

Call for tenders' details

Title: Interinstitutional service framework contract for better Regulation-related activities.

Start date: 31/12/2016

Time limit for receipt of tenders: 15/03/2017

Contracting authority: European Innovation Council and Small and Medium-sized

EnterprisesExecutive Agency (EISMEA)

Status: Closed

Call for tenders question list

#	Submission date	Publication date	Question subject	Question	Answer
1	11/01/2017 16:41	18/01/2017 12:21	Request for Extending the submission deadline	Considering the extended scope of the framework contract lots, the rather strict technical requirements and the time needed to collect these evidences, we would ask you to consider the submission date by at least two more weeks if possible in order to allow proposals that will match your quality requirements and expectations.	18/01/2017 It is not possible to extend the deadline for submission beyond 28.02.2017, at this time. The Contracting authority considers that the time allowed is sufficient for the preparation of the offer.
2	18/01/2017 12:10	23/01/2017 09:48	Annex 4, point 3, banking details	Is it sufficient to refer to our financial identification form?	23/01/2017 No, it is not sufficient. As indicated in the Annex 4, at point 3 tenderers should add the details on bank, address and account number of the Group leader.

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#	Submission date	Publication date	Question subject	Question	Answer
3	18/01/2017 12:09	23/01/2017 12:10	Annex 2. Description and percentage of the portion of work sub-contracted (lot & 2)	We are asked to provide a description and the percentage of the portion of work sub-contracted in annex 2, section 1.4 sub-contractors details. Since we don't yet know the detailed content of the requested types of services under the framework contract, it's not possible to determine the percentages of work for the subcontractors. Can we leave this two sections of Annex 2 open?	23/01/2017 If the tenderer cannot reasonably estimate the sub-contracting at that stage, he could either put a range (ex. xx-xx%) or indicate "to be determined with each service request".
4	20/01/2017 13:59	26/01/2017 11:02	Section 4.3.4 Technical and professional capacity criteria and evidence, part (A) Criteria relating to tenderers	We understand that Lot 1 excludes the international dimension of the CFP. However, can you confirm that projects that took place outside the EU can be included as relevant evidence, provided the subject matter is appropriate?	26/01/2017 Projects that took place outside the EU can be considered as relevant evidence, provided that they meet the relevant criterion they provide evidence for. If this criterion requires demonstrating experience in a EU policy then the submitted evidence must demonstrate this specific experience.
5	18/01/2017 13:01	26/01/2017 11:13	easme/emff/2016/029	The guidelines state recommended that small and medium enterprises can apply. Does this mean that Large enterprises can not apply?	26/01/2017 Enterprises that are not SMEs can apply. According to the tender specifications, tenderers must declare whether they are a Small or Medium Size Enterprise (SME) and this information is used for statistical purposes only.

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6	20/01/2017 14:00	26/01/2017 15:56	Section 4.3.4 Technical and professional capacity criteria and evidence, part (A) Criteria relating to tenderers	With regard to criteria A4 on linguistic ability, can you confirm that links can be provided to publicly available documents that confirm the tenderer's capacity in different languages? If not, can we provide ten-page excerpts of relevant reports, provided that they specify authorship and demonstrate language proficiency?	26/01/2017 Yes, links to public available documents can be provided.
7	20/01/2017 14:01	26/01/2017 15:59	Section 4.3.4 Technical and professional capacity criteria and evidence, part (B) Criteria relating to the team delivering the service	<p>The following questions relate to Section 4.3.4 Technical and professional capacity criteria and evidence, part (B) Criteria relating to the team delivering the service:</p> <p>a. Can you clarify whether individual team members can be listed as experts in both Better Regulation and the CFP, or whether they must be designated as experts in Better Regulation or the CFP?</p> <p>b. Can you confirm that the years of experience counted towards expertise in Better Regulation and / or the CFP can include experience from outside the EU if it is otherwise relevant?</p>	26/01/2017 <p>Regarding question a): Individual team members can be listed as experts in both Better Regulation and in the CFP criteria.</p> <p>Regarding question b): The years of experience can include experience from outside the EU, provided that they meet the relevant criterion. However, if this criterion requires demonstrating experience in a EU policy then the submitted evidence must demonstrate this specific experience.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
8	18/01/2017 10:13	26/01/2017 17:22	CV presentation in EUROPASS Format	You mention p 37 of the TORs that detailed CVs of experts in Europass format should be maximum of 2 A4 pages. Due to the format presentation of Europass CV we find very uneasy to present experts details and their detailed experience on 2 pages only. Generally we present Europass CVs in 3 to 7 pages depending on the seniority of the experts. Could you please allow more that 2 pages for the CVs.	26/01/2017 As stated in the tender specifications, the information to be included in the curriculum vitae (CV) in Europass format should be limited to the subject matter related to the present invitation to tender. If the limit of two pages for the whole CV is very restrictive, we would request then that the description of the professional experience is provided within a maximum of two pages

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#	Submission date	Publication date	Question subject	Question	Answer
9	20/01/2017 13:58	26/01/2017 17:29	Section 4.3.4 Technical and professional capacity criteria and evidence, part (A) Criteria relating to tenderers	<p>The following questions relate to Section 4.3.4 Technical and professional capacity criteria and evidence, part (A) Criteria relating to tenderers:</p> <p>Evidence required under the different criteria listed generally relate to projects / contracts with a minimum value of EUR 50 000. In relation to this minimum value:</p> <p>a. Can projects listed cover different criteria / fields concerned, or do they have to relate exclusively to one criterion / field? If the former (i.e. the project covers different criteria), does the relevant portion of the project related to a given criterion need to exceed the minimum threshold required?</p> <p>b. If a project is listed that was carried out by different partners within a bidding consortium, is the minimum threshold required directly linked with the tasks carried out by the tendering companies and the budget allocated to them, or will the total value of the project (even if not fully carried out by the companies within a tendering consortium) be taken as valid?</p>	<p>26/01/2017</p> <p>Regarding question a): As stated in the tender specifications, one project, service or contract may cover more than one field. They do not need to be exclusively related to one criterion or field.</p> <p>Yes, the relevant portion of the project related to a given criterion needs to exceed the minimum threshold required.</p> <p>Regarding question b): The minimum value for each project of EUR 50 000 is applied to the specific tasks proving the criterion carried out by the different partners.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
10	20/01/2017 14:02	26/01/2017 17:30	Award Criteria - Section 4.4 of the tender specifications	Section 4.4 of the tender specifications lays out the award criteria. Each of the four parts specify a maximum number of pages except part 4 Mechanisms for assuring editorial quality as well as linguistic coverage. Can you confirm the maximum number of pages to be respected for this criterion?	26/01/2017 The Contracting Authority did not consider the need to define a maximum number of pages for this criterion
11	26/01/2017 18:35	30/01/2017 16:39	Annex 7 Price and Breakdown	Table B of Annex 7 mentions units in red (numbers of days and numbers of trips). We understand these figures as being estimates and that tenderers are free to propose number of days and number of travels based on their own assessment and the methodology proposed for the case study. Please kindly confirm our understanding.	30/01/2017 As stated in the Tender Specifications, Table B of Annex 7 (volume hypothesis) is used only for the financial evaluation. The numbers in red reflect a scenario defined by the Contracting Authority and should not be changed by tenderers. In Annex 7, tenderers only have to fill in the cells in yellow colour with the prices in Euro by unit (for travel) or by day (daily rates for staff and daily allowances for subsistence). The values of daily rates in Table A should be the same as the prices for the same category in Table B (the cells in Table B are linked to the respective cells in Table A).

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#	Submission date	Publication date	Question subject	Question	Answer
12	26/01/2017 13:22	30/01/2017 16:40	The case studies must contain a indicative budget breakdown (page 18 & 19 of the tender specifcations and footnote 37).	Could you confirm our understanding that the price information disclosed in the case study will not impact the quality assessment of the case study?	30/01/2017 As stated in the award criteria 2 (section 4.4. of the Tender Specification) the quality assessment of the case study will be based on, inter alia, the dedicated resources. The indicative budget breakdown is one of the elements to be outlined in the case study (section 1.4.1. of the Tender Specifications) and may therefore be used in the quality assessment of the dedicated resources of the case study.

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#	Submission date	Publication date	Question subject	Question	Answer
13	23/01/2017 15:05	31/01/2017 16:16	Annex 2.1 for natural persons	We have a question related to Annex 2.1, which should be filled also by subcontractors. Would it be sufficient to fill the annual income of a natural person, in the case a subcontractor is a natural person?	31/01/2017 In principle tenderers are required to identify only those subcontractors whose capacity is necessary to fulfil the selection criteria. Therefore, Annex 2.1 will need to be filled in by a subcontractor only if that subcontractor's financial capacity will be needed to prove the financial capacity of the tenderer as a whole. Please note that the financial capacity requirement is the following (section 4.3.3 of the tender specifications): "its average annual turnover for the last two years for which the accounts have been closed shall amount to at least EUR 1 million for each lot". Turnover is understood as revenue from the ordinary activities of the entity. A natural person can have a revenue from business activities only if registered as a commercial/professional entity and produces accounts that are declared with the tax authorities. A subcontractor whose capacity will not be needed to prove the compliance of the tenderer with the financial capacity requirements, does not need to fill in Annex 2.1.

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#	Submission date	Publication date	Question subject	Question	Answer
14	23/01/2017 15:09	31/01/2017 16:17	Natural persons	Can we include a natural person as a subcontractor for this tender, also when this natural person is not registered in a Chamber of Commerce? We will then just include the name of the natural person as a company name.	31/01/2017 A subcontractor can be a natural person. This person needs to be registered with a professional or trade register if and when required by applicable law. A proof of that registration should be provided.
15	23/01/2017 15:11	31/01/2017 16:19	Natural person as subcontractor	Would it be sufficient to just include the income details of a natural person over the past 2 years as replacement of the 'Copy of the Profit and Loss accounts for the last two years', which is requested in Annex 8 - checklist.	31/01/2017 Please see the answer to question n° 13.

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#	Submission date	Publication date	Question subject	Question	Answer
16	25/01/2017 09:54	31/01/2017 16:20	Annex 3 - Declaration of Honour - Section "VII – Selection criteria"	<p>We would like to ask for clarification about section "VII – Selection criteria" of Annex 3 - Declaration of Honour.</p> <p>Regarding section (a): We understand that the tenderer should select "YES" as it must have the legal and regulatory capacity to pursue the professional activity as provided the tender specifications. Could you kindly clarify if a subcontractor (whose capacity is necessary to fulfil the selection criteria) should select "YES" or "N/A"?</p> <p>Regarding section (b): Could you please confirm that subcontractors should select "YES" if the tenderer relies on their economic and financial capacity and "N/A" is the tenderer does not rely on their economic and financial capacity?</p> <p>Regarding section (c): Could you please confirm that a subcontractor should select "YES" if he contributes to the fulfilment on the selection criteria on technical and professional capacity (namely if he has provided project references or CVs) and "N/A" is the tenderer does not rely on their technical and professional capacity?</p>	<p>31/01/2017</p> <p>Regarding section (a) The subcontractor whose capacity is necessary to fulfil the selection criteria should select YES</p> <p>Regarding section (b) The subcontractors should select "YES" if the tenderer relies on their economic and financial capacity</p> <p>Regarding section (c) the subcontractor should select "YES" if he contributes to the fulfilment of the selection criteria on technical and professional capacity</p> <p>Regarding section (d), this is relevant only for sole tender or leader in case of joint tender. All subcontractors should select "N/A".</p>

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#	Submission date	Publication date	Question subject	Question	Answer
				Regarding section (d): Could you confirm that only the tenderer needs to select "YES" and that all subcontractor should select "N/A"?	
17	25/01/2017 09:39	02/02/2017 10:13	Selection Criterion B.1. (p. 36 of the ToR)	Could you kindly clarify if you expect to receive only one CV for the position of Project Manager (criterion B.1) or if it is possible to submit a pool of experts meeting the requirements ? Should we understand this role as a Project Manager for the Framework Contract or Project Manager(s) for the assignments implemented through the framework ?	02/02/2017 For criteria B.1. (Project Manager, section 4.3.4 of the Tender Specifications) one Curriculum Vitae is necessary to fulfil this selection criteria. This criteria corresponds to the role of Project Manager for the Framework Contract.

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#	Submission date	Publication date	Question subject	Question	Answer
18	25/01/2017 10:04	02/02/2017 10:15	Annex 2.2. on Technical Capacity	We would like to ask for a clarification related to the Annex 2.2. on Technical Capacity. We are not sure to understand what should be added to the column GENERAL CRITERIA RELATED TO THE TENDERER. Could you confirm that you expect project titles (together with sums, dates, duration in months, recipient and private/public as specified in the ToR) for every single project falling under each selection criterion? Can you confirm that we do not need to attach detailed project references (with project description) at this stage ?	02/02/2017 In Annex 2.2 (Technical Capacity), Section A (Criteria relating to the tenderer), tenderers are requested to indicate in the column “General Criteria Related to the Tenderer” the references to projects, contracts, studies or services as requested in the Tender Specifications (section 4.3.4. – table with the selection criteria from A.1 to A.7) that show the experience of the tenderer proving the criteria. This must include the information stated on page 31 of the Tender Specifications. Tenderers may also add any other information that they find useful to prove the compliance with the stated criteria.
19	02/02/2017 15:06	06/02/2017 17:18	Section restricted to 2 pages in Europass CV.	In response to a previous question on this EASME indicated that “If the limit of two pages for the whole CV is very restrictive, we would request then that the description of the professional experience is provided within a cv maximum of two pages”. So, can you please identify which section or sections of the Europass CV template relates to ‘Professional Experience’ and is thus restricted to 2 pages? is this only the section titled ‘Work Experience’?”	06/02/2017 Yes, the restriction of two pages applies only to the section “Work Experience”.

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#	Submission date	Publication date	Question subject	Question	Answer
20	01/02/2017 15:08	06/02/2017 17:20	References: ?	For general criteria common to lots 1 and 2 and specific criteria for lot 1, reference must reach 50 000 euros, whereas specific criteria for lot 2 there is o requirement of amount. Is this correct? Regaring dates, in some cases only referecnes from 2010 are allowed, where in other case there is no date or it is mentioned 2008 (criteria A.7.2). is this correct?	06/02/2017 Yes, the Contracting Authority has set up different selection criteria and evidences for each of the two lots

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#	Submission date	Publication date	Question subject	Question	Answer
21	02/02/2017 15:30	07/02/2017 17:06	Proof of registration	Our question relates to the answer given on question 14, in which is stated that a subcontractor can be a natural person. Furthermore, in this answer is stated that 'This person needs to be registered with a professional or trade register if and when required by applicable law. A proof of that registration should be provided.' But in the checklist of documents to be submitted (Annex 8 of the tender specifications) it is stated that only partners in the consortium need to submit legal entity form and supporting documents (such as extract from Chamber of Commerce) and for subcontractors this is not needed. Can you confirm that subcontractors do not have to submit a proof of registration at this stage for submission of the framework contract (but later on during an assignment this is no problem to provide)?	07/02/2017 A sub-contractor in principle does not need to submit a legal entity form. However, if this sub-contractor is going to contribute to the legal, financial and technical capacity of the tenderer (i.e. if the sub-contractor's capacity will be necessary for the tenderer to fulfil the selection criteria), then this sub-contractor will need to submit the proofs for meeting the claimed capacity.

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#	Submission date	Publication date	Question subject	Question	Answer
22	06/02/2017 12:22	08/02/2017 16:28	Case study length	Section 1.4.1 of the tender specifications (page 18) describes the case study for lot 1, CFP. It states that offers must 'set out in a maximum of 5 pages how to evaluate the implementation of these delegated acts'. Would it be permissible to include supporting tables (e.g. a detailed budget breakdown) in annex, or must all information relating to the case study in any form fall within the 5-page limit?	08/02/2017 The 5-page limit is to be applied to the description of the case studies (that including the indicative budget breakdown). Maximum 2 supporting tables can be added as annexes, if strictly necessary
23	13/02/2017 09:22	14/02/2017 11:55	PARTICIPATION	Is an organization involved in the subject matter of any of the required case studies conflicted from participating in the tender process?	14/02/2017 The case studies are hypothetical situations only. They illustrate examples of scope and tasks that can be performed under the contract but do not represent real assignments. From that point of view, no organisation/entity is involved in them. Tenderers just need to provide their offer describing how they would implement the illustrated cases (ref. Section 1.4.1).

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#	Submission date	Publication date	Question subject	Question	Answer
24	09/02/2017 16:23	14/02/2017 14:41	Dear Sir, Madame, I would like to submit a question in relation to the Call for Tenders "Inter-institutional service framework contract for better regulation related activities"	Is that correct that by signing the letter of intent, the subcontractor only commits to collaborate with the Contractor in the execution of the tasks subject to the tender, but is not legally bound to systematically contribute to all requests for services issued by EASME under the fwc, Thank you in advance	14/02/2017 With the Letter of intent the subcontractor declares the intention to collaborate in the execution of the tasks in accordance with the terms of the submitted tender. Therefore, the concrete parameters of the collaboration (i.e. how bound the subcontractor is with regard to future requests for services) depend on what was agreed (and reflected in the tender proposal) between the subcontractor and the tenderer.
25	13/02/2017 11:38	15/02/2017 09:21	Subcontractor - letter of intent	In light of the approaching deadline could you please consider the following question: Is that correct that by signing the letter of intent, the subcontractor only commits to collaborate with the Contractor in the execution of the tasks subject to the tender, but is not legally bound to systematically contribute to all requests for services issued by EASME under the fwc?	15/02/2017 Please refer to answer N. 24
26	20/02/2017 13:27	22/02/2017 17:27	Extension of deadline	Today we learned that the deadline for the submission of the tender has been postponed with two weeks to the 15th of March. Could you elaborate upon the reason behind this extension?	22/02/2017 The contracting authority decided to extend the time limit for receipt of tenders due to the number of questions received and due to the wide scope and technical requirements of the two lots.

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#	Submission date	Publication date	Question subject	Question	Answer
27	20/02/2017 18:08	23/02/2017 09:47	Corrigendum	We noticed the publication of a corrigendum informing that the deadline was postponed to the 15th of March 2017. Could you please explain the reasons why this deadline extension has been decided ?	23/02/2017 Please refer to answer n. 26
28	22/02/2017 16:48	03/03/2017 11:23	Financial offer Annex 7	In Annex 7 you request to list our "All inclusive fees per expert per day". To ensure a level playing field accross the Member States could you indicate the average number of working hours per working day to use in this case?	03/03/2017 In Annex 7 tenderers must fill in the daily prices of staff costs. The number of working hours within a day is not required and it is up to the tenderers to decide, based on the applicable rules of the respective Member State.
29	22/02/2017 16:54	03/03/2017 11:26	Draft Framework Contract	Could you indicate the technical project structure of the assignments under the FWC? Will it be: A: Assignments under time and expenses with invoicing on the basis of actual spend with specifications? or B: Result/output driven assignments with a fixed budget/price with interim/final invoicing in % of the total amount. If it is expected to be a combination, could you indicate a possible expected balance?	03/03/2017 As indicated in the Tender Specifications (section 3.7), the prices indicated in table A of Annex 7 will be binding applicable rates under the Framework contract. For each assignment a budget is fixed at the start based on these prices and according to the tasks to be executed and the travel needs. Reimbursements are only foreseen in exceptional cases for travel and subsistence expenses for missions to countries outside of those quoted in Annex 7.

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30	24/02/2017 16:02	03/03/2017 12:22	4.3.4 Technical and professional capacity criteria and evidence, part (A) Criteria relating to tenderes	With regards to criteria A.3, A.7.1, A.7.2, A.7.3, A.7.6, A.7.7, when required to provide peer-reviewed articles / study reports / studies or reports, can you confirm that links can be provided to publicly available documents that confirm the tenderers' ability to fulfil the criteria ? If links are not available or documents are not publically available, can you explain how the tenderers are required to prove they fulfil the criteria ? For example, by providing excerpts or by providing references of the framework during which such documents where produced ?	03/03/2017 Yes, links to publicly available articles, reports or studies are accepted. If links cannot be provided, tenderers should provide references to the articles, reports or studies together with descriptions or excerpts relevant to the related criteria.

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#	Submission date	Publication date	Question subject	Question	Answer
31	24/02/2017 16:20	03/03/2017 12:24	Criteria relating to the team delivering the Service (B.3)	<p>Criterion B.3 states that "Collectively, the team should have excellent knowledge of English, French, Spanish and Portuguese (minimum level C2 for English and French and C1 for Spanish and Portuguese)".</p> <p>When you say "collectively", do you mean that the team as a whole should include at least one expert with the requested knowledge in English, French, Spanish and Portuguese, or do you mean that all experts must comply with the criterion?</p> <p>If the first option is chosen, in Annex 2.2 should we list only the experts that fulfil the criteria, or should we report language knowledge for each member of the team?</p>	<p>03/03/2017</p> <p>Regarding criteria B3, the team as a whole should have at least one expert for each of the required languages and with the requested level. Different experts can be indicated for each language. In Annex 2.2 only the experts needed to fulfil the criteria should be listed.</p>

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