



Pre-Qualification Document

PQ Ref. No.: HR/09/EL/AA/21

LOT 1: Provision and implementation of readily available off-the-shelf e-Learning content libraries in a variety of formats and lengths.

LOT 2: Provision of design, delivery and implementation of tailor-made interactive e-learning courses.

17/09/2021

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1. Introduction

The European Stability Mechanism (“ESM”) is a permanent crisis resolution mechanism established by the euro area Member States as an intergovernmental organisation under public international law. Its purpose is to ensure the financial stability of the euro area as a whole, and of its Member States experiencing severe financing problems, by providing financial assistance through a number of instruments.

More background information about the ESM may be found on the website: <https://www.esm.europa.eu/>

Neither Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014, nor Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council (as amended) apply to the ESM. The ESM procures supplies, services and works on its own behalf and for its own account pursuant to the ESM Procurement Policy as published on the ESM website. Please visit the ESM website for further information.

This Pre-Qualification Document (“**PQD**”) sets out the eligibility, exclusion and selection criteria, as part of a pre-qualification stage (“**Stage 1**”) of the two-stage procurement procedures of the ESM (i.e. Restricted Procedures and Negotiated Procedures), in order to assess the suitability of a Candidate to participate further in this procurement procedure. Candidates, which are successful at Stage 1 (pre-qualified Candidates) and, if applicable, chosen by the ESM among the eligible and suitable Candidates, will be invited to participate in the subsequent Request for Proposal stage of the procurement procedure (“**Stage 2**”).

For the purposes of this PQD, economic operators who wish to apply to this procurement procedure are referred to as “Candidate” or “Candidates” and their response is referred to as an “Application” or “Applications”.

Unless otherwise defined in this PQD, all capitalised terms used in this PQD have the meanings ascribed to them in the ESM Procurement Policy.

2. Contents of this PQD

The PQD consists of the following documents:

No.	Document Title	Comment
1.	Prequalification Document – Core Document	This document
2.	Annex 1 – Terms of Reference	Included as Annex 1 to this PQD
3.	Annex 2 – Eligibility, Exclusion & Selection Criteria including declarations, forms, questions and other response elements to be addressed	Included as Annex 2 to this PQD

3. Overview of the Procurement Requirement

The ESM intends to establish framework agreements (the “Framework Agreements” or “Contracts”) with Service Providers (individually, “Service Provider” and collectively, “Service Providers”) to support the ESM with the provision of the services below listed.

The ESM will award one or more agreements per Lot as indicated in the table here below:

Lot name	Maximum Number of Service Providers
LOT 1: Provision and implementation of readily available off-the-shelf e-Learning content libraries in a variety of formats and lengths on the following themes:	
1. Software <ul style="list-style-type: none"> • Microsoft Office Suite (Office 365) • Data Visualisation and Analytics (Tableau) 	One
2. Competencies and key skills areas <ul style="list-style-type: none"> • Teamwork and collaboration • Communication and interpersonal skills • Risk awareness and management • Resilience, flexibility and change • Developing self and others • Leveraging diversity and inclusion • Critical and strategic thinking • Problem solving • Innovative thinking • Leadership and management 	Maximum three
3. Specialised / Technical training <ul style="list-style-type: none"> • Project Management (eg. Agile, PM₂) • Fintech and data science (e.g. blockchain, AI, machine learning) • Legal and Compliance • Financial Markets (eg. Money markets, Equity, Commodities, Derivatives, Bonds, Options, Financial Analysis, Benchmarks, Securitisation, Financial reporting, Risk Management, Global and European Financial Regulation) • Economics (eg. Economic Policy, Macroeconomics, Econometrics, Financial Programming, Monetary Policy, Non-Bank Financial Institutions) 	Maximum three
LOT 2: Provision of design, delivery and implementation of tailor-made interactive e-learning courses.	One

Lot 1: Provision and implementation of readily available off-the-shelf e-Learning content libraries in a variety of formats and lengths on the following themes.

Theme n°1- Software:

The ESM intends to establish a framework agreement (the “Framework Agreement” or “Contract”) with one provider for the theme n°1 Software.

The Framework Agreement to be awarded as a result of this procurement procedure will have a four (4) year term.

Theme n°2- Competencies and key skills areas and Theme n°3 Specialised / Technical training:

The ESM intends to conclude framework agreements (called also “contracts”) with up to 3 selected providers. The successful Candidates, with whom the ESM will enter into framework agreements as a result of this procurement procedure, will be put on a so-called eLearning Library Panel. Additional information about the procedure for requesting the services will be described in the draft agreement. The Framework Agreements to be awarded as a result of this procurement procedure will have a four (4) year term.

Candidates are entitled to apply for one or more themes listed in Lot 1.

Lot 2: Provision of design, delivery and implementation of tailor-made interactive e-learning courses.

The ESM intends to establish a framework agreement (the “Framework Agreement” or “Contract”) with one provider.

The Framework Agreement to be awarded as a result of this procurement procedure will have a four (4) year term.

Candidates are entitled to apply for one or more Lots.

3.1 Type of Procurement Procedure

This procurement procedure is carried out by the ESM under a Negotiated Procedure in accordance with Article 9.1 (1) and (2) of the ESM Procurement Policy and is referred to in this PQD as a procurement procedure or a procurement process.

3.2 Procurement Process Steps and Timelines

The ESM plans to carry out the procurement process in accordance with the steps defined in the table below. The ESM reserves, at its sole discretion, the right to vary the steps and timelines.

No.	Procurement Process Steps	Timeline
1.	Contract notice and PQD publication date	17/09/2021
2.	Deadline for submission of clarifications/questions on the contract notice and the PQD	08/10/2021 11:00 hrs (local Luxembourg time)
3.	Response to the clarifications/questions on the contract notice and the PQD	Regularly

No.	Procurement Process Steps	Timeline
4.	Deadline for submission of Applications (the “Applications Deadline”)	14/10/2021 11:00 hrs (local Luxembourg time)
5.	Target date of notification of the ESM’s decision on pre-qualification to unsuccessful Candidates and dispatch of the RFP to the pre-qualified Candidates Lot1 and Lot2	25/10/2021

3.3 The ESM “Sole Contact” Details

Commercial Legal and Procurement
European Stability Mechanism
6a, Circuit de la Foire Internationale
L-1347 Luxembourg
Email: procurement@esm.europa.eu
Attention: Mr. Ampeglio Amore

Unless notified otherwise, the person indicated above shall be the Candidates’ single point of communication with the ESM for the duration of this procurement process.

The ESM shall not be bound by and the Candidates agree not to rely upon any written or verbal statements or representations of any other persons, whether employed by the ESM or not.

3.4 Clarification Matters

During the procurement procedure, Candidates are entitled to submit in writing questions to the ESM within the deadline above indicated. ESM may provide additional information solely for the purpose of clarifying the procurement documents and taking into account the following aspects:

- a) Queries can be raised to the Sole Contact as identified in this PQD.
- b) Queries can be raised on any matter in the contract notice or this PQD. However, the ESM reserves the right not to answer any particular query.
- c) The ESM will endeavour to respond to all queries and issue responses in a timely and professional manner. The ESM reserves the right not to answer any queries received after the deadline for submission of the queries.
- d) Subject to point e) below, responses to the queries will be uploaded on the ESM website if they are of relevance to all of Candidates.
- e) If the ESM receives a query from a Candidate which, in the sole discretion of the ESM, constitutes a query relevant to that Candidate only, the ESM will provide response to that Candidate only.

Please note that the assessment of the application will be done only during the evaluation phase and not during the clarification period. In this context, Candidates are invited to submit evidence which they consider relevant to fulfil the PQD requirements.

3.5 Application Structure and Response Instructions

Candidates need to submit a separate proposal for each of the lots in which they are interested.

When preparing Applications, Candidates should observe the following:

- All documents must be submitted in English.
- Note limitations on any page/word limits specified. Any response exceeding the specified limits may be disregarded beyond that limit.
- Answers should be as concise as possible, complete and comprehensive.
- The ESM does not wish to receive any marketing or other promotional materials.
- Responses to the eligibility, exclusion and/or selection criteria will be evaluated independently and cross-references between response elements are not permitted.
- The Candidate should clearly identify in the Application any requirements specified in this PQD that the Candidate cannot satisfy.

Application Structure			
#	Section	Template and instructions	Document format
1.	Cover Certification Form	Candidates are requested to provide a cover certification form dated and duly signed by an authorised representative on the Candidate's company letterhead (no. 3.1 of Annex 2)	Fully scanned copy with signature in PDF
2.	Declarations	Candidates are requested to submit completed, dated and duly signed declarations (nos. 1.1 and 1.2 of Annex 2)	Fully scanned copy with signature in PDF
3.	General Response	Candidates are requested to respond to the questions posed in this PQD as instructed (see Annex 2 Section 2. Selection Criteria)	PDF
4.	Attachments	Candidates are requested to include any attachments, as requested	PDF

3.6 Coordinates and Guidelines for Submission of Applications

Applications shall be submitted no later than the Applications Deadline above specified of the Procurement Process Steps and Timeline table and must be submitted only **via e-mail** to:

Email: **procurement@esm.europa.eu**

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Attention: Mr. Ampeglio Amore

E. mail must contain a clear indication about the number of lot(s) and the specific theme(s) (if applicable) for which the candidate is willing to submit an application. For each lot, digital copies shall be submitted in compliance with the following guidelines:

- a) One file per section as described above in the "Application Structure" table.
- b) Any supporting or additional files must be clearly named.
- c) All files should be named clearly with a sequential number and a relevant file name, e.g.
 - "Annex 2: 1.1 – Declaration on the eligibility, exclusion criteria, economic, financial and operational capacity and the absence of conflict of interest"
 - "Annex 2: 1.2 – Non-Collusion Declaration"
 - "Annex 2: 3.1 – Cover Certification Form"
 - "Annex 2: – other required information document"
- d) All files must be provided in a standard non-editable format, such as PDF.

3.7 Eligibility, Exclusion and Selection Criteria (applicable to all lots)

In order to be eligible to participate in this procurement process, Candidates must be either natural persons or legal persons and state that they are not in one of the exclusion situations listed in the declarations nos. 1.1 and 1.2 included in Annex 2.

If such circumstances arise in the course of the procurement process, the Candidate concerned must inform the ESM thereof without undue delay. Candidates may submit evidence to demonstrate their eligibility despite the existence of grounds for exclusion. The ESM may, in its sole discretion, decide whether such evidence is satisfactory.

Candidates must comply with all eligibility and exclusion criteria to be assessed further.

ELIGIBILITY AND EXCLUSION CRITERIA – elements of the evaluation	
Duly executed declarations as requested in Annex 2 nos. 1.1 and 1.2	Pass / Fail

In order to assess a Candidate's capacity to perform the FA the ESM will apply the following selection criteria (full information can be found in **Annex 2 Section 2. Selection Criteria**).

In the event that the Candidate submits an Application together with a third party/-ies and/or with sub-contractor(s), the combined capacities of the Candidate and all such third party/-ies and/or subcontractor(s) will be assessed for the purpose of meeting the selection criteria.

SELECTION CRITERIA – elements of the evaluation	
Economic and financial standing	Pass / Fail
Technical or professional ability	Pass / Fail
Authorisation and suitability to carry out the relevant professional activity	Pass / Fail

Candidates must achieve a rating of "Pass" for all the "Pass / Fail" criteria to be considered successful at Stage 1 (pre-qualified Candidates).

4. Terms and Conditions of this PQD

4.1 Rights of the ESM

By submitting an Application, the Candidates confirm that they have taken note and accepted all terms and conditions of this PQD.

The ESM reserves the right, at its sole discretion and in exceptional circumstances, to accept the Applications received after the closing deadline.

After the ESM opens the Applications, it may request Candidates to submit, supplement, clarify or complete information or documentation which is or appears missing, incomplete, inconsistent or erroneous within an appropriate time limit. The ESM reserves the right to reject from further consideration any such Applications.

The ESM reserves the right to request that Candidates provide documentary evidence in support of the statements made in their Applications.

Any effort by the Candidate to influence the ESM in the process of examination, evaluation and comparison of Applications, or in the decision regarding the pre-qualification process may result in the rejection of the Application.

The ESM may decide, at its sole discretion while complying with the general principles set forth in the ESM Procurement Policy, to cancel this procurement process in whole or in part at any time before the FA is awarded as a result of this procurement process. The cancellation does not give rise to any form of compensation for Candidates.

The ESM will ensure that the information provided by Candidates is treated and stored in accordance with the principles of confidentiality and integrity.

The ESM reserves the right to disclose the contents of Applications to its third party advisors (if applicable) who are bound by the same confidentiality and integrity obligations as the ESM.

If the ESM discovers, before the expiry of the deadline for submissions of Applications, a lack of precision, an omission or any other type of error in this PQD, it will rectify the error and inform all Candidates in writing.

4.2 Cost of Participating in the Procurement Process

All costs relating to the participation in this procurement process, including in particular any costs in relation to the preparation of Applications and of any other documents requested by the ESM and any subsequent follow-up shall be borne exclusively by the Candidate.

4.3 Trade Name, Logo and Marks

The ESM logo, covers, page headers, custom graphics, icons, and other design elements and words or symbols used to identify the description of the procurement requirement are either trademarks, trade names or service marks of the ESM and its licensors, or are the property of their respective owners. These marks may not be copied, imitated or used, in whole or in part, without the explicit prior written consent of the ESM.

4.4 Confidentiality

If the Candidate considers that any part of its Application or other documents/information submitted to the ESM include Confidential Information within the meaning of this section the Candidate must clearly mark such parts of the Application or other documents/information as 'confidential'.

Candidates are advised that their participation in this procurement process constitutes Confidential Information except for the announcement by the ESM of the successful Candidate on the ESM website in accordance with Article 9.17 (3) of the Procurement Policy.

Except if required in a judicial or administrative proceeding, or if it is otherwise required to be disclosed by any law or regulation, or where information is already in the public domain, the ESM will: (a) not disclose the Confidential Information; (b) take all reasonable measures to preserve the confidentiality and avoid disclosure, dissemination or unauthorised use of Confidential Information; and (c) not use such Confidential Information for any purpose other than as is necessary in connection with this procurement process. Confidential Information does not include information which (a) was known to the ESM prior to receiving the information from the Candidate; (b) becomes rightfully known to the ESM from a third-party source not known to the ESM (after diligent inquiry) to be under an obligation to the Candidate to maintain confidentiality; (c) is or becomes publicly available through no fault of or failure to act by ESM; or (d) has been developed independently by the ESM or authorised to be disclosed by the Candidate. Confidential Information may only be shared with third parties (e.g. contractors) that have a need to know the Confidential Information in relation to this procurement process and provided that such third parties comply with the confidentiality obligations provided in this section.

In addition, if the Candidate has signed an ESM confidentiality undertaking the Candidate agrees to comply with all obligations set forth in such confidentiality undertaking. If there is a conflict between such confidentiality undertaking and this procurement procedure, the confidentiality undertaking will prevail.

4.5 Involvement/Reliance on Third Parties

If the Candidate intends to involve a third party in the supply of the services offered to the ESM the Candidate has to ensure that any such third party is bound by the requirements set forth in this PQD.

If a Candidate submits its Application as part of a consortium with a third party/third parties, such Candidate must provide as part of its Proposal:

- a. a clear description of the proposed consortium, its organisational hierarchy and structure, the names of all consortium members and the roles, activities and responsibilities of the consortium leader and each consortium member;
- b. a document authorising the consortium leader to act on behalf of the consortium member(s) (e.g. power of attorney); The model available in Annex 2 shall be used.
- c. a written undertaking from the consortium member(s) confirming that it/they will place, at the consortium leader's disposal, the resources necessary for the performance of the Contract. The written undertaking must be signed by an authorised representative of each such consortium member; The model available in Annex 2 shall be used.
- d. information on whether the consortium will form a legal entity and if yes, details of the actual or proposed percentage shareholding within such legal entity and other official documents confirming existence of such legal entity. If not, full details of the proposed consortium arrangement including submission of an executed consortium agreement.

If a Framework Agreement is awarded to a consortium, all consortium members will be jointly and severally liable towards the ESM for all obligations arising of or resulting from the Contract.

If a Candidate considers any changes in the consortium structure it must immediately notify the ESM in writing. The composition of a consortium (including the roles, activities and responsibilities of the consortium leader and each consortium member) cannot be modified or members of the consortium cannot be exchanged, whether during the course of this procurement process or during the term of the Contract, without the prior written consent of the ESM.

If a Candidate intends to sub-contract some of the services offered to the ESM to a third party, the Candidate must provide as part of its Application:

- a. a clear description of the proposed subcontracting arrangement, in particular which tasks the Candidate intends to subcontract and their volume or proportion, the name(s) of the proposed subcontractor(s) and its/their roles, activities and responsibilities; and
- b. a document signed by a subcontractor stating its intention to collaborate with the Candidate should the Candidate be awarded a Contract. The model available in Annex 2 shall be used.

If a Candidate subcontracts some of the services under the FA to subcontractors, it will nevertheless remain fully liable towards the ESM for the performance of such services and responsible for the FA as a whole. The ESM will have no direct legal commitments with the subcontractor(s).

Where the information provided to the ESM indicates that subcontractor(s) is/are to play a significant role in delivering the services offered to the ESM, any changes to the proposed subcontractors must be notified immediately to the ESM. Candidates cannot exchange or replace the subcontractors or modify the nature of the subcontracting arrangement (including the subcontracted tasks, their volume or proportion), whether during the course of this procurement procedure or during the term of the Contract, without the prior written consent of the ESM.

Moreover, any additional subcontractor(s) which was/were not assessed by the ESM during this procurement procedure may only be appointed if the ESM's has given its prior written consent.

4.6 Transfer of Undertakings

The Candidates acknowledge and accept the possibility that if they are awarded the Contract, the Contract may in some cases trigger the application of the relevant provisions of Luxembourg law or of a collective labour agreement regarding transfers of undertakings, in particular, but not limited to, Articles L.127- 1 to L.127-6 of the Luxembourg Labour Code as amended from time to time (collectively the "Regulations"). Consequently, the Candidates acknowledge and accept the possibility that if they are awarded a Contract the staff employed by the existing service provider performing the services to the ESM (the "Employees") may, if necessary, be taken over and/or transferred automatically, by the virtue of the Regulations.

The Candidates are therefore invited, if deemed appropriate and if not already included in the procurement documents, to request the ESM to provide any necessary information regarding the Employees. The ESM reserves the right to answer questions at a later stage of the procurement procedure if deemed appropriate in the ESM's sole discretion.

Should the Regulations be applicable, the existing service provider and the successful Candidate will fully comply with all of their obligations under the Regulations and will take all necessary steps to facilitate the takeover and/or transfer of the Employees. Any discussions regarding potential takeover and/or transfer of the Employees will be directly between the existing service provider and the

successful Candidate. All the costs incurred by the successful Candidate in relation to the application of the Regulations will be borne solely by such Candidate and will not give rise to any financial compensation from the ESM and will not affect in any way the financial proposal submitted by the successful Candidate.

4.7 Notification of the ESM's decision

The ESM will notify in writing its decision to advance or not advance the Candidate's Applications. The Candidates whose Applications did not advance can request, in accordance with the ESM Procurement Policy and timelines set within and in the ESM notification, a de-brief addressing the reasons for not advancing their Application. The de-brief will be limited to the reasons related to the unsuccessful Candidate's Application and will not cover any information about other Candidates' Applications.

4.8 Environmental Considerations

The ESM is committed to minimising the environmental impact of its everyday business activities, including, promoting an eco-friendly approach in its purchasing activity. Therefore, suppliers should also follow / adopt such environmental considerations and strive to be eco-friendly (i.e. reduce water, energy and waste consumption, actively recycle, using reusable / recyclable materials etc.) in their related business operations.

In addition, the supplier shall ensure compliance with any European and national rules on environmental protection, safety and health.

Annex 1 - Terms of Reference

1. Background and Overview of Requirements

The European Stability Mechanism (the “**ESM**”) is a permanent crisis resolution mechanism established by the euro area Member States as an intergovernmental organisation under public international law, with its seat and principal office at 6a, Circuit de la Foire Internationale, L-1347 Luxembourg (the “**ESM Building**”). Its purpose is to ensure the financial stability of the euro area as a whole and of its Member States experiencing severe financing problems by providing financial assistance through a number of instruments.

For the implementation of its mandate the ESM relies on high quality and diverse talent with the right mix of competencies to deliver on its mandate. Therefore, ESM strives to ensure the engagement of its people and create an environment that enables them to contribute to their full potential, to deliver on organisational priorities and adapt to ever-evolving stakeholders demands. The ESM’s Human Resources and Organisation Division assists managers and leaders with the tools and platforms needed to manage the diverse pool of talent in their teams, setting the tone for inclusive, engaged and high-performing organisational units. It also provides solutions to enhance the career development of staff, and create opportunities for lifelong learning and internal mobility.

In this context, the ESM wishes to offer to its members of staff and other eligible people (as defined and approved by the ESM) access via its Learning Management System (LMS) to various e-learning content resources in order to enhance their business skills and to enable high-performance. Several e-learning solutions such as self-paced Web-Based Training modules, video tutorials, or online business books summaries are already available to ESM staff currently as part of the standard learning catalog. These resources are most commonly offered in blended learning curricula together with relevant instructor-led courses, but also separately. The topics predominantly covered are in the area of soft skills e.g. leadership and management, interpersonal communication, productivity and collaboration, diversity and inclusion, personal resilience and wellbeing.

The ESM is seeking to further develop and expand the internal e-learning offering with the help of qualified and experienced Service Providers in this area.

2. Target audience

The target-group is mainly the population working at the ESM that has different profiles concerning the nature of the tasks (financial markets, law, economics, risk management, administrative, IT, etc.), level of responsibilities, cultural and educational backgrounds, as well as different learning styles and needs. An audience of maximum 250 regularly active learners including all managers and staff is expected in this respect.

English is the only working language of the institution and all the learning content and services are offered exclusively in this language. Therefore, e-learning language versions and translations are not relevant for this procurement procedure.

3. Learning Content Delivery

All learning content should be delivered via the ESM learning management system (LMS) which is accessible to users 24/7 from different types of devices. At present the ESM uses the Oracle Fusion Learning Cloud (R21A) as the main platform for the instructor-led and e-learning courses available to staff. The application allows integrating various electronic learning resources into the self-paced catalog such as Web Based Training (WBT) modules, Videos, PDF, Web links, Assessments, etc. The supported content must comply with either SCORM (SCORM 1.2 or SCORM 2004 Edition) or the AICC industry standard (Level 1 Version 2.2 or 4.0).

For further information about ESM, please refer to the following link: <https://www.esm.europa.eu/>

The Services are divided in two (2) lots.

- **Lot 1: Provision and implementation of readily available off-the-shelf e-Learning content libraries in a variety of formats and lengths.**
- **Lot 2: Provision of design, delivery and implementation of tailor-made interactive e-learning courses.**

Lot1: Provision and implementation of readily available off-the-shelf e-Learning content libraries in a variety of formats and lengths.

1. Description of the Services.

The objective of this procurement procedure is to identify Service Providers able to provide readily available off-the-shelf e-Learning content libraries related to the following themes:

Theme 1: Software

- Microsoft Office Suite (Office 365)
- Data Visualisation and Analytics (Tableau)

Theme 2: Core competencies and key skills areas

- Teamwork and collaboration
 - Building relationships
 - Teamwork
 - Handling conflict
 - Collaboration
- Communication and interpersonal skills
 - Active listening
 - Presentation skills
 - Business writing skills
 - Negotiations skills
 - Persuasion and influencing skills
- Risk awareness and management
 - Risk awareness
 - Risk management
- Resilience, flexibility and change
 - Flexibility and adaptability
 - Building resilience
 - Dealing with change

- Developing self and others
 - Developing a growth mindset
 - Efficiency and productivity
 - Mentoring and coaching skills
- Leveraging diversity and inclusion
 - Diversity awareness
 - Inclusive leadership
- Critical and strategic thinking
 - Critical thinking
 - Strategic thinking
- Problem solving
 - Structure thinking
 - Systems thinking
- Innovative thinking
 - Innovation skills
- Leadership and management
 - Setting direction
 - Fostering commitment and engagement
 - Employee development
 - Managing performance
 - Delegation skills
 - Emotional intelligence

Theme 3: Specialised/Technical training:

- Financial Markets (eg. Money markets, Equity, Commodities, Derivatives, Bonds, Options, Financial Analysis, Benchmarks, Securitisation, Financial reporting, Risk Management, Global and European Financial Regulation)
- Economics (eg. Economic Policy, Macroeconomics, Econometrics, Financial Programming, Monetary Policy, Non-Bank Financial Institutions)
- Project Management (eg. Agile, PM²)
- Fintech and data science (e.g. blockchain, AI, machine learning)
- Legal and Compliance

The format of the learning items can include (but not limited to):

- Interactive self-paced e-Learning courses/ Web Based Training
- Online simulations
- Video tutorials
- eBooks
- Podcasts
- Assessments
- Electronic business books summaries
- Asynchronous Online Learning

In addition to the aforementioned requirements, the proposed library content should have standard attributes that include at minimum the title, description, publisher, duration and release date. The content should also be updated on a regular basis at no additional cost to ESM. Catalogue curation and curriculum development services for ESM needs should be included.

Furthermore, the proposed learning items should ideally allow for tracking the total amount of individual time spent on each unit, completion progress and performance of each user, to enable LMS reporting. The Service Providers are responsible to ensure that the content is running properly on ESM systems (integration, accessibility and bookmarking).

2. Deliverables

The Service Provider will be required to provide up to 250 user licenses to the off-the shelf e-learning courses and/or other learning materials stored with the Service Provider's Learning Management System. The Service Provider will thus deliver to the ESM the right to its staff to use licensed content.

3. Key Personnel

The Service Provider will be required to provide an account manager and a backup in order to ensure proper communication with ESM during the entire duration of the contract.

4. Meetings

The Service Provider will be required to attend the following meetings:

Meeting type	Meeting content and format (online, physical)	Frequency
Kick-off meeting	On-line meeting: Duration: at least 30 min. Scope: briefing meeting /call with key ESM stakeholders. Participants: at least the account manager and or project manager and ESM staff members.	Upon commencement of the contract
Update meetings	On-line meeting: Duration: at least 30 min. Scope: briefing meeting /call with key ESM. Stakeholders to monitor contract implementation. Participants: at least the account manager and or project manager and ESM staff members.	On ad –hoc basis

The Service Provider will take minutes of all such meetings and will provide a copy to the ESM within one (1) week of the date of the meeting.

5. Place of Services Performance:

The Services will be performed online.

Lot 2: Provision of design, delivery and implementation of tailor-made interactive e-learning courses.

1. Description of the Services

In addition to the off-the-shelf e-learning resources, the ESM needs from time to time also to build new and/or update online courses on specific learning topics for ESM.

The ESM seeks to partner with one experienced Service Provider in this area who can design and develop customised e-learning solutions.

Creating such courses may start from existing internal content (e.g. PowerPoint slides, policies, notes, other documents) or from a description of the specific learning objectives which cannot be achieved through other solutions. In such case, the service provider should typically design first the course storyboard in collaboration with the designated ESM subject matter expert and HR. Then the provider may be required to build the online course which may include various elements (text, graphics, quizzes, tests, educational animations, screencasts with/without audio narration, etc.), depending on the complexity of the subject and the specific audience. Therefore, the provider should be capable to use multiple specialised third-party software packages used on the market (e.g. Adobe Captivate, Articulate Storyline, Lectora, Camtasia) to produce SCORM/AICC compliant courses. The delivered content must be produced for the responsive layout, adapted to various devices (computer, tablet and smartphones).

Exact specifications will be provided by ESM on a case-by-case basis via e-mail and the proposed price for each assignment will be based on the agreed volume of time and material expressed in man-days to be spent by an Instructional Designer, an e-Learning Developer and a Project Manager at the rates fixed in the framework agreement.

The ESM shall own the property rights for such courses and have the right to maintain, develop and modify the delivered outcome in the future. Therefore, the courses and other materials developed specifically for ESM must be documented and such documentation will be integrated in the software and provided to the ESM HR contact person upon final delivery.

2. Deliverables

The ESM may be required to design and develop customised e-learning courses and tutorial-style videos. The subject and the content of the topics to be developed shall normally remain within the themes listed under Lot 1, but other training requests relevant for ESM staff can be requested.

The e-learning training courses should be developed and delivered in a standard format adhering to common industry specifications such as SCORM (Sharable Content Object Reference Model), AICC (Aviation Industry Computer-Based Training Committee) or equivalent standards, capable to be uploaded and deployed on ESM's Learning Management System.

The e-learning training courses to be developed should be built in order to account for technical aspects such as bookmarking, sequential completion, pre- and post-course evaluation, minimum passing scores, etc. Gamification or animation aspects may also be requested.

3. Key Personnel

The Service Provider will be required to provide an account manager and a backup in order to ensure proper communication with ESM during the entire duration of the contract. In addition, Service Provider should provide the following Key Personnel:

Key Personnel	Minimum expertise requested	University degree
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Project Manager	3 years of full-time work experience in e-learning consultancy with SCORM, AICC or equivalent standards.	Minimum bachelor level
Instructional Designer	3 years of full-time work experience in e-learning instructional design (identifying business needs, proposing a solution and the content).	Minimum bachelor level
e-learning Developer	3 years of full-time work experience in e-learning design and development using multiple authoring tools, as well as integration of e-learning files in a LMS.	Minimum bachelor level

4. Meetings

The Service Provider will be required to attend the following meetings:

<i>Meeting type</i>	<i>Meeting content and format (online, physical)</i>	<i>Frequency</i>
Kick-off meeting	On-line meeting: Duration: at least 30 min Scope: briefing meeting /call with key ESM stakeholders. Participants: at least the account manager and or project manager and ESM staff members.	Upon commencement of the contract
Update meetings	On-line meeting: Duration: at least 30 min Scope: briefing meeting /call with key ESM stakeholders to monitor contract implementation. Participants: at least the account manager and or project manager and ESM staff members.	On ad –hoc basis

The Service Provider will take minutes of all such meetings and will provide a copy to the ESM within one (1) week of the date of the meeting. Unless agreed otherwise, meetings will take place at the ESM premises.

5. Place of Services Performance:

The Services will be performed online

Annex 2

ELIGIBILITY AND EXCLUSION CRITERIA, SELECTION CRITERIA AND OTHER REQUIRED INFORMATION AND DOCUMENTS

1. Eligibility and Exclusion Criteria

1.1. Declaration on the Eligibility, Exclusion Criteria, Economic, Financial and Operational Capacity and the Absence of Conflict of Interest

Candidates are requested to complete, date and duly sign by an authorised representative the below Declaration on the Exclusion Criteria, Economic, Financial and Operational Capacity and the Absence of Conflict of Interest.

European Stability Mechanism



Annex 2 – 1.1 – PQ Ref. No.: HR/09/EL/AA/21

In applying to the following lot, (please tick the appropriate box):

- **Lot 1 Provision and implementation of readily available off-the-shelf e-Learning content libraries in a variety of formats and lengths.**
☐
- **Lot 2 Provision of design, delivery and implementation of tailor-made interactive e-learning courses.**
☐

DECLARATION ON THE ELIGIBILITY CRITERIA

The undersigned, acting in his/her own name/acting as a duly appointed representative on behalf of [NAME OF ECONOMIC OPERATOR], certifies that it

1. is not bankrupt or being wound up, subject to administration or in any similar situation provided for in national legislation or regulations.
2. is not guilty of grave professional misconduct, which renders its integrity questionable.
3. is not in breach of obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which it resides or is established or where the contract awarded as a result of this procurement process is to be performed.
4. has not shown significant or persistent deficiencies in the performance of another contract, or with its obligations under the law.
5. or its management, staff or agents are not subject to a conflict of interest.
6. has not seriously misrepresented information required by the ESM.
7. did not and will not contact other Candidates with the purpose of distorting competition, or try to unduly influence the ESM's decision-making process.

If any circumstances arise during the course of the procurement process which may affect the above, the undersigned must inform the ESM thereof without undue delay. The ESM may, in its sole discretion, request evidence of the above.

The Economic Operator may submit evidence to demonstrate its eligibility despite the existence of any of the above grounds for exclusion. The ESM may, in its sole discretion, decide whether such evidence is satisfactory.

By: **Signature (Signed)** _____
Name and Title (Typed) _____
Place and Date _____

1.2. Non-Collusion Declaration

Candidates are requested to complete, date and duly sign by an authorised representative the below Non-Collusion Declaration.

European Stability Mechanism



Annex 2 – 1.2 – PQ Ref. No.: HR/09/EL/AA/21

In applying to the following lot, (please tick the appropriate box):

- **Lot 1** Provision and implementation of readily available off-the-shelf e-Learning content libraries in a variety of formats and lengths.
☐
- **Lot 2** Provision of design, delivery and implementation of tailor-made interactive e-learning courses.
☐

NON-COLLUSION DECLARATION

The undersigned, acting in his/her own name/as [a] duly appointed representative(s)* of
[NAME OF THE CANDIDATE]..... declare(s) the following:

I refer to the PQ Ref. No.: HR/09/EL/AA/21, launched by the ESM in relation to which the Candidate has submitted an Application.

In relation to the PQ Ref. No.: HR/09/EL/AA/21, the Candidate has not breached any applicable provisions of competition law or other applicable laws. In particular, the Candidate has prepared the Application completely independently and certifies that it has not and will not divulge, discuss or compare its Application with other Candidates participating in this procurement process and has not and will not contact or collude with such other Candidates with the purpose of distorting competition. The Candidate will take all appropriate and necessary measures to ensure that its subcontractors or other third parties involved respect the same rules and principles.

The Candidate is not aware of any elements that could influence competition between the different Candidates participating in this procurement process. If the Candidate becomes aware of any such elements it will immediately and in writing disclose such elements to the ESM.

By: **Signature (Signed)** _____

Name and Title (Typed) _____

Place and Date _____

*delete as appropriate

2. Selection Criteria (Lot1)

As part of their Application, Candidates are requested to address each item/question below and supply the requested evidence in the correspondingly named and numbered way.

Please note that for the purpose of the evaluation of the Applications the ESM will assess the responses provided to the items set out below in this Section 2.

Economic and financial standing

Candidates must comply with the following selection criteria in order to prove that they have the necessary economic and financial capacity to perform the contract. The selection criteria apply to the candidate as a whole, i.e. a consolidated assessment of the combined capacities of all involved entities will be carried out.

Item No	Selection Criteria	Minimum level of capacity	Evidence
1.	The candidate must prove Economic and Financial stability necessary for the performance of the contract.	Annual turnover, global revenue of at least 250.000 euros in each of the last two financial years as a result of the provision of similar services as set out in Annex 1 of this PQD.	A signed declaration from the candidate confirming the ability to fulfil the minimum level of capacity required. No specific template is requested by ESM.

Technical or professional ability

Candidates must comply with the following selection criteria in order to prove that they have the necessary technical and professional capacity to perform the contract.

Item No	Selection Criteria	Minimum level of capacity	Evidence
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1.	The candidate must prove experience in services listed in the terms of reference.	a) At least three years of relevant experience in the provision of the Services as set out in Annex 1 to this PQD. b) At least three similar (in scope and complexity) projects completed in the last three years preceding the submission deadline for international organisations. c) Candidate should be able to have content to address at least 2 out of 3 of the listed themes as indicated in the terms of reference.	a) A signed declaration from the candidate confirming the ability to fulfil the minimum level of capacity required. No specific template is requested by ESM. b) A list of projects meeting the minimum level of capacity. The list shall include details of their start and end date, total project amount and scope. c) Please provide a declaration confirming which are the themes selected in accordance to the minimum level of capacity.
2.	The candidate must be able to provide a team of experts/consultants complying with the minimum level of capacity.	A team of at least 1 experts/consultants. Team experience will be assessed at a consolidated level.	Detailed CVs of the team members proposed for the assignment. ESM strongly recommends submitting the CVs in the EU CV format. In particular, Candidate is requested to provide CV of your proposed learning consultant for content curation.

Authorisation and suitability to carry out the relevant professional activity

Candidates must comply with the following selection criteria in order to prove that they have the necessary legal and regulatory capacity to perform the contract.

Item No	Selection Criteria	Evidence
1.	Candidates must prove that they have legal capacity to perform the contract and the regulatory capacity to pursue the professional activity necessary to carry out the work subject to this procurement procedure	Proof of enrolment in a relevant trade or professional register.

FOR INFORMATION ONLY ITEMS		
Item No	Description of the field/area	Response
1.1.	Will the server(s) containing ESM data be located outside the 19 countries belonging to the euro area? If yes, in which country(ies)?	

1.2	Is the entity contracting with the ESM ("Contracting Entity") registered outside the 19 countries belonging to the euro area? If yes, in which country(ies)?	
1.3	Is any entity directly or indirectly controlling the Contracting Entity (e.g. a parent company) registered outside the 19 countries belonging to the euro area? If yes, in which country(ies)?	
1.4	Is any other entity with access to ESM data (e.g. a subcontractor providing the IT infrastructure/servers) registered outside the 19 countries belonging to the euro area? If yes, in which country(ies)?	
1.5	Is the ESM data going to be encrypted and who will have access to the encryption key? a) No encryption b) Encryption yes; the Candidate will have access to the encryption key c) Encryption yes; the Candidate will not have access to the encryption key, but only the ESM and/or a third party	

3. Selection Criteria (Lot2)

As part of their Application, Candidates are requested to address each item/question below and supply the requested evidence in the correspondingly named and numbered way.

Please note that for the purpose of the evaluation of the Applications the ESM will assess the responses provided to the items set out below in this Section 2.

Economic and financial standing

Candidates must comply with the following selection criteria in order to prove that they have the necessary economic and financial capacity to perform the contract.

The selection criteria apply to the candidate as a whole, i.e. a consolidated assessment of the combined capacities of all involved entities will be carried out.

Item No	Selection Criteria	Minimum level of capacity	Evidence
1.	The candidate must prove Economic and Financial stability necessary for the performance of the contract.	Annual turnover, global revenue of at least 100.000 Euros in each of the last two financial years as a result of the provision of similar services as set out in Annex 1 of this PQD.	A signed declaration from the candidate confirming the ability to fulfil the minimum level of capacity required. No specific template is requested by ESM.

Technical or professional ability

Candidates must comply with the following selection criteria in order to prove that they have the necessary technical and professional capacity to perform the contract.

Item No	Selection Criteria	Minimum level of capacity	Evidence
1.	The candidate must prove experience in the services listed in the terms of reference	a) At least three years of relevant experience in the provision of the Services as set out in Annex 1 to this PQD. b) At least two similar (in scope and complexity) projects with international organisations completed in the last two years preceding the deadline for submission of the proposals of this PQD.	a) A signed declaration from the candidate confirming the ability to fulfil the minimum level of capacity required. No specific template is requested by ESM. b) Provide two examples of e-learning content development projects delivered within the last two years to demonstrate your experience relevant to the work described in Lot 2. Please provide for each example: <ul style="list-style-type: none"> - Project title - Name of the client organisation, if not under privacy agreement, otherwise describe the sector and type of organisation - Scope of services provided - Start and end date - Project size (value) - Project roles and responsibilities
2.	The candidate must be able to provide a team of experts/consultants complying with the minimum level of capacity.	A team of at least 4 experts/consultants as indicated in the terms of reference. Team experience will be assessed at a consolidated level.	Detailed CVs of the team members proposed for the assignment. ESM strongly recommends submitting the CVs in the EU CV format.

Authorisation and suitability to carry out the relevant professional activity

Candidates must comply with the following selection criteria in order to prove that they have the necessary legal and regulatory capacity to perform the contract.

Item No	Selection Criteria	Evidence
1.	Candidates must prove that they have legal capacity to perform the contract and the regulatory capacity to pursue the professional activity necessary to carry out the work subject to this procurement procedure	Proof of enrolment in a relevant trade or professional register.

FOR INFORMATION ONLY ITEMS		
Item No	Description of the field/area	Response
1.1.	Will the server(s) containing ESM data be located outside the 19 countries belonging to the euro area? If yes, in which country(ies)?	
1.2	Is the entity contracting with the ESM ("Contracting Entity") registered outside the 19 countries belonging to the euro area? If yes, in which country(ies)?	
1.3	Is any entity directly or indirectly controlling the Contracting Entity (e.g. a parent company) registered outside the 19 countries belonging to the euro area? If yes, in which country(ies)?	
1.4	Is any other entity with access to ESM data (e.g. a subcontractor providing the IT infrastructure/servers) registered outside the 19 countries belonging to the euro area? If yes, in which country(ies)?	
1.5	Is the ESM data going to be encrypted and who will have access to the encryption key? a) No encryption b) Encryption yes; the Candidate will have access to the encryption key c) Encryption yes; the Candidate will not have access to the encryption key, but only the ESM and/or a third party	

4. Other Required Information and Documents

Cover Certification Form

In applying to the following lot, (please tick the appropriate box):

- **Lot 1** Provision and implementation of readily available off-the-shelf e-Learning content libraries in a variety of formats and lengths.
☐
- **Lot 2** Provision of design, delivery and implementation of tailor-made interactive e-learning courses.
☐

Submitted in Response to PQ Ref. No.: HR/09/EL/AA/21

The undersigned, acting in his/her own name/acting as [a] duly appointed representative(s)* on behalf of [NAME OF THE CANDIDATE]....., certify that this Application is made without prior understanding, agreement, or connection with any other person(s) or company(ies) submitting an Application in this procurement process and is in all aspects fair and without collusion or fraud. I certify that I am authorised to sign this Application on behalf of the Candidate.

I further certify that:

- The submission of this Application is deemed as acceptance of all the terms and conditions of this PQD.
- The content of this Cover Certification Form, the Declaration on Exclusion Criteria, Economic, Financial and Operational Capacity and the Absence of Conflict of Interest, the Non-Collusion Declaration and the Application are true, accurate and complete.
- When providing an attestation/confirmation in my responses and justifications to the Selection criteria such responses and justifications are true, accurate and complete.

Required Information	Response of Candidate
Exact legal name:	
Legal type (e.g. private limited liability company):	
City, Country:	
Nationality or Head Office Location:	
Registered office address:	
Telephone:	
Website:	
E-mail address:	
Name of the authorised contact person for matters pertaining to this PQ	
E-mail:	

Name and title of representative(s) signing the Application on behalf of the Candidate:

By: Signature (Signed) _____

Name and Title (Typed) _____

Place and Date _____

*Delete as appropriate

European Stability Mechanism



Annex 2– PQ Ref. No.: HR/09/EL/AA/21

Power of Attorney

The undersigned:

Signatory (Name, Function, Company, Registered address, VAT Number) having the legal capacity required to act on behalf of his/her company,

HEREBY AGREES TO THE FOLLOWING:

- 1) To submit a joint application/proposal as a member of a group of economic operators (the Group), constituted by Company 1, Company 2, Company N (Group members), and led by Company 1 (Group leader), in accordance with the conditions specified in the procurement document and the PQD to which this Power of attorney is attached.
- 2) If the *ESM* awards the contract resulting from this procurement procedure to the *Group* on the basis of the joint application/proposal to which this power of attorney is attached, all *Group members* shall be considered parties to the contract in accordance with the following conditions:
 - (a) All *Group members* shall be jointly and severally liable towards the *ESM* for the performance of the contract.
 - (b) All *Group members* shall comply with the terms and conditions of the contract and ensure the proper delivery of their respective share of the services and/or supplies subject to the contract.
- 3) Payments by the *ESM* related to the services and/or supplies subject to the Contract shall be made through the bank account of the *Group leader*.
- 4) The *Group members* grant to the *Group leader* all the necessary powers to act on their behalf in the submission of the application/proposal and the conclusion of the contract, including:
 - (a) The *Group leader* shall submit the application/proposal on behalf of all *Group members* including all relevant questions, clarification requests, notifications, etc., that may be received during the evaluation, award and until the contract signature.
 - (b) The *Group leader* shall sign any contractual documents — including the contract, and amendments thereto — and issue any invoices related to the performance of the contract on behalf of all *Group members*.
 - (c) The *Group leader* shall act as a single contact point with the *ESM* in the delivery of the services and/or supplies subject to the contract. It shall co-ordinate the delivery of the services and/or supplies by the *Group* to the *ESM*, and shall see to a proper administration of the contract.

Any modification to the present Power of attorney shall be subject to the *ESM*'s express approval. This Power of attorney shall expire when all the contractual obligations of the *Group* have ceased to exist. The parties cannot terminate it before that date without the *ESM*'s consent.

Place and date:

Name (in capital letters), function, company and signature:

European Stability Mechanism



Annex 2– PQ Ref. No.: HR/09/EL/AA/21

Commitment letter by identified subcontractor

I, the undersigned,

Name:

Function:

Company:

Registered address:

VAT Number:

having the legal capacity required to act on behalf of the company [insert name of the entity] hereby confirm that our company agrees to participate as subcontractor in the application of [insert name of the candidate] for the PQD insert reference number] – [insert title of procedure] Lot [insert lot number].

In the event that the application/proposal of the aforementioned candidate is successful, [insert name of the subcontractor] commits itself to make available the resources necessary for performance of the contract as a subcontractor and to carry out the services that will be subcontracted to it in compliance with the terms of the contract. It further declares that it is not subject to conflicting interests which may negatively affect the contract performance and that it accepts the contractual provisions related to checks and audits.

Done at:

Name:

Position:

Signature:

European Stability Mechanism



Annex 2 – PQ Ref. No.: HR/09/EL/AA/21

Commitment letter by an entity on whose capacity is being relied

I, the undersigned,

Name:

Function:

Company:

Registered address:

VAT Number:

having the legal capacity required to act on behalf of the company [insert name of the entity] hereby confirm that our company authorises the [insert name of the candidate] to rely on its financial and economic capacity in order to meet the minimum levels required for this PQD [insert reference number] – [insert title of procedure] Lot [insert lot number].

In the event that the application/proposal of the aforementioned candidate is successful, [insert name of the entity] commits itself to make available the resources necessary for performance of the contract. It further declares that it is not subject to conflicting interests which may negatively affect the contract performance, and that it accepts the contractual provisions related to checks and audits.

Done at:

Name:

Position:

Signature: