

Maintenance and evolution of the ESPD EDM

Publications Office – C.3

ESPD Meeting OP-GROW with Open User Community (OUC)

17th June 2020



Publications Office



an NTT DATA Company

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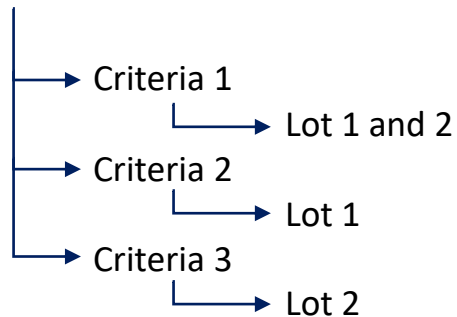
4. Next meetings

1. Summary of last meeting on 19 May 2020

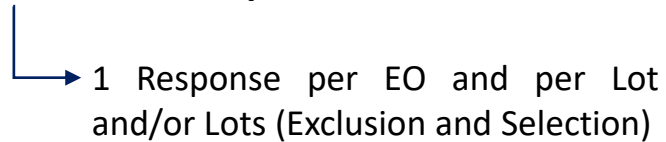
- ❖ Meeting minutes: https://github.com/ESPD/ESPD-EDM/blob/wgm-reports/ESPD_Minutes_MS_Meetings_20200519_v1.0.pdf
- ❖ **ESPD-EDM 2.1.1:** explanation of the work done and changes implemented.
- ❖ **Roadmap next ESPD-EDM release:** roadmap for the upcoming months, the objective, and the main task to be analysed.
- ❖ **Code Lists:** harmonisation analysis of the current ESPD code lists with both eForms and eProcurement Ontology.
- ❖ **Evaluation Method Type Discussion:** there is a common agreement on keeping ESPD as simple as possible and not to include weighting in any Selection Criteria.

2. Lots Management

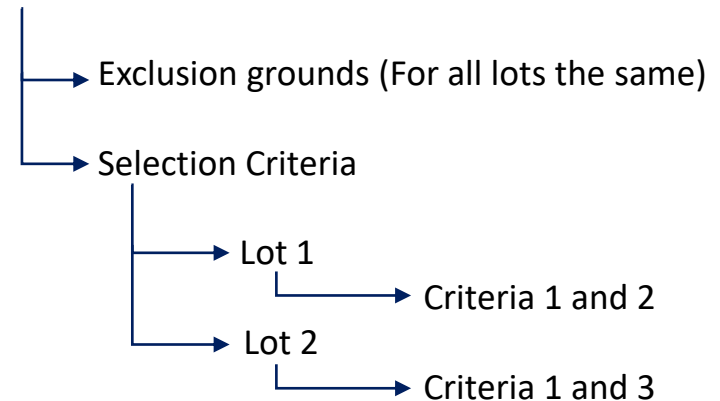
1 - XML Request (current ESPD)



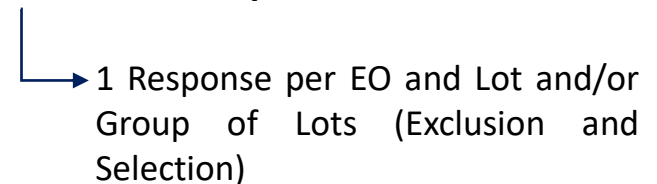
1..n - XML Response



1 - XML Request (alternative solution)



1..n - XML Response



3. GitHub Issues - Information

- ❖ **Issue #242** Inconsistencies with Regulation and incorrect nesting @ Criteria #7 and #8.

#7:

CRITERION.EXCLUSION.CONTRIBUTIONS.PAYMENT_OF_TAXES

#8:

CRITERION.EXCLUSION.CONTRIBUTIONS.PAYMENT_OF_SOCIAL_SECURITY

- ❖ **Summary:** In the criteria mentioned above, the sub question (d) is nested within the sub question (c), meaning that it only appears when the answer to (c) is positive. This is not consistent with the Regulation.

Payment of taxes or social security contributions:	Answer:	
Has the economic operator met all its obligations relating to the payment of taxes or social security contributions, both in the country in which it is established and in Member State of the contracting authority or contracting entity if other than the country of establishment?	[] Yes [] No	
	Taxes	Social contributions
If not, please indicate:		
(a) Country or Member State concerned	(a) [.....]	(a) [.....]
(b) What is the amount concerned?	(b) [.....]	(b) [.....]
(c) How has this breach of obligations been established:		
(1) Through a judicial or administrative decision:	(c1) [] Yes [] No	(c1) [] Yes [] No
— Is this decision final and binding?	— [] Yes [] No	— [] Yes [] No
— Please indicate the date of conviction or decision.	— [.....]	— [.....]
— In case of a conviction, insofar as established directly therein, the length of the period of exclusion:	— [.....]	— [.....]
(2) By other means? Please specify:	(c2) [.....]	(c2) [.....]
(d) Has the economic operator fulfilled its obligations by paying or entering into a binding arrangement with a view to paying the taxes or social security contributions due, including, where applicable, any interest accrued or fines?	(d) [] Yes [] No If yes, please provide details: [.....]	(d) [] Yes [] No If yes, please provide details: [.....]
If the relevant documentation concerning payment of taxes or social contributions is available electronically, please indicate:	(web address, issuing authority or body, precise reference of the documentation) (2*):	

- ❖ **Action:** Include sub question (d) at same level as (a) (b) and (c).

QUESTION_SUBGROUP					098fd3cc-466e-4233-af1a-affe09471bce ON*
QUESTION	Your answer	true	1	INDICATOR	098fd3cc-466e-4233-af1a-affe09471bce ON*
QUESTION_SUBGROUP			0.1		f8499787-f9f8-4355-95e2-9784426f4d7b ONTRUE
QUESTION	Country or member st	[Country co	1	CODE_COUNTRY	
QUESTION	Amount concerned	[Amount cc	1	AMOUNT	
QUESTION_SUBGROUP			1		7c2aec9f-4876-4c33-89c8-2ab6ddc79d8f ON*
QUESTION	Has this breach of ob	true	1	INDICATOR	7c2aec9f-4876-4c33-89c8-2ab6ddc79d8f ON*
QUESTION_SUBGROUP			0.1		3cb7abf1-662a-4756-b61c-7b716c1fafc ONTRUE
QUESTION	Please describe whid	[Descriptic	1	DESCRIPTION	
QUESTION_SUBGROUP			0.1		c37c-479-d88c-4a04-c589-dc181cabb069 ON*
QUESTION	Has the economic op	true	1	INDICATOR	c37c-479-d88c-4a04-c589-dc181cabb069 ON*
QUESTION_SUBGROUP			0.1		6c3609e1-9add-4fa9-9409-62ce72ae454 ONTRUE
QUESTION	Please describe them	[Descriptic	1	DESCRIPTION	
QUESTION_SUBGROUP					
QUESTION_SUBGROUP					
QUESTION	If this breach of oblig	true	0.1	INDICATOR	c882a7e4-6971-4b00-8970-0c283eb122cc ONFALSE
QUESTION_SUBGROUP			1		815422d6-f8a1-418a-8bf0-35247c8f721 ONTRUE
QUESTION	Please indicate the d	2017-01-01	1	DATE	
QUESTION	In case of a conviction	2017-01-01	1	PERIOD	
QUESTION_SUBGROUP					
QUESTION_SUBGROUP					
QUESTION_SUBGROUP					
QUESTION_SUBGROUP					

3. GitHub Issues - Information

- ❖ **Issue #243** Criteria #9, #10, #11 and #24 have an unnecessary question: CRITERION.EXCLUSION.SOCIAL.*
- ❖ **Summary:** The criteria mentioned above has an extra text field that appears when answering positively to the first question, and this should only appear in the second question. (As can be read in the Regulation).

Has the economic operator, to its knowledge, breached its obligations in the fields of environmental, social and labour law ⁽²⁶⁾ ?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	If yes, has the economic operator taken measures to demonstrate its reliability despite the existence of this ground for exclusion ('Self-Cleaning')?
	<input type="checkbox"/> Yes <input type="checkbox"/> No If it has, please describe the measures taken: [.....]

Breaching of Has the economic operator				a80ddb62-d: CRITERION.EXCLUSION.S	
{SUBCRITERION	[Name of th [Description	0..n		e6b21867-95	ON*
{QUESTION_GROUP		1		8c39b505-8a	ON*
{CAPTION}	[Additional in	1	NONE		
{QUESTION}	Your Answer	1	INDICATOR		
QUESTION_GROUP}					
SUBCRITERION}					
{LEGISLATION}		0..n		c753a2c5-59	
{QUESTION_GROUP		1		976b5acb-c0	ON*
{QUESTION}	Your answer true	1	INDICATOR		
{QUESTION_SUBGROUP		0..1		64a2102c-4a	ONTRUE
{QUESTION}	Please descri	1	DESCRIPTION		
{QUESTION_SUBGROUP		1		5f9f09f7-f70	ON*
{QUESTION}	Have you tak	1	INDICATOR		
{QUESTION_SUBGROUP		0..1		74e6c7b4-75	ONTRUE
{QUESTION}	Please descri	1	DESCRIPTION		
QUESTION_SUBGROUP}					
QUESTION_SUBGROUP}					
QUESTION_SUBGROUP}					

- ❖ **Action:** Remove the unnecessary question that appears in case of a positive answer.

3. GitHub Issues - Information

- ❖ **Issues [#260 - #264](#)** Extension of the UBL schema to allow the representation of concepts that would be out of the code list ProcedureType (CONCESSION, DESIGN_CONTEST, NEGOTIATED_ACCELERATED, OPEN_RECUR).
- ❖ **Summary:** Some of the codes included in the ProcedureType were not type of procedures but legal basis, attributes or subtypes. Moreover, the proposal was to replace the codelist with the Procurement Procedure Type from EU Voc, which does not include some of the codes. Then, the foreseen solution was the extension of the model.
- ❖ **Solution:**
 - Information related to the procedure will come from eForms. Therefore, there is no need to include the extension. The Information about the procedure will be included within the eForms' CN, then ESPD does not need to keep the information. Only would include Exclusion Grounds and the Selection Criteria.
 - An extension to UBL would add complexity to the schema.
- ❖ All the related issues have been closed.

3. GitHub Issues - Information

- ❖ **Issue #265** PropertyDataType in Criterion #30:
CRITERION.SELECTION.ECONOMIC_FINANCIAL_STANDING.TURNOVER.AVERAGE_YEARLY.

- ❖ **Summary:** QUANTITY_INTEGER was added to represent the question “Quantity of years” in the current ESPD, actually there is a code “QUANTITY_YEAR” that allows to represent better the information required.

		Name	Description	Value	Cardinality	PropertyDataType
30	{CRITERION	Average year Its average yearly turnover				
	{LEGISLATION}					
	{QUESTION_GROUP				1	
	{QUESTION}	Number of years	[Respc	1	QUANTITY_INTEGER	
	{QUESTION}	Average turnover	[Respc	1	AMOUNT	
	QUESTION_GROUP}					
	{QUESTION_GROUP				1	
	{QUESTION}	Is this information true		1	INDICATOR	
	{QUESTION_SUBGROUP				0..1	
	{QUESTION}	Evidence supplied	[Respc	1..n	EVIDENCE_IDENTIFIER	
	QUESTION_SUBGROUP}					
	QUESTION_GROUP}					
	CRITERION}					

- ❖ **Action:** Change from QUANTITY_INTEGER to QUANTITY_YEAR to be more specific. It will be harmonised for all the criteria containing the question “Number of years”.

3. GitHub Issues - Information

- ❖ **Issue #267** Cardinality of references Criteria (#37, #38 and #39) in the extended version:
CRITERION.SELECTION.technical_professional_ability.references.*
- ❖ **Summary:** In the criteria mentioned above, there is a question related to the references that CA asks to the EO, which currently only allows 1 reference. Actually, a CA could ask for more than one reference.

{QUESTION_SUBGROUP (CAPTION)	Lots these references apply to		1..n		a44e24e9-f878-4651-9ead-e0b1387dae09	ON*	This group contains all the information about multiple References
{QUESTION_SUBGROUP (QUESTION)			1	NONE	b9ac8ecf-5902-408e-a9a6-604568b35e1e	ON*	
{QUESTION_SUBGROUP (QUESTION)	Lot ID	[LotID]	1..n	LOT_IDENTIFIER			List of the LotIDs. Beware that this list MUST be consistent with (1) the List of
{QUESTION_SUBGROUP (QUESTION)	Reference		1		c8ec5c30-2c17-4936-abb-392523d873e5	ON*	This group contains all the information about one References
{QUESTION (QUESTION)	Reference description	DoD consultancy on IT convergence	0..1	DESCRIPTION			
{QUESTION (QUESTION)	Total amount	150000	0..1	AMOUNT			
{QUESTION (QUESTION)	Activity of the economic operator	Military satellite software development	0..1	DESCRIPTION			
{QUESTION (QUESTION)	Specific amount	7591212	0..1	AMOUNT			
{QUESTION (QUESTION)	Period (Start and End dates)	2014-03-02	0..1	PERIOD			
{QUESTION (QUESTION)	Confidential	true	0..1	INDICATOR			
{QUESTION_SUBGROUP (QUESTION)	Recipients		0..n		6afa7569-e4c4-4538-be89-84a82b2a301b	ON*	
{QUESTION (QUESTION)	Recipient name	USA Department of Defence	0..1	DESCRIPTION			Cardinality changed to 0..1 in v2.1.1
{QUESTION (QUESTION)	Contact person name	General Patton Junior	0..1	DESCRIPTION			
{QUESTION (QUESTION)	Contact email	patton junior@dod.gov.usa	0..1	DESCRIPTION			
{QUESTION (QUESTION)	Contact telephone	*34934947700	0..1	DESCRIPTION			
{QUESTION_SUBGROUP (QUESTION)							
{QUESTION_SUBGROUP (QUESTION)	Is this information available online?	true	1	INDICATOR	7458d42a-e581-4640-9283-34ceb3ad4345	ON*	
{QUESTION_SUBGROUP (QUESTION)			0..1		41dd2e9b-1bfd-44c7-93ee-56bd74a4334b	ONTRUE	If yes, use of evidence reference IF CONFIDENTIAL == TRUE (in Q18) THEN TH
{QUESTION_SUBGROUP (QUESTION)	Evidence Supplied	EVIDENCE-ID	1..n	EVIDENCE_IDENTIFIER			
{QUESTION_SUBGROUP (QUESTION)							
{QUESTION_SUBGROUP (QUESTION)							
{QUESTION_SUBGROUP (QUESTION)							

- ❖ **Action:** Change the cardinality for "Reference" REQUIEREMENT_SUBGROUP from 1 to 1..n.

3. GitHub Issues - Information

- ❖ **Issue #270** Element code in criterion #36 is missing:
CRITERION.SELECTION.ECONOMIC_FINANCIAL_STANDING.OTHER_REQUIREMENTS
- ❖ **Summary:** The element codes are not included within question subgroups of criteria #36. Therefore, the data processing could be done wrongly. Currently, the QUESTION_SUBGROUPs remarked below, do not have element code (ON*, ONTRUE, or ONFALSE).
- ❖ **Action:** Add the element code ON* to both QUESTION_SUBGROUP to ensure the proper processing of the criterion data.

{REQUIREMENT_SUBGROUP			1	26ece6a2-b36d	ON*
{REQUIREMENT}		Select the type RADIO_BUTTON_TRUE	1	CODE_BOOLEAN	BooleanGUIControlType
{REQUIREMENT_SUBGROUP			0..n	ca15c15f-110e-4	ONTRUE
{REQUIREMENT}		Description of tl [Description]	1	DESCRIPTION	
{REQUIREMENT}		Minimum amou 100000	1	AMOUNT	
{REQUIREMENT}		Start date; End 2016-01-01	1	PERIOD	
{QUESTION_SUBGROUP				9b3a04ff-e36d-	ON*
{QUESTION}		Amount 2000000	1	AMOUNT	
QUESTION_SUBGROUP}					
REQUIREMENT_SUBGROUP}					
{REQUIREMENT_SUBGROUP			0..n	cc96aa19-a0be-	ONFALSE
{REQUIREMENT}		Minimum rating 0.33	1	QUANTITY	
{REQUIREMENT}		Rating scheme n/10, where n<=10	1	DESCRIPTION	
{QUESTION_SUBGROUP				5fe93344-ed91-	ON*
{QUESTION}		Rating 0.75	1	QUANTITY	
QUESTION_SUBGROUP}					
REQUIREMENT_SUBGROUP}					
REQUIREMENT_SUBGROUP}					

3. GitHub Issues - Consultation

- ❖ **Issue #202** Part IV: Set up of an economic operator (Criterion #33):
CRITERION.SELECTION.ECONOMIC_FINANCIAL_STANDING.TURNOVER.SET_UP

- ❖ **Summary:** Where the information related to the EO set up shall be placed, as it currently has an specific criterion (#33). However, and for example, a large company, just started to do business in a new domain, so for the turnover for that specific domain, they might have no turnover yet.

- ❖ **Proposed solutions:**

1. Include the information about the Set up of an EO within the Part II – Section A (EO information).

Implications: change the criterion type from Selection to Other.

2. Or, remove criterion #33 and include it as sub criterion of general and specific turnover criteria.

Implications: update the criteria of specific and yearly turnover to include the subcriterion regarding the EO Set up.

3. Or, keep it as it is.

Implications: N/A

B: Economic and financial standing ▼

Article 58(3) of Directive 2014/24/EU sets out the following selection criteria ⓘ

☐ **General yearly turnover**
Its general yearly turnover for the number of financial years required in the relevant notice, the procurement documents or the ESPD is as follows:
[More information »](#)

☐ **Average yearly turnover**
Its average yearly turnover for the number of years required in the relevant notice, the procurement documents or the ESPD is as follows:
[More information »](#)

☐ **Specific yearly turnover**
Its specific yearly turnover in the business area covered by the contract for the number of financial years required in the relevant notice, the procurement documents or the ESPD is as follows:
[More information »](#)

☐ **Specific average turnover**
Its specific average yearly turnover in the business area covered by the contract for the number of years required in the relevant notice, the procurement documents or the ESPD is as follows:
[More information »](#)

☐ **Set up of economic operator**
In case the information concerning turnover (general or specific) is not available for the entire period required, please state the date on which the economic operator was set up or started trading:
[More information »](#)

3. GitHub Issues - Consultation

- ❖ **Issue #249 EO Response:** No initial “yes/no” answer for all selection criterion at Section B and C of Part IV:

CRITERION.SELECTION.ECONOMIC_FINANCIAL_STANDING.*
CRITERION.SELECTION.TECHNICAL_PROFESSIONAL_ABILITY.*

- ❖ **Summary:** Currently Selection Criteria in Section A have an initial “yes/no” to indicate whether the EO fulfils the Selection Criteria or not. It should be possible to add the yes or no for all selection criteria in sections B and C.

Section A: CRITERION.SELECTION.SUITABILITY.* contains this first question:

{QUESTION_SUBGROUP		1..n	6cce6b8e-c5	ON*
{QUESTION}	Your Answer true	1	INDICATOR	
{QUESTION_SUBGROUP		0..1	70d5bbcf-05	ONTRUE
{QUESTION}	Registration n [Reasons]	0..1	DESCRIPTION	
QUESTION_SUBGROUP				
{QUESTION_SUBGROUP		0..1	3a4a5421-8	ONFALSE
{QUESTION}	Reasons why [Reasons]	1	DESCRIPTION	
QUESTION_SUBGROUP				
{QUESTION_SUBGROUP		1	7458d42a-e1	ON*
{QUESTION}	Is this information true	1	INDICATOR	
{QUESTION_SUBGROUP		0..1	41dd2e9b-1	ONTRUE
{QUESTION}	Evidence Supp EVIDENCE-IC	1..n	EVIDENCE_IDENTIFIER	
QUESTION_SUBGROUP				
QUESTION_SUBGROUP				

3. GitHub Issues - Consultation

❖ Proposed Solution:

- To harmonise all selection criteria to have always an initial question.
Implications: the EO has the possibility to decide to answer the selection criteria or rely on another company.
- And, to change this initial question to have 3 possible answers: “Yes/No/Partially”.
 - **YES:** The EO fulfils this criteria.
 - **NO:** The EO does not fulfil this criteria. This EO relies on another company (criteria #60) to fulfil this criteria.
 - **PARTIALLY:** The EO fulfils this criteria partially. This EO relies on another company (criteria #60) to fulfil the other part of the criteria.

Implications: The change of data type from indicator to a new data type with 3 possible answers.
- And, add another question to the selection criteria to reference the company, specified in criteria #60, that would fulfil the criteria.
Implications: This link between the selection criteria and the company that would fulfil it, would automatize the data processing.

4. Next meetings

❖ Next meetings:

- Thursday 9th July.
- Dates to confirm for August and September

❖ **Annual Seminar:** Thursday 1st October afternoon

Questions

