



# Baden-Württemberg

MINISTRY OF ECONOMIC AFFAIRS, LABOUR AND TOURISM

## **Request for offer on behalf of the Priority Area 8 (PA8) of the EU Strategy for the Danube Region (EUSDR)**

### **Procurement and contract documents**

#### **Negotiated Award**

#### **Development of flagship projects for the PA8 of the EUSDR**

Deadline for submission of offer:

Day: 20th September 2022

Time:23:59

Ministry of Economic Affairs, Labour and Tourism

Baden-Württemberg

Referat 52

Schlossplatz 4

70173 Stuttgart

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# 1 General information

## 1.1 Basic regulations

The Ministry of Economic Affairs, Labour and Tourism Baden-Württemberg, one of the coordinators of the PA8, awards the procurement that is further described under number 3. The procurement will be made as negotiated award according to Section 8 Paragraph 4 UVgO.

## 1.2 Contracting authority and contact details

Contracting authority is Baden-Württemberg, represented as the Ministry of Economic Affairs, Labour and Tourism, here acting as priority area coordinator 8 (PAC8) of the EUSDR. The organisation that is awarded is named as contractor.

### Contact details contracting authority

Ministry of Economic Affairs, Labour and Tourism  
Baden-Württemberg  
Referat 52  
Schlossplatz 4 (Neues Schloss)  
70173 Stuttgart

Contact persons: Judit Schrick-Szenczi, [judit.schrick-szenczi@wm.bwl.de](mailto:judit.schrick-szenczi@wm.bwl.de)  
Svenja Stalf, [svenja.stalf@wm.bwl.de](mailto:svenja.stalf@wm.bwl.de)

Concerning the communication with the contracting authority, the regulations under Number 1.11 are applicable.

## 1.3 Tenderer, contractor

The organisations taking part in the procurement procedure are named as tenderer until the end of the procedure. During the implementation phase the awarded organisation is named as contractor.

## 1.4 Division into lots

It is not possible to divide the services in lots.

## 1.5 Milestones of the procurement procedure

The procurement procedure underlies the following timetable:

Activity	Milestone
Last possibility to pose questions from tenderer side	14th September, 23:59
Deadline for submission of offers	20th September, 23:59
Awarding	until 28th September 2022
Kick off meeting with the contractor	until 7th October 2022
Deadline Tasks 1.1-1.3	Draft version: 28th October 2022 Final version: 11th November 2022
Deadline Tasks 2-4	31st December 2022

## 1.6 Questions of the tenderers

Any questions concerning the available documents or concerning the preparation of the offer have to be submitted to the Ministry in accordance with the deadline indicated in number 1.5.

During the procurement procedure, it is not allowed to ask questions via phone. All information to the procurement procedure as well as fundamental questions and answers from/to the tenderers will be forwarded to all tenderers at the same time and they become part of the procurement documents.

After the above mentioned deadline it is not possible for tenderers to refer to uncertainties.

All tenderers will be informed about the selection process to the above mentioned time. Therefore please refrain from questions after submission of your offer.

## 1.7 Tendering

Every tenderer has the right to submit one offer per thematic field indicated in number 3.3 in accordance with the service description but not more than two offers

in total. That means if a tenderer would like to submit two offers, each offer has to focus on a different thematic field indicated in number 3.2.

More than two offers are not permitted.

The Ministry intends to award two contracts in total.

The offer has to be sent in text form electronically together with all required attachments until the end of the deadline to the following e-mail address:

[wm-ausschreibungen@wm.bwl.de](mailto:wm-ausschreibungen@wm.bwl.de) (subject: Procurement Flagship PA 8 EUSDR) and not to the contact persons above.

The before mentioned requirements are also applicable for possible changes, corrections or withdrawals of the offer.

### **1.8 Form and content of the offers**

The offer has to include all points that are listed in the procurement documents. Changes as for example deletion, reformulations or additional remarks are not allowed and will lead to the exclusion of the offer.

Attachments to the offer that are sent unrequested will not be classified by the Ministry, as well as references to extracts of literature, brochures and leaflets.

All documents of the offer have to be filled in and signed. The required documents have to be submitted together with the offer.

### **1.9 Changes, additional remarks and withdrawal**

Offers can be withdrawn until the end of the deadline for tendering. Afterwards the tenderer is bound by his offer.

Subsequent changes or additional remarks of the offer are not permitted, but it is possible to withdraw the offer and to send a new one containing the changes or additional remarks within the deadline. Updated offers that are received after the deadline, will not be taken into account.

### **1.10 Completeness of the documents**

The procurement documents consist of 15 pages und 6 attachements. If pages or attachements are missing, the tenderer has to request the contracting authority.

### **1.11 Comunication during the procurement procedure**

The communication between the Ministry and the tenderers will occur via e-mail to the contacts under number 1.2 or [wm-ausschreibungen@wm.bwl.de](mailto:wm-ausschreibungen@wm.bwl.de).

For the submission of the offer number 1.7 is applicable.

### **1.12 Deadline for submission of an offer**

The offer, including all documents, has to be received by the Ministry by 19th September 2022, 23:59 CET.

Offers, that are received later, will not be taken into account unless the tenderer proves that this is not his failure.

### **1.13 Awarding**

The Ministry intends to award two contracts in order to receive two flagship projects in two thematic fields for the EUSDR PA 8. Each contract will include all services and tasks indicated in number 3 (study, project proposal, workshop, application package).

The two most economic offers will be awarded. The evaluation criteria including their weighting are listed under number 2.

The attached terms and conditions of contract shall be deemed agreed upon award of the contract.

### **1.14 Announcement on offers that are not awarded**

The Ministry will inform upon request the tenderers the substantial reasons for rejection. Additionally the features and advantages of the awarded offer as well as the name of the awarded tenderer will be indicated. If the offer contains reasons

that speak against the announcement, the Ministry will decide to its best judgement, see Section 46 Paragraph 2 UVgO in conjunction with Section 30 Paragraph 2 UVgO.

If an offer is not accepted within the deadline, the offer is not awarded.

### **1.15 Announcement on awarded offers**

By tendering the tenderer declares his agreement, that his name will be published in the case of awarding.

If the offer contains reasons that speak against the announcement, the Ministry will decide on best judgement, see Section 30 Paragraph 2 UVgO.

### **1.16 Cancellation of the procurement procedure**

The Ministry reserves the right to partially or completely cancel the procurement procedure. The tenderers would be informed electronically about that.

### **1.17 Bidding consortium**

The offers of bidding consortia have to contain the names of all members as well as their addresses. An offer of a bidding consortium will only be valid, if

- one member of the bidding consortium is named as authorized representative in the offer and
- all members of the bidding consortium undertake joint liability for all obligations of the contract.

These points have to be confirmed via a declaration that is signed by all members of the bidding consortium and sent as scan and PDF.

Bidding consortia can be reorganized until the deadline for offers. Every reorganization of the composition during the phase of offer processing until the awarding has to be announced and justified towards the Ministry.

Wherever signatures are needed in the procurement documents, all members of the bidding consortium have to sign. The authorized representative can be authorized additionally to sign for the whole bidding consortium. This authorization has to be declared explicitly by all members of the consortium.

## **1.18 Subcontractor**

A bidder is allowed to engage subcontractors. Does a bidder intend to engage subcontractors for parts of the services, he/she has to inform the Ministry already in the tender.

The bidder only has to name the planned subcontractors as well as the planned services, when the Ministry is asking. But in order to speed-up the procedure the offer can already contain the contact details of the subcontractors.

The bidder has to prove that the bidder has the resources of the named subcontractors at his/her disposal concerning the extent of the planned services.

Furthermore, the bidder has to prove the technical capability of the subcontractor in areas where the contractor will be engaged.

The contractor is obligated to respect the following criteria by subcontracting:

- to proceed according to competition law, especially considering Section 97 Paragraph 4 GWB,
- to name the subcontractor the contracting authority upon request,
- not to set conditions that are more inconvenient, especially concerning payment method or security deposit, than the agreed conditions between the contractor and the contracting authority

By calling for tenders of subcontractors small and medium-sized enterprises should be involved.

The contractor bears the responsibility for all services, including the ones carried out by subcontractors.

## **1.19 Duty of confidentiality**

The bidder has – even after the deadline for submission of offers and not awarding him/her – to keep confidentiality in respect to data of the contracting authority.

Confidential data are particularly business and company secrets as well as every knowledge that was gained in the frame of procurement procedures as for example data of the bidders, their prices, offered machines, services or something similar. The bidder also has to oblige his/her employees who were compiling the offer. Especially it is only allowed to use the procurement documents for compiling an offer. A violation of the duty of confidentiality whether intentionally or due to gross



negligence, will lead to the exclusion from the procurement procedure and the obligation to compensate the caused damages.

Also forwarding of such documents is not allowed.

Furthermore in the case that you did not tender, you are obliged to keep confidentiality about every details and to obliterate documents permanently and unrecoverably.

## **2 Tender evaluation**

### **2.1 Overview evaluation procedure**

The evaluation of the offers will occur in the following steps:

- a) formal tender evaluation
- b) evaluation of the appropriateness of the price
- c) awarding (choice of the most economic offer)

The offers have to fulfill the individual steps in order to be considered in the next step.

### **2.2 Formal tender evaluation**

All offers will be examined formally. Offers must or can be excluded, when the reasons mentioned in Section 42 Paragraph 1 UVgO are fulfilled

### **2.3 Evaluation of the appropriateness of the price**

There will be an evaluation of appropriateness of the prices. Offers that contain prices that are in an obvious disparity to the performance (too low as well as too high prices) must not be awarded.

### **2.4 Awarding**

The two most economic offers will be awarded. The identification of the two most economic offers will occur on the basis of the best price-performance ratio.

The evaluation of the offers will be made according to the following criteria:

Criteria	Weighting	Maximum of points
Price	30%	300
Methodology, description and understanding of the order, significance of the documents, quality of the offer (transparency, structure, completeness, coherence, consideration of the requirements)	50%	500
Experience of the appointed staff	20%	200
Sum	100%	1.000

The two offers reaching the highest total score will be awarded. If more offers reach the same highest score, the price will decide.

A budget of maximum 100.000 Euro (2 x 50.000 Euro) is available.

A calculation of the price for the respective tasks named below 1-4 has to be listed in the offer.

### **3 Description of service and tasks**

#### **3.1 Starting position**

In order to address common challenges of the Danube region, the EUSDR was jointly developed by the European Commission together with the Danube region countries and stakeholders and was endorsed by the European Council in 2011. The PA 8 of the EUSDR is led by the Ministry for Economic Affairs, Labour and Tourism Baden-Württemberg together with the Croatian Ministry of Economy and Sustainable Development and focuses on fostering the competitiveness of enterprises (more information about the EUSDR in general also in the attached Action Plan).

In order to achieve a higher degree of integration of the very heterogeneous Danube region, the Danube Strategy and in our case the Priority Area 8 acts as a policy driver aiming to tackle the common challenges and needs of this field.

### **3.2 Objective**

The following tasks have to be completed by the contractor:

- Task 1: Study regarding the state of the art in the Danube region at the time of the Ukraine crisis and the post-Corona period:
  - Tasks 1.1: Analysis of the current economic situation of the EUSDR region
  - Tasks 1.2: Identification of common problems of SMEs in the EUSDR region
  - Tasks 1.3: Identification of funding opportunities for a possible proposal submission through one or more stakeholder(s) of PA 8 EUSDR in 2022 or latest 2023
- Task 2: Drafting of a project proposal for a concrete funding programme based on the above analysis with the inclusion of at least 4 Danube countries
- Task 3: Organizing of at least one thematic workshops or events for relevant stakeholders in order to find out the exact needs of the SMEs in the Danube region and in order to find the relevant partnership for the project
- Task 4: Preparation of the application package for a concrete call for proposals

### **3.3 Thematic fields**

All tasks indicated under number 3.2. have to be focussed on one of the following thematic topics:

- value chain development (continuation of the approach of the Danube Alliance flagship project)
- new ways of cross-border cluster cooperation
- SME-academia cooperation for enhanced technology transfer
- innovative solutions to support skills development of female entrepreneurs
- digitalization and AI solutions
- digital health solutions

Please note, that in case of all points listed above, the thematic focus of the PA 8 (see more in the attached Action Plan of the EUSDR) and the whole Danube region territory must be taken into consideration.

### 3.4 Detailed description of tasks

#### 3.4.1 Task 1: Study regarding the state of the art in the Danube region at the time of the Ukraine crisis and the post-Corona period

The study should comprise at least 30 pages and should be provided in a barrier-free format.

Tasks 1.1.: Analysis of the current economic situation of the EUSDR region

The EUSDR has no own financial resources, but it supports different stakeholders (decision makers, intermediaries, SMEs) on policy level by financing flagship project preparation, formulating policy recommendations, organizing thematic events, developing handbooks, tools etc. in order to raise the success of the SMEs in the Danube region. However, this task is quite challenging, as one of the most visible characteristics of this area is the unequal level of economic development. In terms of economic strength, the western part of the area is considerably well ahead the others. This gap was further enlarged through the pandemic and will be emerging due to the war in Ukraine.

In order to be able to prepare our supportive activities within the PA8 it is important to gather information about the current situation of the SMEs in the region:

It is well known, that many SMEs both in the western and eastern part of Europe are currently profiting from transnational cooperation by being part of different value chains. Due to the current law restriction, when the rights for movement of goods and persons are limited, more and more companies are becoming bankruptcy or facing serious financial problems. All governments are in a way forced to provide –among others- the SMEs with as high financial support as possible. However, due to the limited possibilities of the countries, many SMEs introduced innovative “emergency” solutions that are used even after the crisis.

Furthermore, – even before the pandemic and the war in Ukraine - many SMEs from the Danube region countries proved that they can function in a very effective manner. By introducing innovative solutions in various fields, many partnerships were established among enterprises coming from different Danube countries. The PA8 of the EUSDR aims to highlight some sectors, where SMEs from the Danube countries can compete with enterprises of the emerging countries, by focusing especially on the following fields:

- value chain development (continuation of the approach of the Danube Alliance flagship project)
- new ways of cross-border cluster cooperation
- SME-academia cooperation for enhanced technology transfer
- innovative solutions to support skills development of female entrepreneurs
- digitalization and AI solutions
- digital health solutions

Please note, that in case of all points listed above, the thematic focus of the PA 8 (see more in the attached Action Plan of the EUSDR) and the whole Danube region territory must be taken into consideration.

Tasks 1.2.: Identification of common problems of SMEs in the EUSDR region

Following the description of the analysis, the contractor has to compile a session with the following content:

- identification of common problems of the SMEs in the EUSDR region, where the macroregional strategies are able to react and where they are able to provide the concerned actors with support
- listing and description of the most relevant thematic field, where the PA8 EUSDR can handle the occurred problems and where transnational cooperation is needed in order to reach successfully the goals
- description of the importance of transnational cooperation, with detailed argumentation why governments should take transnational cooperation more seriously as regards the selected topic

Tasks 1.3.: Identification of funding opportunities for a possible proposal submission through one or more stakeholders of the PA8 EUSDR in 2022 or latest in 2023

In order to be able to support the SMEs as effective as possible the contracting party needs the identification of the most relevant financial instrument(s) – at least one, which could play an important role when searching for financing possibilities for the implementation of the proposed project.

Task 2: Organizing and performing of at least one thematic event (e.g. workshop, conference), preferably live, for a minimum of 30 relevant stakeholders from the

Danube region in order to find out the exact needs of the SMEs in the Danube region in relation to the selected topic and in order to find the relevant actors in these countries.

In order to see and to prove the concrete needs in the region the involvement of various stakeholders is needed. This should be assured by organizing conferences or workshops (preferably in live format, but depending on the pandemic situation and time consumption eventually in digital format) for the stakeholders relevant for the specific, selected topic.

The results of the above events should be integrated into the project proposals (Task 3). The list of participants (incl. contact details) should be handed over to the PA8 EUSDR as far as the participants gave their consent

Task 3: Drafting of a project proposal for a concrete funding programme based on the above analysis with the inclusion of at least 4 Danube countries and preparation of the application package for a concrete call for proposals

The PA8 EUSDR was supporting many project initiatives in the last couple of years. However, as the EUSDR is not a financing instrument it bears with high importance to find adequate financial solutions. The PA8 EUSDR stakeholders are willing to submit further flagship project proposals to different funding programmes in the upcoming years of the new financial period of the EU.

Task 4: Based on the above, one of the main tasks of the current procurement procedure is the development of a new flagship project focusing on one of the above listed fields (task 1.1.) The proposals should consider the funding possibilities, identified in task 1.3.

The proposal/application package should focus on the following:

- detailed summary/description of the project (at least 2000 characters)
- description of the strategic relevance of the project (focusing on needs/challenges)
- description of the main objectives and results of the project (focusing on the above described needs and challenges)
- description of the methodology by highlighting the innovative aspects of the idea

- description of the contribution to the existing Policy Framework (EU/National, regional) concerning for example Sustainable Development, Equal Opportunities, Inclusion and Non-Discrimination and Charter of Fundamental Rights as well as Gender Equality, Gender Mainstreaming and Gender Perspective.
- description of the transnational added value of the project idea
- presentation of the Danube countries that are the most relevant for the identified project idea (by listing the most relevant actors from the above countries as well, incl. contact details)
- description of the target groups
- description of the planned activities and identification of concrete outputs

### **3.5 Order execution**

The analysis as well as the other generated documents fulfilling the tasks 1-4 have to be provided electronically.

The contractor delegates the contracting authority the exclusive unlimited and negotiable right of use of these documents.

## **4 Compilation of the required declarations, information and documents**

The below mentioned documents have to be filled out and transmitted together with the offer:

- Self-declaration UVgO
- Declaration of commitment to the minimum wage
- Declaration according to number 12.1.2 letter g of the VwV Beschaffung.