export in particular. They should have relevant professional experience of at least 5 years in the sector.

Evidence: CV

B4 - Team for data collection and analysis: Collectively the team of at least 3 people should have in-depth knowledge of collecting, analysing and presenting information and data in the field of music and in making market analysis for music. They should have proven experience of five years of data collection techniques covering at least 5 EU official languages.

Evidence: CV and past relevant experience

5. ANNEXES

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

Annex 1 : Information on the tenderer

Annex 2 : Declaration on Honour

¹⁰ See http://www.coe.int/t/dg4/linguistic/Cadre1_en.asp

- Annex 3 : Economic & Financial Capacity Form
- Annex 3 a) : Financial Capacity Methodology
- Annex 4 : Price
- Annex 5 : Draft Contract