

Call for tenders' details

Title: Translation of technical regulations in relation to Directive (EU) 2015/1535 of the European Parliament and of the Council.

Start date: 11/12/2015

Time limit for receipt of tenders: 01/03/2016

Contracting authority: European Commission, DG for Internal Market,

Industry, Entrepreneurship and SMEs (GROW)

Status: Closed

Call for tenders question list

#	Submission date	Publication date	Question subject	Question	Answer
1	14/12/2015 14:24	22/12/2015 12:02	Final texts	What tool/method will be used to calculate the similarity in case of translation of final texts?	22/12/2015 As mentioned in point 1.1.1(c), "the estimation of the differences between the draft and the final version should be carried out by the Contractor and validated by the Commission". Therefore it is up to the contractor to choose an appropriate tool/method to calculate the similarity in case of translation of final texts.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
2	14/12/2015 14:27	22/12/2015 12:34	CAT tool	I cannot see any requirement on the CAT tool which should be used to translate the documents. Am I correct in assuming that no CAT tool is required? Or will there be any in the future?	<p>22/12/2015</p> <p>The specifications of the call for tender do not require any specific CAT tool to be used.</p> <p>Sufficient technical capacity is one of the selection criteria concerning technical and professional capacity. Mandatory technical equipment is listed in Annex 6.8 of the specifications, which contains also the Computer and telecommunication equipment form.</p> <p>As stated in point 5.2.3 " The ability of service providers to perform services will be assessed in particular with regard to their know-how, efficiency, experience and reliability as specified in paragraph 5.2.1. Evidence of the technical and professional capacity of the providers involved in the tender may be furnished on the basis of the following documents: [...] A description of the technical and electronic equipment and of the tools to be employed by the firm for performing the translation services".</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
3	17/12/2015 14:29	22/12/2015 15:15	Date of the dispatch or receiving of the tender?	In the invitation to Tender, it is stated that "The Tender must be received by not later than 1 March 2016". It is subsequently stated in the table below that where Post or Courier is used, the postmark or deposit slip is considered as evidence of dispatch. Can you therefore please confirm that the requirement is that Tender must be sent by the 1st March, rather than received.	22/12/2015 The date of receipt consists in the date at which the tenderer can no longer alter its tender. This date is proven by: -For submission by post, the postmark; -For submission by courier, the deposit slip of the courier service; -For submission by hand, the receipt of the Central Mail Service. As an example, if the tender is sent by courier, it must be deposited with the courier service on 1 March 2016 at the latest.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
4	16/12/2015 16:47	06/01/2016 15:28	Number of CV	In the specifications, it its written that "Tenderers shall submit the name of at least one translator and/or reviser for each language combination." and "Curriculum vitae (CV) specifying the details of the academic and professional qualifications of the translators and those who revise the translations". Does this mean that we must provide 506 CV of translators and 506 CV of revisers?	<p>06/01/2016</p> <p>Final texts are the adopted version of the notified draft legislations, therefore they are generally very similar to the previously translated draft text. The possibility of a percentage of similarity below 75% is very low.</p> <p>However, the tables indicating the cost for the translation of final texts in relation to the percentage of similarities will be modified as follows in order to include also cases with a small level of similarity.</p> <p>Editable document (proofreading + translation) % of similarities% of original cost >= 95%10% 85% - 94%15% 75 % - 84 %25% 50% - 74%50% 25% - 49%75% 0% - 24%100%</p> <p>Non editable document (conversion + proofreading + translation) % of similarities% of original cost >= 95%15% 85% - 94%20% 75 % - 84 %30% 50% - 74%50% 25% - 49%75% 0% - 24%100%</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
					<p>0% - 24%100%</p> <p>A new version of Tender Specifications, including the amended table, will be published.</p> <p>11/01/2016 Please ignore the previous answer.</p> <p>The selection criterion no. 2.1 (listed under Section 5.2.1 of the specifications) states that a tenderer must have the ability to provide translations in all 506 language combinations simultaneously. Furthermore, it is stated in Section 4.2.4 of the specifications that "[t]he technical proposal must [...] provide, as a minimum, all the information needed for the purpose of awarding the contract. This means that a bid must cover the translations from and into all 23 official EU languages (506 language combinations)." The specifications also state in Section 5.2 that an economic operator may rely on the capacities of other entities, namely by means of subcontracting (Section 2.5) and joint offers (Section 2.6). According to the selection criterion no. 2.3, under Section 5.2.1, "[t]enderers shall submit the name of at least one translator and/or reviser for each language combination".</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
					<p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).</p> <p>03/02/2016 A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 " Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)."</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
5	14/12/2015 14:17	07/01/2016 10:10	Final texts	In the specifications it is written that "The final texts will have to be translated in the same languages as the corresponding draft texts but at a reduced cost that will be calculated depending on the percentage of similarity between the draft and final version." In the table it is also written that for the texts with less than 75% of similarity, 50% of the original cost will be paid. Is there any threshold, however? As without the threshold, it could mean that even if the similarity is very small (5%), the payment will still be only 50%. Would you please clarify this?	<p>07/01/2016</p> <p>Final texts are the adopted version of the notified draft legislations, therefore they are generally very similar to the previously translated draft text. The possibility of a percentage of similarity below 75% is very low.</p> <p>However, the tables indicating the cost for the translation of final texts in relation to the percentage of similarities will be modified in order to include also cases with a small level of similarity.</p> <p>A new version of Tender Specifications, including the amended table, is published.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
6	17/12/2015 14:30	11/01/2016 10:31	Relay translation	On. pg 27 of the Specifications, it is stated that "Tenderers shall submit the name of at least one translator and/or reviser for each language combination". On the other hand, the second question under Criterion 2 (pg 32) provides for the use of relay translations. In cases where it is not possible to find resources for rare language combinations and a relay translation is necessary, how should the tenderers proceed?	<p>11/01/2016</p> <p>The selection criterion no. 2.1 (listed under Section 5.2.1 of the specifications) states that a tenderer must have the ability to provide translations in all 506 language combinations simultaneously. Furthermore, it is stated in Section 4.2.4 of the specifications that "[t]he technical proposal must [...] provide, as a minimum, all the information needed for the purpose of awarding the contract. This means that a bid must cover the translations from and into all 23 official EU languages (506 language combinations)." The specifications also state in Section 5.2 that an economic operator may rely on the capacities of other entities, namely by means of subcontracting (Section 2.5) and joint offers (Section 2.6).</p> <p>Questions regarding the award criterion no. 2 and the award criterion no. 3 (Section 5.3. of the specifications) foresee the possibility of use of a relay language during the contract implementation. The tenderers must state whether they plan to use a relay language in certain circumstances for certain language combinations. If so,</p>

Call for tenders questions summary

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					<p>certain language combinations. If so, the languages which will be used as relay and the language combinations for which they will be used must be given. They should also indicate whether relay languages will be used for translations, for revisions or for both (question regarding award criterion no. 3).</p> <p>3). In case of use of a relay language, the tenderers will also need to explain whether reinforced quality control will be applied to the translations into a relay language and how they will proceed in such cases (question regarding award criterion no. 2).</p> <p>03/02/2016</p> <p>A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 " Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)."</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
					service provider(s).
7	17/12/2015 14:25	11/01/2016 10:33	Signature on the CV	On pg. 28 of the Specifications, it is stated that the CV needs to be signed by the translator/reviser concerned. Is it necessary to submit an original signature in ink, or is a scanned copy sufficient?	11/01/2016 The Commission does not require the CVs to be submitted in original. Scanned copies of the filled and signed CVs are acceptable, provided that the signature is legible.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
8	17/12/2015 11:33	11/01/2016 10:36	Questions on Translation of technical regulations in relation to Directive (EU) 2015/1635	Could you please clarify if we as a company should present reference letters or any other document as a proof of our experience?	<p>11/01/2016 The Commission does not require any reference letters or other documents as evidence of the professional experience of the service provider(s).</p> <p>As stated in Section 5.2.3 of the specifications, it is sufficient to submit a list of the principal translation services provided in the past three years in the areas covered by the contract to be awarded, with the sums, dates and recipients, public or private. Nevertheless, as indicated in the same paragraph of the specifications "[b]y submitting a tender, each legal entity involved therein accepts the possibility of a check being carried out by the Commission on its technical capacities and, if necessary, on its research facilities and quality control measures.</p> <p>In addition, all tenderers are informed that they may be asked to prove that they are authorised to perform the contract under national law, as evidenced by inclusion in a professional or trade register or a sworn declaration or certificate, membership of a specific organisation, express authorisation, or entry in the VAT register."</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
9	16/12/2015 16:44	11/01/2016 10:39	Number of contracts	Do you plan to sign a contract with a sole supplier or with several suppliers ?	11/01/2016 In line with the draft contract published on e-Tendering the Commission will sign the service contract with one contractor. As regards the composition/internal structure of a (potential) contractor, tenderers may choose between presenting a joint bid and introducing a bid as a sole contractor, in both cases with the possibility of having one or several subcontractors. According to Section 2.6 of the specifications, in the event an offer is submitted by a group of tenderers, the contract will have to be signed by all members of the group. If the members of the group so desire, they may grant authorisation to one of the members of the grouping by signing a power of attorney.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
10	16/12/2015 16:46	11/01/2016 15:45	Revision	Could your please confirm that the translations should be revised by a second translator who will compare the source and the target text in order to correct obvious mistakes ?	11/01/2016 The tender specifications do not state whether 'translations should be revised by a second translator who will compare the source and the target text in order to correct obvious mistakes'. Point 5.3 of the tender specifications only asks tenderers to reply to the following question (under criterion 2): "What action will be taken to guarantee the technical and linguistic quality of the translations (description of the quality control and revision process)?"

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
11	16/12/2015 16:41	11/01/2016 15:48	Freelance translators and subcontracting	In the framework of this tender, are freelance translators considered as subcontractors ?	<p>11/01/2016</p> <p>It is incumbent on the tenderer to specify the role and legal status of "freelance translators" in the context of the proposed execution of the contract.</p> <p>As regards the legal status of "freelance translators", Section 4.2.1 of the specifications allows tenderers to "Tenderers may choose between presenting a joint bid (see 2.6) and introducing a bid as a sole Contractor, in both cases with the possibility of having one or several Subcontractors (see 2.5). Whichever type of bid is chosen, the tender must stipulate the legal status and role of each legal entity in the tender proposed and the monitoring arrangements that exist between them and, failing this, the arrangement they foresee to establish if they are awarded the contract (see 2.5 and 2.6)".</p> <p>All partners in a joint bid and all subcontractors have to submit all documents listed in the relevant category of the checklist that is provided under section 6.6.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
12	17/12/2015 11:33	11/01/2016 15:54	Questions on Translation of technical regulations in relation to Directive (EU) 2015/1635	<p>Would you be as kind as to clarify if freelance translators are considered as subcontractors? If so, which are the documents, apart from CV and declaration, that we have to present regarding them?</p> <p>How are we supposed to proof their experience in the translation field?</p>	<p>11/01/2016 Please refer to answer to question number 11.</p>
13	18/12/2015 18:23	11/01/2016 15:55	Freelancers	Could you please confirm that freelance translators are considered as Freelancers and not as subcontractors?	<p>11/01/2016 Please refer to answer to question number 11.</p>
14	20/12/2015 08:28	18/01/2016 14:38	New condition re. Budget	<p>In the updated specifications, it is stated that "The contract will be signed under a condition that budget for its implementation is available." In this regard, does the word 'budget' refer to the tenderer's operating budget to execute the contract, or the European Commission's budget? If the latter is the case, is there a possibility that the contract will not be awarded at all, or that it will be discontinued or downscaled before the entire contract period is over? If so when is such information expected to be made available?</p>	<p>18/01/2016 The word 'budget' relates to the European Commission's budget. The budget is approved by the European Parliament and the Council for each budgetary year. It is thus possible that the contract will not be awarded at all, or that it will be discontinued or downscaled before the entire contract period is over. This information is made available when informing the tenderers of the outcome of the call for tenders and/or at each possible renewal of the awarded contract.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
15	22/12/2015 07:59	18/01/2016 14:40	CV	Is original of the CV with original signature required or a copy of the CV is sufficient at this stage?	18/01/2016 The Commission does not require the CVs to be submitted in original. Copies of the filled and signed CVs are acceptable, provided that the signature is legible.
16	22/12/2015 07:42	18/01/2016 15:31	CV	In the specifications, it is written that the translators' CV must be submitted in the Europass format. Is this mandatory or other formats provided all the information is stated in the CV (including the signature), would also be acceptable?	18/01/2016 The Europass curriculum vitae format has been chosen for the reason of harmonisation and facilitation of evaluation work however other formats will be accepted under the condition that all the mandatory information (including the translator/reviser declaration and signature as stated in the Terms of Reference of the call) are included. Also, it is recommended that CVs of all translators/revisers (independently of their status: whether they are in-house staff or freelancers) proposed in one bid are in the same format.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
17	15/01/2016 15:39	18/01/2016 15:33	Europass CV format	<p>Must all CVs follow the Europass format? Is this applicable to both in-house staff and freelancing translators or revisers?</p> <p>Is it accepted to modify the template provided through the link in the specifications to include the required information as well as simplify its content and keep only relevant information?</p>	<p>18/01/2016</p> <p>The Europass curriculum vitae format has been chosen for the reason of harmonisation and facilitation of evaluation work however other formats will be accepted under the condition that all the mandatory information (including the translator/reviser declaration and signature as stated in the Terms of Reference of the call) are included.</p> <p>Also, it is recommended that CVs of all translators/revisers (independently of their status: whether they are in-house staff or freelancers) proposed in one bid are in the same format.</p>
18	13/01/2016 11:12	19/01/2016 09:38	CVs for managerial staff	<p>Could you please confirm if the CVs of the managerial staff have to be signed? If yes, is there a special formulation (like for the translators/revisers) that has to be added to the CV?</p>	<p>19/01/2016</p> <p>Yes, the CVs of the managerial staff have to be signed but there is no special formulation to be added.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
19	14/12/2015 14:30	19/01/2016 14:10	Translation memory	<p>Could you please provide translation memory or at least an analysis of the texts to be translated? I would like to point out that the current contractor is in possession of translation memory created during an execution of the contract since 2008 and therefore has a certain advantage when submitting the bid and proposing the rate. They know what fuzzy matches with translation memory and repetitions they could expect in the project and are therefore able to reduce the rate accordingly.</p>	<p>19/01/2016</p> <p>As explained in Section 1.1 and Section 1.2 of the tender specifications, all texts translated in the framework of Directive (EU) 2015/1535 are uploaded on the Technical Regulations Information System (TRIS) database. As stated in Sub-section 1.1.1 and Section 1.2, all notification messages and the draft technical regulations communicated by the EU Member States, EFTA countries and Turkey in the framework of this procedure are made available to the public, in the original language and in the translations, via http://ec.europa.eu/growth/tools-databases/tris/. Please note that these translations already available to the public via TRIS database represent more than 90% of the translated documents (the remaining 9% is confidential as these are the messages exchanged between Member States and the Commission within the procedure). Still, for your convenience, and to allow you implementation of any analysis you may consider useful, we created a representative sample of the translations performed in 2014 under Directive (EU) 2015/1535, in a few zip files only (thus more convenient for the user). You may find it under the links below:</p>

Call for tenders questions summary

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					<p>it under the links below:</p> <p>Draft legal texts:</p> <p>http://bit.ly/23c0oMx</p> <p>http://bit.ly/1PCTtIE</p> <p>http://bit.ly/1lqeurk</p> <p>http://bit.ly/23c0uDK</p> <p>http://bit.ly/1lqeB6b</p> <p>http://bit.ly/1JeSSKh</p> <p>http://bit.ly/1lqeLdQ</p> <p>Impact assessments:</p> <p>http://bit.ly/1Rxszl2</p> <p>Messages:</p> <p>http://bit.ly/1ZybO8L</p> <p>In addition, you may also want to refer to the European Commission Directorate-General for Translation's translation memory, containing segments from the Acquis Communautaire, the body of European legislation, comprising all the treaties, regulations and directives adopted by the European Union. This translation memory is available under the link below</p> <p>http://open-data.europa.eu/en/data/dataset/dgt-translation-memory</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
20	06/01/2016 17:07	20/01/2016 12:05	Address for delivery of the tender	<p>Dear Sir or Madam, I would like to confirm that the address to which the tender must be delivered by courier is:</p> <p>Avenue du Bourget 1 B-1140 Brussels (Evere) Belgium</p> <p>I have noticed that the address for address by post and by courier is different and I would like to confirm.</p> <p>Thank you.</p>	<p>20/01/2016 Yes this is correct. Courier means that delivery is done by private courier service and not by a national post service</p>
21	06/01/2016 08:30	20/01/2016 12:08	2.3 Terms of Payment	<p>"The Commission reserves the right to pay less than the amount foreseen in Article I.4 and Annex II (financial offer) of the contract according to tasks performed." What does this mean exactly?</p>	<p>20/01/2016 This means that payments will be done for each translation actually carried out taking into account the translations actually performed, as indicated in Article I.4 of the draft contract. The Commission will not pay automatically the maximum amount of EUR 36 mios indicated in Article I.4.1of the draft contract. As per Article I.5.3. of the contract "The invoice shall be sent to the Commission the last working day of each month and shall cover the tasks delivered in the previous month".</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
22	08/01/2016 12:45	20/01/2016 12:22	wrong answer	<p>On January 6th 2016 there published this question:</p> <p>"In the specifications, it its written that "Tenderers shall submit the name of at least one translator and/or reviser for each language combination." and "Curriculum vitae (CV) specifying the details of the academic and professional qualifications of the translators and those who revise the translations". Does this mean that we must provide 506 CV of translators and 506 CV of revisers?"</p> <p>Answer 06/01/2016 "Final texts are the adopted version of the notified draft legislations, therefore they are generally very similar to the previously translated draft text. The possibility of a percentage of similarity below 75% is very low. However, the tables indicating the cost for the translation of final texts in relation to the percentage of similarities will be modified as follows in order to include also cases with a small level of similarity. Editable document (proofreading + translation) % of similarities % of original cost >= 95% 10% 85% - 94% 15% 75 % - 84 % 25% 50% - 74% 50% 25% - 49%</p>	<p>20/01/2016 A corrective answer to question no.4 has been published (on 11/01/2016) under the initial answer which was indeed not related to this question.</p> <p>03/02/2016 A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 " Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)."</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).</p>

Call for tenders questions summary

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				<p>25% 50% - 74% 50% 25% - 49% 75% 0% - 24% 100% Non editable document (conversion + proofreading + translation) % of similarities % of original cost >= 95% 15% 85% - 94% 20% 75 % - 84 % 30% 50% - 74% 50% 25% - 49% 75% 0% - 24% 100% A new version of Tender Specifications, including the amended table, will be published. "</p> <p>The answer does not correspond to the question. Can you please publish the wright answer? Thank you.</p>	

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
23	06/01/2016 17:26	20/01/2016 14:07	Q&A section not displaying correctly in the etendering tool	<p>Dear Sir or Madam,</p> <p>Is it correct that the Q&A section includes only 4 questions? Also, there seems to be a problem in the display of Q4 where the answer does not relate to the question (Question: [...]) Does this mean that we must provide 506 CV of translators and 506 CV of revisers? Answer 06/01/2016 Final texts are the adopted version of the notified draft legislations, therefore they are generally very similar to the previously translated draft text. The possibility of a percentage of similarity below 75% is very low. However, the tables indicating the cost for the translation of final texts in relation to the percentage of similarities will be modified as follows in order to include also cases with a small level of similarity. Editable document (proofreading + translation) % of similarities % of original cost >= 95% 10% 85% - 94% 15% 75 % - 84 % 25% 50% - 74% 50% 25% - 49% 75% 0% - 24% 100% Non editable document (conversion + proofreading + translation) % of similarities % of original cost >= 95% 15% 85% - 94% 20% 75 % - 84 % 30% 50% - 74% 50% 25% - 49% 75% 0% - 24% 100% A new version</p>	<p>20/01/2016 Only questions that have been answered appear on the website. There are now at least 19 questions/answers published and we are treating the pending questions.</p> <p>A corrective answer has been published under the initial answer which was indeed not related to this question.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
				75% 0% - 24% 100% A new version of Tender Specifications, including the amended table, will be published. Thank you	
24	06/01/2016 08:36	20/01/2016 14:11	Final Texts	How many final texts are expected be translated per year or how many were translated in 2014? What percentage of draft texts do the final texts represent?	20/01/2016 There are nearly as much final texts as draft texts. Indeed, final texts are the adopted version of notified draft legislations so, unless a Member State decides to withdraw a notification (2% of notifications in 2014), it must send the final text. No final text was translated in 2014 under the on-going contract since it is a completely new task starting with this contract (planned to be signed in July 2016).

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
25	06/01/2016 08:34	20/01/2016 16:00	Translators CVs	"The CV of the translators and those who revise the translations must give evidence of a University degree (copy of diploma shall be attached) or equivalent qualification and at least two- year experience in the field of translation." Do we understand the requirement correctly that a signed CV and a copy of university diploma are the only documents to be submitted to prove the professional capacity of our translation and revision professionals?	20/01/2016 Tenderers are not required to submit documents which support the information contained in the CV, besides a copy of the university diploma. However, as stated in Section 5.2.3 of the specifications, "By submitting a tender, each legal entity involved therein accepts the possibility of a check being carried out by the Commission on its technical capacities". This includes the possibility that tenderers/subcontractors are requested to submit further documents proving the professional capacity of their translators/revisers.

Call for tenders questions summary

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26	06/01/2016 12:13	20/01/2016 16:03	1.1 (c) - Description of tasks - Final texts	<p>Are both the draft and final versions of the legislation included in the total number of pages?</p> <p>Are the pages of final legislation texts added to the number of pages as a weighted number, i.e. recalculated according to the discounted rates depending on the similarity?</p> <p>What is the percentage of texts that has both a draft and a final version?</p>	<p>20/01/2016 The total number of pages indicated in Section 1.1 a) of the specifications does not take into account the final versions of the draft technical regulations.</p> <p>Please note that there are nearly as many final texts as draft texts. Indeed, final texts are the adopted version of notified draft legislations so, unless a Member State decides to withdraw a notification (2% of notifications in 2014), it must send the final text. No final texts were translated so far under the on-going contract since it is a completely new task starting with the future contract.</p>
27	06/01/2016 16:43	21/01/2016 10:02	Original signed CV's?	<p>Dear Madam or Sir, Do we include original signed CV's from our translators or will scanned versions do and we keep the originals at our office to be shown upon request? Also, we believe the question about the amount of CV's was not answered correctly? Thank you!</p>	<p>21/01/2016 The Commission does not require the CVs to be submitted in original. Scanned copies of the filled and signed CVs are acceptable, provided that the signature is legible.</p> <p>A correct reply to the question concerning the amount of CVs was published on 11 January 2016.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
28	19/01/2016 08:35	21/01/2016 10:32	Participation of company from non EU Member State (Switzerland)	<p>Our company is situated in Switzerland which is not EU Member. According to the tender specifications company from third country should have a special agreement with the European Union in the field of public procurement.</p> <p>Can company from Switzerland participate in this tender?</p>	<p>21/01/2016</p> <p>The WTO Agreement on Government Procurement grants access to procurement procedures launched by the Commission, on its own account to economic operators established in Switzerland only in the sectors as listed in the Appendix 1, Annex 5: Services (https://e-gpa.wto.org/en/Annex/Details?Agreement=GPA113&Party=Switzerland&AnnexNo=5&ContentCulture=en). Since the translation services are not covered by this Agreement, no Switzerland based company can therefore submit its offer.</p> <p>However as contracting authorities (the Commission) cannot limit subcontracting, economic operators are free to choose their subcontractors from any country. Thus, in principle all economic operators can act as subcontractors of other economic operators who have themselves access to the EU procurement procedures.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
29	18/01/2016 11:32	21/01/2016 11:09	participation in tender : 504/PP/GRO/IMA/16/TR8816	Good day! Can you please clarify whether not EU countries can participate in this tender?	21/01/2016 There are different rules for different non-EU countries: Firstly, the WTO Agreement on Government Procurement grants access to procurement procedures launched by the Commission, on its own account to economic operators established in: Armenia, Canada, Chinese Taipei, Hong Kong, Israel, Japan, Korea, the Netherlands with respect to Aruba, Moldova, Montenegro, New Zealand, Singapore, Switzerland, Ukraine and the United States. Iceland, Norway and Liechtenstein are also GPA Parties, but their economic operators already enjoy full access under the European Economic Area (EEA) Agreement. The same principle applies for Montenegro whose economic operators have also already full access under their specific Stabilisation and Association Agreements (SAA). For the other cases, economic operators established in GPA countries have access only above the thresholds of 130 000 SDR for supplies and services and of 5 000 000 SDR for works, both converted into euros by the Procurement Directive. (The values in euro of the thresholds fixed in the Directive are reviewed every 2 years.)

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
					<p>years.)</p> <p>The GPA does not cover all contracts awarded by the Commission; Appendix I, Annex 4 (for supplies), 5 (for services) and 6 (for works) to the GPA set out which contracts are covered.</p> <p>The full text of the GPA and its appendices per country, as well as updates, can be found on: https://e-gpa.wto.org/en/Agreement/Latest</p> <p>Secondly, operators in third countries which have signed a bilateral or multilateral agreement with the European Union in the field of public procurement must be allowed to take part in the tendering procedure on the conditions laid down in this agreement.</p> <p>Please note that those rules do not apply to the subcontracting. All economic operators are free to choose their subcontractors from any country. Thus, in principle all economic operators (even from non-EU country) can act as subcontractors of other economic operators who have themselves access to the EU procurement procedures.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
30	15/01/2016 15:22	22/01/2016 11:05	Volumes	Would it be possible to receive more detailed information about translation volumes (drafts + pages and messages + pages) per language combination for the past contract years (i.e. 2013, 2012 and 2011) per source and target language?	22/01/2016 A document with indicative information on translation volumes for the period 2011-2014 has been published and can be found in the document library of this call.
31	19/01/2016 14:16	25/01/2016 15:26	Two-year translation experience for translators	The specifications state that the translators have to have "at least two-year experience in the field of translation". Do we have to submit proof of such experience for each translator (e.g., invoices, reference letters), or is the information provided in the CV sufficient?	25/01/2016 Please refer to the answer to question 25.
32	13/01/2016 11:11	26/01/2016 09:26	Annex 6 - Declaration of honour	In the declaration, point (6), it is written: "(a) It fulfills the applicable economic and financial criteria indicated in section [insert] of the tender specifications;" and "(b) It fulfills the applicable technical and professional criteria indicated in section [insert] of the tender specifications." Could you please specify which section numbers should be indicated for (a) and (b)?	26/01/2016 The section number concerned is 5.2.1. Within this section, part 1 relates to 'Financial and Economic Capacity' and part 2 relates to 'Technical and Professional Capacity'.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
33	19/01/2016 14:24	26/01/2016 09:35	Translator - Letter of Intent	<p>a) Do the freelance translators/revisers have to sign Annex 6.4 Letter of Intent for Subcontractors?</p> <p>b) If yes, do we have to submit this document together with our offer?</p>	<p>26/01/2016</p> <p>Please refer to answer to question number 11.</p>
34	11/01/2016 15:16	26/01/2016 09:36	Financial and Economic Capacity	<p>In section 5.2.2 a) it is written: "Annex 3 filled, consisting of an extract of the concerned legal entities' annual accounts (...) of the last two years."</p> <p>Could you please confirm that this paragraph refers to Annex 6.3 (Financial and Economic Capacity Overview Form)?</p> <p>If yes, in Annex 6.3 there are columns for the last 3 years (N, N-1, N-2). Could you please clarify, if we need to provide details for the last two years (as in 5.2.2) or for the last 3 years?</p>	<p>26/01/2016</p> <p>Yes, this paragraph refers to Annex 6.3. You need to provide details for the last two years. Figures for N – 2 are facultative.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
35	06/01/2016 16:54	26/01/2016 09:41	Number of CV to be presented	<p>Following our question :</p> <p>"In the specifications, it is written that "Tenderers shall submit the name of at least one translator and/or reviser for each language combination." and "Curriculum vitae (CV) specifying the details of the academic and professional qualifications of the translators and those who revise the translations". Does this mean that we must provide 506 CV of translators and 506 CV of revisers?", your answer was :</p> <p>"Final texts are the adopted version of the notified draft legislations, therefore they are generally very similar to the previously translated draft text. The possibility of a percentage of similarity below 75% is very low. However, the tables indicating the cost for the translation of final texts in relation to the percentage of similarities will be modified as follows in order to include also cases with a small level of similarity. Editable document (proofreading + translation) % of similarities % of original cost >= 95% 10% 85% - 94% 15% 75 % - 84 % 25% 50% - 74% 50% 25% - 49% 75% 0% - 24% 100% Non editable document (conversion + proofreading + translation) % of similarities % of original cost >= 95% 15% 85% - 94% 20% 75 % - 84 %</p>	<p>26/01/2016 Please refer to answer to question 22. Other questions dated 16th December have been answered.</p> <p>03/02/2016 A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 " Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)."</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
				<p>15% 85% - 94% 20% 75 % - 84 % 30% 50% - 74% 50% 25% - 49% 75% 0% - 24% 100% A new version of Tender Specifications, including the amended table, will be published. "</p> <p>Could you please kindly confirm that this was a mistake and send back the real answer to the question ?</p> <p>Also, could you please kindly answer the other questions we sent on the 16th of December ?</p> <p>Regards.</p>	
36	12/01/2016 13:02	26/01/2016 09:44	CV	<p>On 14 December 2015 we submitted our question concerning the format of the CV. Would you kindly answer it as soon as possible? We cannot proceed with bid preparation without the answer:</p> <p>In the specifications, it is written that the translators' CV must be submitted in the Europass format. Is this mandatory or other formats provided all the information is stated in the CV (including the signature), would also be acceptable?</p>	<p>26/01/2016 Please refer to answer to question number 16. The question was actually submitted on 22 December 2015.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
37	15/01/2016 15:33	26/01/2016 12:04	Contractual link	It is stated in the specifications that the contractual link of each person (involved in the execution...) with the tenderer must be described. What is exactly meant by "contractual link"? Does this apply to freelance translators too? Shall this information be stated and included in the CV or, alternatively, can the CVs be grouped according to this link?	26/01/2016 Please refer to answer to question number 11. The CVs can be grouped according to the contractual link, even if it will be easier for the evaluation to have them sorted by language combination.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
38	25/01/2016 13:21	26/01/2016 12:06	Relay language	<p>In your answer regarding relay translation (Question No.6) you wrote that there was a possibility to use a relay language during the contract implementation. Does this mean that the requirement on pg. 27 of the Specifications stating „Tenderers shall submit the name of at least one translator and/or reviser for each language combination” can be met by covering a specific language combination with a relay solution i.e. providing separate translators in case of e.g. the language combination Maltese-Slovakian with a relay of Maltese-English and English-Slovakian? Thank you for your answer. Best regards</p>	<p>26/01/2016 Section 5.2.1, point 2.3 of the specifications state that "Tenderers shall submit the name of at least one translator and/or reviser for each language combination". Point 2.1 of the same Section requires that tenderers have the "ability to provide translations in all 506 language combinations simultaneously".</p> <p>In Section 5.2.3 it is required that tenderers shall submit the CVs of the translators and those who revise the translations as evidence of the technical and professional capacity of the service provider(s). Therefore, a relay solution cannot be used to cover a specific language combination as evidence of the technical and professional capacity requested in Section 5.2.1, point 2.1 and 2.3.</p> <p>03/02/2016 A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 " Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)."</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
					specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).
39	26/01/2016 14:24	28/01/2016 11:05	Translator and/or reviser of Section 5.2.1, point 2.3	Can you confirm that to satisfy the requirement of Section 5.2.1, point 2.3, namely that "Tenderers shall submit the name of at least one translator and/or reviser for each language combination", we can provide, for example, a name of a Bulgarian native speaking reviser for language combination Maltese>Bulgarian?	28/01/2016 Yes, tenderers can provide the name of a Bulgarian native speaking reviser in order to satisfy the requirement of Section 5.2.1, point 2.3 for language combination when translating from Maltese to Bulgarian, provided that the person also fulfils the criteria in Section 5.2.3, point 1, the language combinations shall be clearly indicated in the CV, and Section 5.2.1, point 2.3 which states that "The translators and those who revise the translations must have at least a three years University degree or equivalent qualification and at least two-year experience in the field of translation".

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
40	26/01/2016 14:29	29/01/2016 09:22	Clarification on Q38	<p>It seems from your answer to Q38 that the translators required by Section 5.2.1, point 2.3, may differ from the ones provided (with CVs) for the requirement of section 5.2.3. Is this so? Besides, based on the answer, it seems that the names of translators provided for requirement of Section 5.2.1, point 2.3, do not have to be accompanied by a CV or a Diploma. Is this also true?</p>	<p>29/01/2016 The translators and /or revisers in the two sections do not differ.</p> <p>Section 5.2.1, point 2.3 provides that "Tenderers shall submit the name of at least one translator and/or reviser for each language combination".</p> <p>Section 5.2.3, point 1 states that tenderers shall provide the "curriculum vitae (CV) specifying the details of the academic and professional qualifications" accompanied by a copy of the university diploma.</p> <p>All names of the translators and/or revisers the tenderer envisages to use should thus be presented in a list with the accompanying CV and Diploma.</p> <p>03/02/2016 A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 " Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)."</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
					and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).
41	01/02/2016 13:37	01/02/2016 14:48	CV of the enterprise's managerial staff	Do we have to submit a copy of the diploma for the coordinator of the translation tasks?	01/02/2016 No, there is no need to submit a copy of the diplomas for the managerial staff. Please note however that, as already stated in the tender specifications, by submitting a tender, each legal entity involved therein accepts the possibility of a check being carried out by the Commission on its technical capacities and, if necessary, on its research facilities and quality control measures.
42	31/01/2016 15:38	02/02/2016 09:52	Legal status of the tenderer	Is it acceptable for the Commission if a limited number of agencies form a Consortium and then have another number of agencies work as subcontractors to that Consortium?	02/02/2016 The tenderers are free to establish the structure of the joint tender/decide on subcontracting as long as the conditions of the call for tender (in particular sections 2.5, 2.6 and 3.3. of tender specifications) are fulfilled.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
43	01/02/2016 15:53	02/02/2016 11:58	Annex 6.1 - Declaration on Honour	It is not completely clear whether we should delete the entire items 2, 3 and 4 from the Declaration on Honour, so starting from 'Only for legal persons other than Member States and local authorities,....'. Or should we leave in items 3 and 4 (if we are a legal person from a Member State). Can you clarify, please?	02/02/2016 The following statement "Only for legal persons other than Member States and local authorities, otherwise delete this table" refers only to item 2. Item 2 must be filled in for legal persons which are NOT Member States or local authorities. This concerns natural persons having power of representation, decision-making or control for any NON PUBLIC entity submitting a bid.
44	27/01/2016 17:19	02/02/2016 14:22	Tender 504/PP/GRO/IMA/16/TR8816 - Transfer of documents	In what way will you provide the documents for translation? By e-mail, or any other means?	02/02/2016 The messages to be translated will be sent by email to a unique mailbox of the translation contractor along with the request. As concerns the draft texts, they will not be sent per email; the contractor will have to monitor the database where they can clearly see any new pending request and fetch the texts to be translated from there.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
45	27/01/2016 22:19	03/02/2016 15:25	Relay language	<p>With reference to question no. 38, the answer provided seems to be an incorrect interpretation of the Tender Specifications. It is a known fact that there are several language combinations for which suitably qualified translators simply do not exist, meaning that relay translations are the only way how such language combinations can be covered. This state of affairs results in the fact that most 'small' languages' (e. g. Maltese, Latvian, Lithuanian, Estonian, Slovak) are not taught at Universities of other EU Member States, making it impossible for anyone to study such languages.</p> <p>Furthermore, the cultural and economic links between the said countries are very remote or recent, meaning that there are no individuals having the knowledge of both languages or individuals having the translation experience in both languages because there is no demand in the translation market for such translations.</p> <p>Moreover, Criterion 2, second bullet on the page 32 of the Specifications specifically assumes possibility of relay translations saying that "In case of use of a relay language, will reinforced quality control be applied</p>	<p>03/02/2016 A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 " Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)."</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
				<p>reinforced quality control be applied to the translations into a relay language?..."</p> <p>Kindly reconsider the interpretation given in the answer to Question no. 38, as otherwise this would amount to the imposition of an impossible condition.</p>	
46	02/02/2016 10:18	03/02/2016 15:27	Clarification of Q39	<p>I must clarify the question about the Bulgarian native speaker example. Will the requirement of Section 5.2.1, point 2.3 also be fulfilled in case we supply a reviewer for the language combination Maltese>Bulgarian a native Bulgarian speaker who has the relevant education and a two year experience in translating from other language than Maltese, e.g. English, and no proven knowledge of Maltese?</p> <p>If no, you seem to require us to provide translators/reviewers for each of the 506 combinations and do not allow for a relay language use, as far as Section 5.2.1, point 2.3 of the specification is concerned. Are we correct in this last assessment?</p>	<p>03/02/2016 A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 " Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)."</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
47	06/01/2016 12:10	03/02/2016 15:28	5.2.3 Evidence of the technical and professional capacity of the service provider(s) - Curriculum Vitae	In case a relay language is used for a certain language combination, do we still need to provide CVs for the original language combination or only for the relay combination?	<p>03/02/2016 A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 " Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)."</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
48	28/01/2016 14:53	04/02/2016 10:57	Languages used by the revisers	Referring to the question submitted on 26/01/2015 asking if a native Bulgarian can be named as a reviser for the Maltese-Bulgarian language pair, the answer was yes. Does this mean that the Bulgarian native reviser does not have to know Maltese?	<p>04/02/2016 A translator and/or reviser in charge of translating and/or revising from Maltese to Bulgarian must know Maltese.</p> <p>A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 "Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)".</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s).</p>
49	02/02/2016 17:04	04/02/2016 12:13	Participation with more than 1 tenderer	Is it allowed if a subcontracting company participates with more than 1 main tenderer?	<p>04/02/2016 Yes, there are no restrictions in number of tenders in which the same economic operator can act as subcontractor as long as the conditions of the section 2.5 of tender specifications are fulfilled.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
50	03/02/2016 16:10	04/02/2016 15:06	Documents to be submitted by subcontractors	<p>From the checklist in section 6.6 of the tender specifications, it is clear that subcontractors should fill in and submit a letter of intent, a legal entity form and an exclusion and selection criteria form.</p> <p>However, it is not clear from the last row of the checklist, whether subcontractors should submit documents covering all 8 points of section 5.2.3 or just the CV's (point 1 of 8). Please clarify.</p>	<p>04/02/2016 Section 5.2.3 relates to the documentary evidence linked to the selection criteria (section 5.2.1) that must be fulfilled by the tenderer as a whole (grouping of all parties to the joint tender and subcontractors). Depending on the role of the company/individual in the consortium, only the documentary evidence relating to the tasks performed by the company/individual must be submitted.</p>
51	04/02/2016 12:28	04/02/2016 15:10	Status of other offices of the same group	<p>Dear Sir or Madam, Our company will tender as a sole contractor, but because of the volume of work, we will be asking for some support with the project management from another office of the same group. Is this office considered as a subcontractor, taking into account that the tendering office will retain all responsibility and liability for the performance of the contract? If so, are we required to submit a Declaration on the Honour and Legal identity form for the second office, or would the documentation from the tendering entity be sufficient?</p> <p>Thank you.</p>	<p>04/02/2016 Entities having distinct commercial registrations must be considered individually. The association may be implemented through subcontracting (section 2.5 of the specifications), in which case responsibility and liability for the performance of the contract is not supported by the subcontractor. A letter of intent, a Declaration on the Honour and a Legal identity form must be submitted for each subcontractor as well as documentary evidence for the selection criterion/criteria this subcontractor would fulfil.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
52	05/02/2016 12:00	05/02/2016 16:28	Excel-versions of the Annexes	It says in the tender specifications that some of the Annexes are also available in excel-format, but we cannot find them. Can you tell us where they can be downloaded?	05/02/2016 Two excel-format files concerning translation capacity and translation prices have been uploaded in the Document Library.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
53	08/02/2016 10:27	08/02/2016 11:54	Joint Venture	We are bidding as a group of companies but would want to execute the contract in a new legal entity ("Newco"). Do we have to found Newco now and use it already for bidding or can we do it after the contract has been awarded to the consortium?	<p>08/02/2016 Yes, you are allowed to submit the tender without formally creating the new legal entity. Please note however that Commission reserves its right to require a consortium to adopt a given legal form before the contract is signed if this change is necessary for proper performance of the contract.</p> <p>Also, grouping of firms must nominate one party to be responsible for the receipt and processing of payments for members of the grouping, for managing the service administration, and for coordination. The documents required and listed in the call specifications must be supplied by every member of the grouping, the checklist in Annex 6.6 will help verifying the level of information to be provided according to the role of each entity in the tender. Each member of the grouping assumes a joint and several liability towards the Commission.</p> <p>The offer has to be signed by all members of the group. However, if the members of the group so desire they may grant an authorisation to one of the members of the grouping. In this case they should attach to the offer a power of attorney (see model in Annex 6.5). For groupings not</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
					in Annex 6.5). For groupings not having formed a common legal entity, model 1 should be used, and for groupings with a legal entity in place model 2.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
54	25/01/2016 17:38	09/02/2016 12:14	Question on Translation of technical regulations in relation to Directive (EU) 2015/1635	<p>Dear Sirs,</p> <p>As stated in Section 5.2.3 of the specifications, the CVs of translators and/or revisers covering each language combination shall be submitted as evidence of the technical and professional capacity of the service provider(s). According to the selection criterion no. 2.3, under Section 5.2.1, "[t]enderers shall submit the name of at least one translator and/or reviser for each language combination". Our question: In the common case when a translator covers more than one source language, can his/her profile be submitted for two or more different language combinations? If this is the case, could his/her profile be considered as providing sufficient evidence of the technical and professional capacity of the service provider(s) for all three languages combinations simultaneously? Example: A translator having FR as target language and EN, NL and ES as source languages, could be submitted and count three times? If her/his daily translation capacity is of at least 15 standard pages, can her/his profile be considered for all the EN>FR, NL>FR and ES>FR language combinations? Thanks in advance for your attention, and for kindly clarifying.</p>	<p>09/02/2016</p> <p>A corrigendum to the tender specifications has been published. According to Point 2.3 of Section 5.2.1 "Tenderers shall submit the name of at least one translator and/or reviser for each language combination (either via direct translation or via a relay language)".</p> <p>The profile of a translator covering more than one source language can be submitted for two or more different language combinations, thus providing sufficient evidence of the technical and professional capacity of the service provider(s) as long as selection criteria 2.3 is fulfilled for each language combinations in question.</p> <p>However, tenderers have to provide also evidence of the technical and professional capacity of the service provider(s) relating to the other selection criteria. In particular, tenderers have to demonstrate "Ability to provide translations in all 506 language combinations simultaneously" (selection criteria 2.1), a minimum "translation capacity of five (5) standard pages per day per language combination" (selection criteria 2.4) and "Ability to meet tight deadlines for a high and variable</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
				attention, and for kindly clarifying.	deadlines for a high and variable volume of pages" (selection criteria 2.5). Fulfilment of the selection criteria will be assessed by the evaluation committee at the stage of evaluation of the admissible bids.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
55	09/02/2016 15:41	09/02/2016 15:43	Tender Specifications	Corrigendum to the Tender Specifications published on 09.02.2016	<p>09/02/2016 A corrigendum to the tender specifications was published on 09.02.2016. This corrigendum concerns only point 5. ASSESSMENT AND AWARD OF CONTRACT. With this corrigendum the order of assessing different group of criteria by the evaluation committee is modified, in compliance with art. 110 of the Financial Regulation (REGULATION (EU, EURATOM) 2015/1929 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 28 October 2015 amending Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union) applying from 1.1.2016.</p> <p>Changes in point 5 concern only the order of assessment by the evaluation committee and have no impact whatsoever on any of the tender criteria (exclusion, selection or award) neither on the requirements concerning the supporting documents to be provided in each offer. The tender conditions remain unchanged.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
56	08/02/2016 12:49	09/02/2016 16:26	Joint Venture	If a consortium forms a new legal entity for bidding, that legal entity has no track record yet. How does it inherit the capacity of its parent companies? What evidence needs to be provided?	09/02/2016 If, for some exceptional reason which the Commission considers justified, a tenderer is unable to provide one or other of the evidences of the economic and financial capacity as mentioned in the point 5.2.2 of the tender specifications, he or she may prove his or her economic and financial capacity by any other document which the Commission considers appropriate. In any case, the Commission must at least be notified of the exceptional reason and its justification in the tender. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.
57	09/02/2016 13:27	10/02/2016 16:59	Language combinations	Dear Sirs, I would like to ask a question about the language combinations. In the Tender Specification it is stated that: "[...]Tenders must be able to cover all 506 language combinations. Tenders not fulfilling this condition will be rejected on the grounds they do not comply with these tender specifications.[...]. Is it possible to choose just some language combinations?	10/02/2016 No, it is not possible to choose just some language combinations.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
58	09/02/2016 12:57	10/02/2016 17:01	Volume Final Texts	The volume of the draft technical translations was around 171000 pages. Is the volume of the final texts the same or can there be several drafts for the same regulation?	10/02/2016 Final texts are the adopted version of the notified draft legislations, therefore, in principle, their volume should be very similar to the volume of notified draft legislations. A notification can include only one draft technical regulation.
59	09/02/2016 13:00	10/02/2016 17:02	Similarity between the draft and final version	Do you have historic data or an estimate about the similarity between the draft technical regulations and the final texts?	10/02/2016 No, we do not have historic data or an estimate about the similarity between the draft technical regulations and the final texts.
60	09/02/2016 13:23	10/02/2016 17:19	Tender forms	Dear Sirs, We are planning to participate to the tender, and I am asking you some question about the forms to be included in the tender. I read there is a list of the documents to be provided. Do you mean that the tender has to be formed only by those documents? Or is there a link to download the complete tender form?	10/02/2016 All partners in a joint bid and all subcontractors have to submit all documents listed in the relevant category of the checklist that is provided under section 6.6. There is no electronic tender form that can be downloaded. Please refer also to other questions in relation with the documents to be submitted (e.g. questions number 34 and 38 as well as questions relating to CVs).

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
61	06/01/2016 12:14	16/02/2016 11:08	Translation Memory databases	Will the existing Translation Memory databases be transferred from the existing contract supplier to the new supplier?	16/02/2016 The Commission intends to make the translation memory available to the next contractor in accordance with the contractual arrangements made with the current contractor in Service contract no 104/pp/ent/ima/12/1111 for the translation of technical regulations and other related messages.
62	11/02/2016 17:50	16/02/2016 16:50	Corrigendum	According to this corrigendum, is it required to add the CV and diploma for each translator/reviser involved in relay translations in every target language list? Or can they be included in their corresponding target language list and be cross-referenced in the rest of lists (where applicable)?	16/02/2016 It is sufficient to send the CV and diploma of translators/revisers only once.
63	16/02/2016 08:25	16/02/2016 17:12	Numbering of pages	Our bid will consist of several folders. May we number the separate folders from page 1 to page X? Separate folders contain all the CVs and diplomas per target language. Or must this really be continuous numbering throughout the folders?	16/02/2016 Continuous numbering throughout the folders is not required.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
64	17/02/2016 13:03	17/02/2016 16:33	Evidence of financial and economic capacity	<p>in the Specification file point 5.2.2 (1) states following (1) Annex 3 filled, consisting of an extract of the concerned legal entities' annual accounts (balance sheet, profit and loss account, notes on the accounts and auditors' remarks when applicable) of the last two years, as approved by the general assembly of the company and, where applicable, audited and/or published</p> <p>I already understand that you referred annex 6.3 (instead of 3) but after filling out the Annex 6.3 should we attach our two last fiscal year annual reports in order this requirement to be fulfilled or is fully completed Annex 6.3 sufficient for you?</p> <p>In addition in the Specification file point 5.2.2 (3) states following: (1) Appropriate statements from banks or evidence of professional risk indemnity insurance, for legal entities facing the impossibility to fully present evidence a).</p> <p>Could you please clarify what evidence a) do you have in mind? What kind of appropriate bank statement you would like to have?</p>	<p>17/02/2016 This is indeed annex 6.3. Fully completed Annex 6.3 is sufficient at the submission stage. Evidence a) should be evidence (1), thus concerning entities that cannot provide Annex 6.3.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
65	18/02/2016 10:52	18/02/2016 16:34	Plan of action	With reference to Article 4.2.4. point (h) "a plan of action with description of activities and their timing" do you mean a workflow or something else?	18/02/2016 This list under 4.2.4 is general for all call for tenders. It should consist of a plan of actions and activities to be carried out by the contractor and their timeline. It could include a workflow and any other consistent explanation.
66	17/02/2016 14:20	18/02/2016 17:14	Shipment	We will use DHL to deliver our offer in the wooden box to the European Commission. DHL asked me whether you have a lift truck or hand pallet truck to take over the delivery. We assume that the box's weight will be approximately 115 kg. Is this address right for DHL: Avenue du Bourget 1, B-1140 Brussels (Evere), Belgium? Is there any restriction for the trucks to go directly to this place? Thank you for your information.	18/02/2016 The Commission doesn't see in the tender specifications any specific elements that would require the tenderers to prepare an offer of such a huge volume. As per section 4.2 "Tenders must be clear and concise (...)". Please refer also to the checklist of the documents to be submitted by the tenderers, provided in Annex 6.6. The offer as described can be technically delivered to the address indicated. However, the package is expected to be prepared in a way that the opening committee can open the package without resorting to any special (not office-adapted) tools, and the offer can be transferred to the place where the opening will take place.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
67	18/02/2016 18:04	22/02/2016 09:13	Submitting CVs and diplomas	<p>Is it not possible to submit CVs and diplomas on a USB stick or CD ROM together with the printed bid? Meaning, we print everything but the CVs and diplomas, and submit the CVs and diplomas only electronically.</p> <p>Or alternatively, would it be possible to submit the CVs and diplomas in one paper copy only (and not in three copies)?</p>	<p>22/02/2016 No, it is not possible to submit the CVs and diplomas in one paper copy only. Three copies (one original and two copies) must be submitted as requested in the invitation to tender. USB stick or CD ROM may be added, but this is not mandatory.</p>
68	22/02/2016 09:37	22/02/2016 11:11	Copies of tenderoffer	Based on an answer for question no 67, could you please refer which point in specification file clarifies how many copies should be included in our offer. I understand that CVs and diplomas should be 3 copies, what about all the other material?	<p>22/02/2016 Point 1 of the invitation to tender states that 'you must submit your tender exclusively on paper, In one original and 2 copies'. It means that the whole tender must be submitted in 3 copies.</p>
69	20/02/2016 18:10	22/02/2016 11:13	Enclosing diplomas	We have realized that due to the various certificates/diplomas of freelance translators (more than one certificate for each one of them) the package is going to be too big. Is it enough if we only enclose one diploma proving the completed university education and keep the other certificates indicated in the CV in our files and provide them upon request?	<p>22/02/2016 It is enough if you only enclose one diploma proving the completed university education and keep the other certificates indicated in the submitted CVs in your files and provide them upon request.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
70	19/02/2016 19:07	22/02/2016 11:29	Availability of customer feedback	As per paragraph 2.1 of the Tender Specifications, are we going to receive revised/corrected versions of translations from the Commission's translation services?	22/02/2016 According to Section 2.1, "the quality of the translations is regularly checked in-house by the Commission's translation services". If the latter find a translation to be insufficient, the Commission sends the reviewed version to the contractor who must send back the corrected version without delay.
71	19/02/2016 19:05	22/02/2016 11:37	Recruitment of new freelancers	Is it possible to increase the number of freelance translators in a subsequent phase of the project if they meet the eligibility criteria?	22/02/2016 The contractor can increase the number of freelance translators during the performance of the contract if they meet the exclusion and selection criteria. Declarations on honour, CVs, diplomas and letter of intents of the supplementary freelance translators will have to be submitted to the Commission for prior acceptance, as per Article II.10 of the service contract.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
72	22/02/2016 12:19	22/02/2016 13:35	Letters of Intent - your reply to one of the earlier questions	<p>In the question called 'Recruitment of freelance translators' that we just received from you, you replied: The contractor can increase the number of freelance translators during the performance of the contract if they meet the exclusion and selection criteria. Declarations on honour, CVs, diplomas and letter of intents of the supplementary freelance translators will have to be submitted to the Commission for prior acceptance, as per Article II.10 of the service contract.</p> <p>But freelance translators do not need to sign a Letter of Intent, according to my understanding! That's only meant for subcontracting agencies, isn't it?</p>	<p>22/02/2016</p> <p>Point 2.5 of the tender specifications states that 'Subcontracting is defined as the situation where a contract has been or is to be established between the Commission and a Contractor and where the Contractor, in order to carry out that contract, enters into legal commitments with other legal entities for performing part of the service'. This means that all parties involved in the execution of the tasks are either contractors (or co-contractors) or subcontractors. All subcontractors must sign a letter of intent. Please refer also to answer to question number 11.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
73	22/02/2016 09:37	22/02/2016 13:37	Evaluation Criterias	<p>referring to the specification file point 5.3, page 30 in the Qualitative award criteria evaluation table last row states following: "Organisation of the management of the Contract" and it gives 20 points</p> <p>Could you please specify what kind of information you would like us to give you in order this quality award criteria to be covered.</p>	<p>22/02/2016</p> <p>As stated in Section 5.3 "Tenders should elaborate on all points addressed by these specifications in order to score as many points as possible. The mere repetition of mandatory requirements set out in these specifications, without going into details or without giving any added value, will only result in a very low score. In addition, if certain essential points of these specifications are not expressively covered by the tender, the Commission may decide to give a zero mark for the relevant qualitative award criteria.</p> <p>To facilitate the analysis of the bids and to enable all tenderers to fully understand the awarding authority's requirements, tenderers are asked to answer at least all the following questions regarding the above-mentioned qualitative award criteria." As regards the award criterion indicated by you please look specifically at the questions under criterion 4 (section 5.3 of the Tender Specifications).</p> <p>Any information elaborating on all points of the specifications including the questions referred to above will be taken into account in the analysis of the tenders.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
					the tenders.
74	22/02/2016 13:54	22/02/2016 14:26	Freelancers have the status of subcontractors?	Referring to the question about freelancers as subcontractors. The clause in the Europass CV stating that freelancers accept translation orders from our company is not confirming the relationship strongly enough? Do we need to ask all freelancers to complete and undersign the legal entity form, undersign the letter of intent and the declaration on honour? Or letter of intent only? Thank you.	22/02/2016 Annex 6.6 of the tender specifications details the documents to be submitted for each category of economic operator. The subcontractors must complete and submit a letter of intent, the legal entity form, the Exclusion and selection Criteria form (Annex 6.1) and the CV(s) (accompanied by the diploma(s)).

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
75	22/02/2016 14:41	22/02/2016 19:19	Subcontractors VS Freelancers	<p>Dear Sir or Madam,</p> <p>There seems to be a misunderstanding about the status of subcontractors VS freelancers.</p> <p>Section 2.5 of the specifications state that: "Subcontracting is defined as the situation where a contract has been or is to be established between the Commission and a Contractor and where the Contractor, in order to carry out that contract, enters into legal commitments with other legal entities for performing part of the service".</p> <p>Freelancers are NOT legal entities, but natural persons. Therefore, they are not classified as subcontractors, but natural persons working for the tenderer.</p> <p>Translation agencies/companies, on the other hand, are legal persons; and therefore, subcontractors.</p> <p>In my 10 years of tendering this has always been the case, unless the procurement rules have changed recently.</p> <p>Thank you.</p>	<p>22/02/2016</p> <p>Both natural and legal persons performing the tasks under the contract must be identified and act as distinct legal entities in the context of contract implementation. Both can become subcontractors.</p> <p>The Legal Entity Form, available under the link quoted in section 4.2.1 a) of Tender Specification is available for Individuals, Private companies and Public entities.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
76	22/02/2016 15:58	22/02/2016 19:26	Individuals	Is an "individual" working for the contractor as translator on a freelance basis considered as a subcontractor?	<p>22/02/2016 Yes, point 2.5 of the tender specifications defines subcontracting as the situation where a contract has been or is to be established between the Commission and a Contractor and where the Contractor, in order to carry out that contract, enters into legal commitments with other legal entities (independently whether they are legal or natural persons) for performing part of the service.</p> <p>Freelancing, drawing on the activities of staff of any other entirely different legal entity than the contractor, independently of its exact legal form (and independently of the applicable national law), does qualify as subcontracting.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
77	22/02/2016 14:32	22/02/2016 20:14	Freelance translators - Letters of Intent	<p>Today we already expressed our worries concerning your earlier message saying that the freelance translators should sign a Letter of Intent. In practically all translation agencies, freelance translators are never regarded as subcontractors! The translators already signed their CVs with the extra sentence at the bottom, so why would they need to sign a Lol as well?</p> <p>There are already too many kilos of paper involved here..</p>	<p>22/02/2016</p> <p>The letter of intent contains a clause on the acceptance of the general conditions attached to the tendering specifications for this call for tender, and in particular art. II.24 in relation with checks and audits, which is not included in the CV.</p> <p>Question75Question76</p> <p>Please also refer to the questions 75 and 76 (subcontracting).</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
78	22/02/2016 21:27	23/02/2016 11:00	Legal entity	<p>In light of the recent questions and answers regarding "legal entity", either the tender specification seems to have been misleading in regard to its meaning of the term "legal entity", or the answers to Q74-77 are wrong. Based on experience with previous participation in EU and EC tenders, "individuals", i.e. individual freelance translators, have not so far been considered as "legal entities" in any tenders related to translation, as far as we know. Also, taking into account the definition of a "legal entity" as an "Artificial person, body corporate deemed fictitiously a natural person and permitted to go to law." (Dict. juridique - Quemner, 1977) , there seems to be no basis in considering an individual a "legal entity", neither based on precedent, nor written law, or common sense. Could the Contracting authority provide a legal basis to the assertion that a private individual is a "legal entity"?</p> <p>If no legal basis can be given, the Contracting authority has to either consider individual translators not as "legal entities" or change the specification and extend the submission deadline, since this is a major alteration in specification, which may not be introduced a week prior to deadline.</p>	<p>23/02/2016</p> <p>This issue was already clarified on 11th January 2016 – please refer to answer to question number 11, where it was explained that a freelance translator can act either as a co-contractor (partner in a joint tender) or as a subcontractor, to be decided by the tenderer. Therefore , there was no change of the specifications on this aspect. Please refer also to answer to question number 77.</p> <p>However, please note that the following paragraph of section 4.2.5 "The Commission reserves the right, however, to request clarification or additional evidence in relation to the exclusion and selection stages after the opening within a time-limit stipulated in its request and in the conditions explained in section 3.3." will find application also to the identification phase. Therefore, if any documents will be found missing as concerns the identification/administrative information about tenderers (e.g. Legal entity form, letter of intent) , the tenderers will have the opportunity to complete their file upon request from the Commission.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
				prior to deadline.	
79	19/02/2016 19:06	23/02/2016 11:48	Delivery of translated texts	Do you need the translated documents to be returned in monolingual or bilingual form?	23/02/2016 Translations have to be sent in monolingual form (i.e. in the target language).

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