

Tender Specifications

Attached to the Invitation to tender

Invitation to tender No. EMSA/NEG/19/2018 for E-Learning Module on Maritime English for ENP Countries

1. Introduction

The European Maritime Safety Agency (EMSA) was established under Regulation (EC) No 1406/2002 of the European Parliament and of the Council¹ for the purpose of ensuring a high, uniform and effective level of maritime safety. Among its tasks, the Agency provides technical assistance to EU Neighbours countries in the field of flag state implementation, port state control, vessel traffic monitoring and information system, protection of the marine environment, human element in maritime safety, security of ships and port facilities and support to the Mediterranean Coast Guard Function Forum. Specifically, with the Grant Agreement ENI/2016/359-725 and the Grant Agreement ENI/2016/374-999 EMSA has been provided with a financial contribution by the European Commission to finance the implementation of two actions, namely “SAFEMED IV, EuroMed Maritime Safety project” (hereafter SAFEMED IV project) and “Maritime safety, security and marine environmental protection in the Black and Caspian Sea Regions” (hereafter BCSEA project). Under the two projects, EMSA is currently assisting Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine and Tunisia in the Mediterranean region and Azerbaijan, Georgia, Islamic Republic of Iran, Kazakhstan, Moldova, Turkey, Turkmenistan and Ukraine in the Black and Caspian Sea regions (the beneficiary countries).

2. Objective, scope and description of the contract

2.1 Objective

The objective is to conclude a service contract with a contractor to develop an e-learning module on Maritime English to include in EMSA’s e-learning portfolio.

2.2 Scope

The scope of the contract is to develop an e-learning module on Maritime English which would be accessible through the EMSA e-learning platform MaKCs. The contract shall encompass the full development of the e-learning module. This will include, but it is not limited to:

- Videos
- Animations
- Exercises/Tests
- Captions/Subtitles

¹ Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p. 1.).

- Dialogues
- Pictures/Drawings
- Content of the Module
- Storyboard
- Icons, buttons, menus, etc.

The e-learning module shall provide content which shall be accessible in English, Russian and Arabic.

2.3 Concept and Methodology

Information regarding the Concept and Methodology can be found in Appendix I.

2.4 Outline of the Course

Information regarding the Outline of The Course can be found in Appendix II. The Module includes 12 scenarios and an Interactive Library. In Appendix II, an overview of the scenarios is given. The storyboard of the course given in Appendix II is indicative and may be subject to modifications during the implementation of the contract.

2.5 Technical Specifications

The module must run on the JavaScript based SCORM Player provided by eXact LCMS systems which allows delivering SCORM 1.2 and SCORM 2004 standard content packages in HTML5. The module shall support use on mobile platforms such as tablets and smartphones.

The module shall be flexible to accommodate new scenarios would the need of expanding the course arise in the future.

2.6 Quality Assurance

Quality Assurance shall be performed by the Contractor according to industrial best practices. A Quality Management plan shall be provided and discussed during the kick-off meeting. Any Quality Management standard (including product assurance) followed by the Contractor shall be specified in its bid and any specific tailoring required by this project should be identified and pointed out.

3. Contract management responsible body

EMSA Unit B.3 in charge of Environment & Capacity Building - will be responsible for managing the contract.

4. Project Planning

The project shall be developed in a 9 months' time-frame upon signature of the contract.

4.1 Meetings

The following meetings are envisioned:

- **Kick-off meeting:** After the signature of the contract. A kick-off meeting will be held in order to define the details of the work to be undertaken.

- **Final meeting:** Prior to the end of the framework contract a final meeting shall be held to enable the contracting parties to discuss the work accomplished.
- **Regular management meetings:** occurring every three months after the signature of the Framework Contract.

EMSA may call for additional meetings if this should be deemed necessary for the better execution of the project. Meetings will be held in EMSA premises in Lisbon, Portugal, although some meetings could take another form (e.g. virtual) if mutually agreed by EMSA and the Contractor. No separate expenses will be reimbursed to the contractor regarding the attendance to meetings held outside the Contractor's premises.

4.2 Agenda and minutes of the meetings

The Contractor and EMSA shall agree on the agenda of the meeting two weeks in advance. The Contractor shall draw up the minutes of the meetings and provide them within 2 working days. The minutes of the meetings should include at least the topics discussed, decisions taken and action items with indication of responsible person and deadline of the actions. The minutes shall be agreed and approved by EMSA. Should the minutes of the meetings be rejected by EMSA, the Contractor shall have 2 working days to revise the minutes according to the comments provided.

4.3 Deliverables

The section provides an indicative, non-exhaustive list of deliverables for the development of the e-learning module.

For the development of the module the Contractor shall provide:

- Project management documentation:
 - Project charter
 - Project plan
 - GANTT Chart
 - Project Duration
 - Work breakdown of the effort in person days per profile
 - Allocation of tasks to team members
 - Project status reports
- Design documentation: technical and functional
- Test documentation: tests, cases, results and reports
- System documentation
- Training documentation
- Artwork documentation
- Video documentation
- An executable file to be transferred on the EMSA MaCKs platform
- Software releases and release notes
- Configuration files
- Installation, configuration and deployment manuals

- Source file and raw material including:
 - Audio recordings (audio files in .mp3 format)
 - Photos (in .jpg, .png or .gif format)
 - Artwork (in .jpg, .png or .gif format)
 - Animations (flash files in .fla format)
 - Videos
 - Script files, used for animations (in .js format)
- Storyboards
- Any Licences as well as copyright over the used material where relevant

In addition, the Contractor shall:

- Test the module;
- Support the deployment of the module and connectivity with other EMSA applications;
- Provide full system documentation, including, inter-alia, design documentation, installation instructions, test plans, etc.

5. Timetable

The estimated date for signature of the contract is February 2019.

Milestone (M) or Deliverable (D) or Task (T)	Description	Expected Delivery
M1	Kick-Off Meeting	T0 + 1/2 weeks
D1	Full project plan management plan as described in section 4.3	T0 + 2 weeks
T1	Initial module course outline	T0 + 5 weeks
T2	Preparation of the Artwork/Videos	T0 + 6 weeks
T3	Preparation of the Audio	T0 + 6 weeks
D2	Scenario 1	T0 + 8 weeks
M2	Intermediate meeting	T0 + 9 weeks
D3	Scenario 2	T0 + 9 weeks
D4	Scenario 3	T9 + 12 weeks
D5	Scenario 4	T0 + 14 weeks
D6	Scenario 5	T0 + 16 weeks
D7	Scenario 6	T0 + 18 weeks
M3	Intermediate Meeting	T0 + 19 weeks
D8	Scenario 7	T0 + 21 weeks
D9	Scenario 8	T0 + 23 weeks
D10	Scenario 9	T0 + 25 weeks
D11	Scenario 10	T0 + 27 weeks
D12	Scenario 11	T0 + 29 weeks
D13	Scenario 12	T0 + 31 weeks

D14	Interactive Library	T0 + 32 weeks
T4	Delivery of the course	T0 + 33 weeks
T5	Migrating the course into the EMS environment	T0 + 33 weeks
T6	Testing and acceptance	T0 + 34 weeks
M4	Deployment of the course	T0 + 35 weeks
T7	Go Live	T0 + 36 weeks

6. Estimated Value of the Contract

The maximum budget available for this contract is EUR 60000 excluding VAT.

7. Terms of payment

Payments will be made in accordance with the provisions of the draft **Service Contract** available in the Procurement Section under the call to tender **EMSA/NEG/19/2018** on EMSA's website (www.emsa.europa.eu).

8. Terms of contract (purchase order)

When drawing up a bid, the tenderer shall bear in mind the terms of the draft Service Contract.

EMSA may, before the contract is signed, cancel the award procedure without the tenderers being entitled to claim any compensation.

9. Subcontracting

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners he shall indicate in his offer which part will be subcontracted, as well as the name and qualifications of the subcontractor or partner. It should be noted that the overall responsibility for the work remains with the tenderer.

The tenderer must provide required evidence for the exclusion and selection criteria on its own behalf and when applicable on behalf of its subcontractors. The evidence for the selection criteria on behalf of subcontractors must be provided where the tenderer relies on the capacities of subcontractors to fulfil selection criteria². The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided will be checked to ensure that the tenderer and its subcontractors as a whole fulfil the criteria.³ However, the selection criteria may apply individually where it is relevant in view of their nature.

10. Requirements as to the tender

Bids can be submitted in any of the official languages of the EU. However, as the main working language of the Agency is English, bids should preferably be submitted in English and shall in particular include an English version of the documents requested under points 13.5 and 14 of the present Tender Specifications. The tenderer must comply with the minimum requirements provided for in these Tender Specifications. This includes compliance with applicable obligations under environmental, social and labour law established by

² To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

³ To rely on the capacities of a subcontractor means that the subcontractor will perform the works or services for which these capacities are required.

Union law, national law and collective agreements or by the international environmental, social and labour law provisions listed in Annex X to Directive 2014/24/EU of the European Parliament and of the Council.⁴

The tenderer shall complete the Tenderer's checklist.

If the tenderer intends to either subcontract part of the work or realise the work in co-operation with other partners (Join Offers) he shall indicate it in his offer by completing the form "Statement of Subcontracting / Joint Offer". This document is available on the Procurement Section / Calls for Tenders (Documents for tenderer) of EMSA's website (www.emsa.europa.eu).

The tender must be presented as follows and must include:

- a) A signed **cover letter** indicating the name and position of the person authorised to sign the contract/purchase order and the bank account on which payments are to be made.
- b) **The Financial Identification Form completed**, signed and stamped. This document is available on the Procurement Section (Financial Identification Form) of EMSA's website (www.emsa.europa.eu).
- c) **The Legal Entity Form** completed, signed and stamped along with the requested accompanying documentation. This document is available on the Procurement Section (Legal Entity Form) of EMSA's website (www.emsa.europa.eu)

Tenderers are exempt from submitting the Legal Entity Form and Financial Identification Form requested if such a form has already previously been completed and sent either to EMSA or any EU Institution. In this case the tenderer shall simply indicate on the cover letter the bank account number to be used for any payment in case of award.

Part A: All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the points 9, 12 and 13.2 of these specifications (exclusion criteria).

Part B: All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the Technical and professional capacity (part of the selection Criteria) set out under point 13. 5 of these specifications.

Part C: All the information and documents required by the contracting authority for the appraisal of tenders on the basis of the **Award Criteria** set out under point **15** of these specifications;

Part D: Setting out prices in accordance with point 11 of these specifications.

11. Price

- a) Price must be quoted for development of the E-Learning Module on Maritime English for ENP Countries and shall include all the prices for all the necessary means to develop the E-Learning Module including, but not limited to: artwork, audio, video, scenarios, etc.
- b) Price for the services in Arabic must be quoted separately;
- c) Price for the services in Russian must be quoted separately;
- d) Prices must be fixed amounts and non-revisable.

⁴ 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).

- e) Prices must be quoted in euro.
- f) Under Article 3 and 4 of the Protocol on the privileges and immunities of the European Communities, the latter is exempt from all duties, taxes and other charges, including VAT. This applies to EMSA pursuant to the Regulation 1406/2002/EC. Therefore price and the amount of VAT must be shown separately.

12. Joint Offer

Groupings, irrespective of their legal form, may submit bids. Tenderers may, after forming a grouping, submit a joint bid on condition that it complies with the rules of competition. Such groupings (or consortia) must specify the company or person heading the project and must also submit a copy of the document authorising this company or person to submit a bid.

Each member of the consortium must provide the required evidence for the exclusion and *selection* criteria. The exclusion criteria will be assessed in relation to each economic operator individually. Concerning the selection criteria, the evidence provided by each member of the consortium will be checked to ensure that the consortium as a whole fulfils the criteria. However, the selection criteria may apply individually where it is relevant in view of their nature.

If awarded, the contract will be signed by the person authorised by all members of the consortium. Tenders from consortiums of firms or groups of service providers, contractors or suppliers must specify the role, qualifications and experience of each member or group.

13. Information concerning the personal situation of the tenderer and information and formalities necessary for the evaluation of the minimum economic, financial, technical and professional capacity required.

13.1 Legal position – means of proof required

When submitting their bid, tenderers are requested to complete and enclose the **Legal Entity Form** available on the Procurement Section of EMSA's website (www.emsa.europa.eu).

13.2 Grounds for exclusion – Exclusion criteria

To be eligible to participate in this contract award procedure, a tenderer must not be in any of the following exclusion situations listed in the Declaration of Honour.

For this purpose the Declaration of Honour available on the Procurement Section of EMSA's website (www.emsa.europa.eu) shall be completed and signed.

13.3 Technical and professional capacity – Selection criteria

Tenderers shall provide documentary evidence of technical and professional capacity detailed in the paragraphs 13.3.1 and 13.3.2 below.

13.3.1 Technical capacity

Requirements

The tenderer shall have at least 3 years of knowledge and expertise in the following fields:

- a) Development of e-learning material for the maritime industry and/or for public administration published in SCORM Format
- b) Provision of didactical material to users in different branches of industry
- c) Use of a quality management system
- d) Ability of delivering services in English, Arabic and Russian
- e) Ability to offer all services under the present contract - in terms of adequate number of qualified staff to perform the services (please refer to the profiles listed in section 13.3.2 below).

Evidence

To prove the requirements above, the tenderers shall provide the following proof together with their offer:

- A list of comparable, relevant projects and systems (minimum of 3 maximum of 5) in which the tenderer has participated and worked. Such list shall include a description of the services provided (max 500 words), objectives, contracting parties, duration and budget.
- Description of the network of profiles (e.g. translators, etc.) and/or personnel able to deliver services in Arabic and Russian. This shall include a list of comparable, relevant projects in which the subcontractor has participated and worked by delivering services in the above-mentioned languages.

13.3.2 Suitability of tenderer's key persons

The suitability of the tenderer's key technical and management persons, and their possible substitute, who will be delivering the service under the proposed contract will be evaluated based on the following requirements:

- a) Project Manager
 - At least 5 years of experience in projects referred to as in Paragraph 13.3.1
- b) Multimedia Developer
 - At least 3 years of experience in projects referred to as in Paragraph 13.3.1
- c) Author
 - At least 3 years of experience in projects referred to as in Paragraph 13.3.1
- d) Instructional Designer
 - At least 3 years of experience in projects referred to as in Paragraph 13.3.1
- e) ICT Developer
 - At least 3 years of experience in projects referred to as in Paragraph 13.3.1
 - At least 3 years of experience with HTML5 and SCORM 1.2/2004, especially with e-learning objects
- f) Maritime Expert
 - At least 3 years of experience as Port State Control Officer and/or Surveyor

Evidence

The offer shall include detailed curriculum vitae of the team members who will be delivering the services under the contract. The CVs should be in EuroPass format. The tenderer may propose another team composition, using different key persons' profiles than those listed above provided that they comply with the same or equivalent requirements. The CVs must include educational background, degrees and diplomas, professional experience, research work, publications and linguistic skills. When describing the professional experience of each team member, reference must be made to the sectors in which it has been gained and the areas dealt with.

14. Declaration of Honour (DoH)

Please note that the tenderer shall provide information with regards his situation and on the natural or legal persons that are members of the administrative, management or supervisory body or that have powers of representation, decision or control and beneficial owners.

Upon request and within the time limit set by EMSA, the tenderer shall provide the following evidence concerning itself, the natural or legal persons as listed under the first paragraph, and concerning the natural or legal persons which assume unlimited liability for the debt of the tenderer:

For the exclusion situations described in (a), (c), (d), (f), (g) and (h) of the Declaration of Honour, production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the tenderer showing that those requirements are satisfied.

For the exclusion situations described in (a) and (b) of the Declaration of Honour, production of recent certificates issued by the competent authorities of the country of establishment is required. These documents must provide evidence covering all taxes and social security contributions for which the tenderer is liable, including for example, VAT, income tax (natural persons only), company tax (legal persons only) and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

The successful tenderer must provide the documents mentioned as supporting evidence before signature of the contract and within the deadline given by EMSA. This requirement applies to each member of the group in case of joint tender.

If the candidate already submitted such evidence for the purpose of another procedure, provided its issuing date does not exceed one year and it is still valid, the person shall declare on its honour that the documentary evidence has already been provided and confirm that no changes have occurred in its situation.

15. Award criteria

The contract will be awarded to the tenderer who submits the most economically advantageous bid (the one with highest score) based on the following quality criteria and their associated weightings:

1. Quality criterion 1 ($W_1 = 30 \%$),
2. Quality criterion 2 ($W_2 = 30 \%$),
3. Quality criterion 3 ($W_3 = 10 \%$),

and the price criterion and associated weighting:

4. Price of the bid ($W_{price} = 30\%$).

Quality criterion 1 ($W_1 = 30\%$)

Quality of the proposed methods and approach to implement the contract requirements as outlined above in this document and its annexes, and the proposed supporting tools (if any). Bids shall detail as minimum the following topics, tailored to the e-learning project:

- Project approach overview

- Project management methodology and supporting tools
- Plan to acquire knowledge about the platform and the module provided through it
- Strategy to ensure the quality of the module
- Design methodologies and supporting tools
- Artwork

Quality criterion 2 ($W_2 = 30\%$)

Quality and completeness of the suggested plan comprising all relevant steps for the development of **Scenario 4** as described in Appendix II.

Quality criterion 3 ($W_3 = 10\%$)

Quality of the team in terms of team composition and the distribution of responsibilities for the performance of the services:

The bid shall detail as minimum the following topics:

- Project team overview and composition
- Roles and responsibilities

Price of the bid ($W_{\text{Price}} = 30\%$)

The price is calculated as requested in Paragraph 11. W_{Price} will take into consideration both the development of the module as well as the translation of the services in Arabic and Russian.

For all bids evaluators will give marks between 0-10 (half points are possible) for each quality criterion.

The score is calculated as

$$S = SQ + SP$$

where:

The average quality for quality criterion i is

$$Q_i = \frac{1}{\text{number of evaluators}} * \sum_{\text{evaluator}} \text{mark of the evaluator for quality criterion } i$$

The overall weighted quality is

$$Q = \sum_i Q_i * W_i$$

The score for quality is

$$SQ = \frac{Q}{Q \text{ of the bid with highest } Q} * 100 * \sum_i W_i$$

The score for price is

$$PP = \sum_i \frac{\text{lowest Price}_i \text{ of all bids}}{\text{Price}_i} * 100 * W_{\text{Price}_i}$$

Only bids that have reached a minimum of 60 % for Q_1 , a minimum of 60 % for Q_2 , a minimum of 60 % for Q_3 , will be taken into consideration when calculating the score for quality SQ , score for price SP and score S .

Only bids that have reached a minimum of 70 % for the score S will be taken into consideration for awarding the contract.

16. Rejection from the procedure

Contracts will not be awarded to tenderers who, during the procurement procedure, are in one of the following situations:

- a) are in an exclusion situation;
- b) have misrepresented the information required as a condition for participating in the procedure or have failed to supply that information;
- c) were previously involved in the preparation of procurement documents used in the award procedure where this entails a breach of the principle of equality of treatment, including distortion of competition that cannot be remedied otherwise.

17. Intellectual Property Right (IPR)

Please consult the contract for IPR related clauses.

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

In the tender all quotations or information originating from other sources and to which third parties may claim rights have to be clearly marked (source publication including date and place, creator, number, full title etc.) in a way allowing easy identification.