

Call for tenders' details

Title: International Intellectual Property SME helpdesks

Start date: 10/03/2018

Time limit for receipt of tenders: 23/04/2018

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

Enterprises Executive Agency (EISMEA)

Status: Closed

Call for tenders question list

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| # | Submission date | Publication date | Question subject | Question | Answer |
|---|---------------------|---------------------|-------------------------|---|---|
| 1 | 16/03/2018 09:43 | 16/03/2018 14:22 | Place of Implementation | On pg. 11 of the Tender Specifications, it states "The services to be delivered will cover COSME countries, namely, all the EU Member States and associated third countries." My understanding is that activities listed in the Tender Specifications will at times be carried out in the associated third countries (e.g. China) as well as in COSME countries. Is this correct? | <p>16/03/2018 Yes, activities shall be envisaged in EU member states, third countries participating in COSME programme and on the territories covered by the International IPR Helpdesks, namely, Lot 1: Mainland China, Hong-Kong, Macao and Taiwan. Lot 2: South East-Asia (Brunei, Cambodia, Indonesia, Lao, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam) within this area the following countries are to be treated as a priority:</p> <ul style="list-style-type: none"> - Indonesia - Thailand - Vietnam - Singapore <p>Lot 3: Latin America (Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela) within this area the following countries are to be treated as a priority</p> <ul style="list-style-type: none"> - Brazil - Mexico - Chile - Argentina <p>Page 11 and 12 of the tender specifications. 1.4.2. Geographical scope of the tasks.</p> |

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| 2 | 15/03/2018 10:04 | 16/03/2018 14:26 | <p>Reference: EASME/COSME/2018/002 "International Intellectual Property SME helpdesks" Clarifications on the Tender Specifications</p> | <p>Reference: EASME/COSME/2018/002 "International Intellectual Property SME helpdesks"</p> <p>We are currently working in the preparation of the offer for the aforementioned tender and we have a few questions concerning some aspects of the Tender Specifications.</p> <p>On the one hand, we would like to receive a clarification on the expenses included in the maximum amount for each contract.</p> <p>We understand that our financial offer must include in the proposed budget:</p> <ul style="list-style-type: none"> - Fees for the members of the team that will deliver the services: project managers, expert in intellectual property, expert in support to SMEs and all other experts involved in the implementation of the activities. - Travel, accommodation and subsistence expenses for the abovementioned managers and experts <p>However, we would like to know if other expenses linked to the implementation of the activities will be covered by EASME or must be</p> | <p>16/03/2018</p> <p>1.The quoted price in a tenderer's financial offer must be a fixed amount, which includes all charges (page 17 and 23 of the tender specifications). As a result, any fees, any travel, accommodation and subsistence expenses, any venue bookings costs, translation costs, catering costs must be included in the global price offered by a tenderer. This global price will be used for the ranking of the tenders. The financial offer should be presented in a form of Annex 7 duly filled in, dated and signed.</p> <p>2.On the collaboration with other EU programmes, EASME can, at the request of the contractor, provide contact details and facilitate first contacts with other EU initiatives for the organisation of IPR awareness activities. However, it is the responsibility of the contractor to ensure a proper follow-up and to manage the relations with those initiatives efficiently.</p> |

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| | | | | <p>be covered by EASME or must be covered by IP Helpdesk contract. As examples:</p> <ul style="list-style-type: none">- Participation fees for trade fairs: access, stand reservation and decoration, etc.- Venue booking and ITC costs for the trainings- Venue booking and other services related to matchmaking events (catering, communication material, etc.)- Translation services <p>On the other hand, we would like to know if EASME will facilitate the contacts from other EU programmes and teams who will collaborate in IPR awareness raising activities (e.g. ELAN, Enterprise Europe Network, EU SME Centre etc.) or if we should manage these relations.</p> | |

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| 3 | 16/03/2018 09:51 | 16/03/2018 15:04 | Delivery of the services | Will any of the delivery take place in the geographic areas that constitute the target markets of the international IP helpdesks (e.g. Indoesia, Thailand..)? | <p>16/03/2018 Yes, activities shall be envisaged in EU member states, third countries participating in COSME programme and on the territories covered by the International IPR Helpdesks, namely, Lot 1: Mainland China, Hong-Kong, Macao and Taiwan. Lot 2: South East-Asia (Brunei, Cambodia, Indonesia, Lao, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam) within this area the following countries are to be treated as a priority: - Indonesia - Thailand - Vietnam - Singapore Lot 3: Latin America (Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela) within this area the following countries are to be treated as a priority - Brazil - Mexico - Chile - Argentina Page 11 and 12 of the tender specifications. 1.4.2. Geographical scope of the tasks.</p> |

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| 4 | 19/03/2018 08:43 | 19/03/2018 12:51 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | <p>Page 9 of the TENDER SPECIFICATIONS: “Contractors shall collect statistics in relation to users' visits on the ipr-hub and linked webpages in particular with regards to numbers of requests for assistance, origin and subject matter of those requests and their response times”.</p> <p>Q: Does it mean there should be an online Helpline tool where all queries will be managed (even those requested on-site) so that statistics can be easily obtained?</p> | <p>19/03/2018 Contractors are free to propose the system or tool they consider best to handle both on-line and on-site queries. In their technical bids, contractors shall explain how the proposed system/tool would permit the production of statistics as described in page 9 of the tender specifications.</p> |
| 5 | 19/03/2018 08:43 | 19/03/2018 12:52 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | <p>Page 12 of the TENDER SPECIFICATIONS: “latin-america-iprhelpdesk.eu”</p> <p>Q: Could you please specify if the domain name for the Latin America IPR SME Helpdesk will be “latin-america-iprhelpdesk.eu” as stated on page 7, task 1 or if the current web address “www.latinamerica-ipr-helpdesk.eu” will be maintained.</p> | <p>19/03/2018 The current web address “www.latinamerica-ipr-helpdesk.eu” shall be maintained.</p> |

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| 6 | 19/03/2018 08:45 | 19/03/2018 13:09 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | <p>Page 21 of the TENDER SPECIFICATIONS: 2.1 PARTICIPATION “.... It is also open to all natural and legal persons established in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement”.</p> <p>Q: In case of a Joint Tender are the entities of the target countries/regions of the present tender (i.e. from China, South East Asia, Latin America) eligible as: (1) consortium partners (2) subcontractors?</p> | <p>19/03/2018 Third countries with a special agreement with the Union in the field of public procurement are: Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Iceland, Liechtenstein and Norway. All of them have access to EU executive agencies public procurement procedures (including this procurement procedure). The rules of access to this procurement procedure do not apply to subcontractors. This means that a tenderer is free to choose its subcontractors from any country. Consequently all natural and legal persons established in China, South East Asia, Latin America can act as subcontractors of a tenderer who has himself access to the EU executive agencies public procurement procedures.</p> |

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| 7 | 19/03/2018 08:46 | 19/03/2018 13:25 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | <p>Pages 22-23 of the TENDER SPECIFICATIONS: 2.5 SUB-CONTRACTING "... Tenderers are required to identify all subcontractors whose share of the contract is above 10% or whose capacity is necessary to fulfill the selection criteria".</p> <p>Q1: Does it mean that sub-contractors below 10% share of the contract do not need to be identified? Shall the tenderer present a list of subcontractors and short-term experts?</p> <p>Q2: Is there any limit on the amount allocated to the sub-contracting category?</p> <p>Q3: in case each single sub-contractor is below 10% share of the contract, is it necessary to submit the documents listed in the Annex 8 (i.e. Letter of intent, profit and loss account, etc....)?</p> | <p>19/03/2018</p> <p>Answer to Q1: A tenderer must identify all subcontractors whose share of the contract is above 10% or whose capacity is necessary to fulfill the selection criteria. The identified subcontractors must be included in the Annex 2–Letter of submission of tender, in section 1.4.</p> <p>Hypothetically, in case where a subcontractor's share of the contract is for example 1% but a tenderer relies on this subcontractor to fulfill a selection criterion (criteria), in such case this subcontractor must be identified. In the same manner, in case where a subcontractor's share of the contract is for example 50% but a tenderer does not rely on this subcontractor to fulfill a selection criterion (criteria), in such case this subcontractor must be also identified.</p> <p>A specified in the Annex 2–Letter of submission of tender, in section 1.4., a tenderer should indicate "Total percentage of the work/contract to be sub-contracted by all sub-contractors (all the sub-contractors participating in this tender regardless whether above or below 10% and whether their capacity is or is not necessary to fulfill the selection criteria)".</p> <p>These tender specifications do not recognize a notion of a "short term expert". A tenderer should indicate if</p> |

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| | | | | | <p>expert". A tenderer should indicate if the proposed member(s) of the team, which will deliver the service, is an employee or not of the tenderer. If the proposed member(s) of the team, which will deliver the service, is not an employee, he will be considered as a subcontractor.</p> <p>Answer to Q2: The tenderers are free to organize themselves as they so wish. The number of members in a joint tender or the number of subcontractors or the share of subcontracting is not limited. There is no limitation on who does what (subcontractors, tenderer(s)).</p> <p>Answer to Q3: In case a subcontractor's share of the contract is below 10% but this subcontractor is necessary to fulfill the selection criteria, in that case it is necessary to submit the documents listed in the Annex 8.</p> |

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| 8 | 19/03/2018 08:44 | 19/03/2018 13:33 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | <p>Page 29 of the TENDER SPECIFICATIONS: Criteria (Evidence B1, B2, B3, B4).</p> <p>Q1: Are the indicated criteria cumulative to each member of the staff? Or each criterion should be fulfilled by at least one member of the staff (or 2 where specified)?</p> <p>Q2: Criterion B2 shall be fulfilled by at least 2 team members. In case of a Joint Tender, is this criterion applicable to the whole consortium or to each consortium partner?</p> <p>Q3: Criterion B3: Please confirm the number of years of experience required for: - Professional experience - Professional experience in the filed</p> | <p>19/03/2018</p> <p>Answer to Q1: Each criterion B1 to B4 corresponds to a profile that needs as a minimum to be covered by the tenderer. The requirements per profile should be fulfilled by the team member (s) suggested for that profile. There should be at least one member per profile, except for criterion B2, where the minimum is 2 members.</p> <p>Answer to Q2: All selection criteria (that including criterion B2) apply to the tenderer as a whole and not separately to each member of the joint tender and/or identified subcontractors.</p> <p>Answer to Q3: 3 years of professional experience in the field is enough.</p> |

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| 9 | 18/03/2018 22:09 | 20/03/2018 09:46 | Web site: IPR hub and lot specific web sites | From IT point of view (hosting, maintenance, design, Drupal updates, ...) how do the three contracts separate the responsibilities? Is it a single Drupal instance? Different instances on the same servers? Different servers? If separate servers and/or separate instances, who is in charge for the umbrella projects? | <p>20/03/2018 There should be three independent websites, one for each lot. Contractors shall be responsible for hosting (in servers located within EU territory), maintenance, updates, etc. the website of its lot. However, all three websites should be linked to the http://www.ipr-hub.eu/ site and they should have a similar "look &feel".</p> <p>Decisions about the unique "look &feel" and about the maintenance of the current http://www.ipr-hub.eu/ website shall be managed jointly by the three contractors. A Memorandum of Understanding defining issues such as hosting, maintenance and funding of the "umbrella website" shall be signed within one month after the start of the last of the three contracts. Each contractor shall appoint at least one person responsible for liaising with the daily maintenance of the joint website.</p> <p>It shall be stressed though, that it is not expected from contractors to develop new features/functionalities in the umbrella website. It shall merely be an entry point for EU SMEs interested in the services offered by the Helpdesk. In that respect, it shall contain basic information about the services provided, about the entities</p> |

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| | | | | | services provided, about the entities providing those services and about news and events to be organised by any of the International IPR helpdesks. |

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| 10 | 19/03/2018 15:31 | 20/03/2018 19:59 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | Annex 7: Financial Offer Q1: Is there any difference between the "Other costs" identified in each task and "OTHER GENERAL COSTS" at the bottom of the financial offer? Q2: Where Subcontracting costs should be specified? Q3: "Experts" refer to subcontracting? | 20/03/2018 Answer to Q1: The main purpose of Annex 7 is to provide to the Contracting Authority with the details of the financial offer in relation with the tasks to be carried out by the contractor. There are the cost categories that refer to the human resources per task number (Task 1, Task 2...). All other costs, which refer to a specific task, should be listed under "Other costs". The cost category "OTHER GENERAL COSTS" should include other general costs that cannot be allocated to a specific task. In case of travel, accommodation, subsistence, venue bookings, translation, catering costs, these can be either included in "Other costs" or in "OTHER GENERAL COSTS". The details may be provided in a document annexed to the Annex 7. Answer to Q2: The tender specifications do not require "subcontracting" to have a specific and isolated place/position in the Annex 7. Answer to Q3: No. "Experts" does not necessarily refer to subcontracting. The titles and staff positions indicated in the Annex 7 are indicative and tenderers can propose other staff |

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| | | | | | tenderers can propose other staff positions or use different titles for the positions respecting however the requirements of section 3.3.4 (Technical capacity) of the tender specifications. As mentioned in the section 3.3.4., B. Criteria relating to the team delivering the service: "The team delivering the service should include, as a minimum, the following profiles. In addition to the minimum profiles, a tenderer may add other profiles to the team." This should be reflected in the Annex 7. |

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| 11 | 19/03/2018 15:30 | 20/03/2018 20:04 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | <p>Page 13 of the TENDER SPECIFICATIONS: "Publications can be developed in-house or outsourced. The approval of the Contracting Authority prior to their publication is mandatory".</p> <p>Q: Is the approval of the Contracting Authority necessary for the publication of all kind of materials?</p> | <p>20/03/2018 Validation from the Contract Authority is needed for documents of a permanent nature such as new and updated guides, FAQs, Fact Sheets, Country reports, case studies, etc. Those documents shall be available in the International IPR Helpdesk website during the whole duration of the contract. In turn, validation is not needed for documents of a temporary nature such as news, information about events, blog posts, etc. Those documents shall be archived within the website once they no longer serve their dissemination purpose.</p> |
| 12 | 19/03/2018 15:30 | 20/03/2018 20:06 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | <p>Page 8 of the TENDER SPECIFICATIONS: "... the contractor(s) of each lot shall keep up to date the materials existing in the current websites. "</p> <p>Q: Is there any exhaustive list of groups of materials that need to be kept up to date?</p> | <p>20/03/2018 The ultimate goal of updating existing publications is to always have available relevant and trustworthy information for EU SMEs. In that respect, there is not a closed list of materials which need to be kept up to date. At the start of the contract, each contractor shall assess which of the existing publications needs to be updated (e.g. because new legislation has been adopted) and which is no longer relevant and thus needs to be removed from the website.</p> |

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| 13 | 19/03/2018 15:21 | 20/03/2018 20:23 | Clarification on Helpdesks | <p>On page 7 it states "The international IP Helpdesks shall build from the experiences gathered through the existing China, SEA and LA IPR SME Helpdesks..."</p> <p>Q1: Does this imply the management of the existing helpdesks will be pass to the consortium or group which is awarded the tender? Or will the awarded party be working in tandem with the existing Helpdesk?</p> | <p>20/03/2018</p> <p>The grant agreements of the existing China, South-east Asia and Latin America IPR SME Helpdesks will end on 30th June 2018. The new contracts for the implementation of the International IPR Helpdesk will not start before the 1st July 2018. The Contracting Authority will provide contractors with access to the websites and all the materials developed by the China, South-east Asia and Latin America IPR SME Helpdesks in the period 1st January 2015 to 30th June 2018.</p> |

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| 14 | 19/03/2018 15:11 | 20/03/2018 20:26 | Location of experts during delivery | <p>Regarding Task 2; on page 13 it states the following: "Helpdesks must rely from the start of the contract on at least two IP-skilled persons permanently engaged with the Helpdesk in the target geographical area..."</p> <p>Question: Does this imply that the IP-skilled people will have to be based at the Helpdesk located in each geographical area (e.g. China, Brazil...), or would they be based in Europe and engaging with the Helpdesks from Europe?</p> | <p>20/03/2018</p> <p>The sentence quoted from page 13 of the tender specifications, indicates that these two people should have specific knowledge on the jurisdictions covered by the Helpdesk, not that they need to work physically from those territories. Contractors shall ensure that all enquiries from EU SMEs are answered by IP-skilled people within three working days, regardless of the origin of the question and of the physical location of the IP expert.</p> <p>However, it shall be noted that the strategy on where to locate the IP experts engaged with the helpdesk shall be taken into account as part of the assessment of the Award criterion 2 (Effectiveness, efficiency and feasibility of the strategy to ensure that intellectual property expertise on the jurisdictions covered by the IP Helpdesk is permanently available).</p> |

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| 15 | 19/03/2018 15:30 | 20/03/2018 20:31 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | Page 7 of the TENDER SPECIFICATIONS: 1.4.1. Tasks to be carried out by the contractor Q: Is there a list of compulsory languages in which the services should be provided? | 20/03/2018 English is the working language of the International IPR Helpdesks. Contractors shall ensure that English is used in all reports and communications with the contracting authority, and that all the content of the website is available at least in that language. Moreover, the strategy to use other languages in the implementation of the tasks foreseen in section 1.4.1 of the tender specifications will be taken into account as part of the assessment of the award criteria (section 3.4). Specifically, the use of additional languages shall form part of the analysis of the quality of the proposed methodology for Award Criteria 1, 2, 3 and 4. |

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| 16 | 21/03/2018 17:01 | 22/03/2018 10:41 | Expert Profiles | <p>In section 3.3.4, B of the Tender Specifications it is stated the minimum profiles to be included in the offer. These are detailed in criteria B1 to B4.</p> <p>Question 1: Does this imply that the delivering team shall be composed at least by four persons? Is it possible the delivering team to be of a lesser number if, for instance, one of its members reunites requisites of one or more of the aforementioned criteria (e.g. B3 and B4)?</p> <p>Question 2: Concerning criterion B3 – Expert in Intellectual Property – it is unclear if the professional must count with a minimum of three or of six years of professional experience in the field of IP counselling. Could you provide further explanation on the requisites of this criterion?</p> | <p>22/03/2018 Please see the answer given to the question number 8.</p> |

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| 17 | 22/03/2018 15:20 | 22/03/2018 15:32 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | Annex 9-e-Submission application guide: page 2 “.....Hand signature, in this case, you must print the documents and the authorised representative must hand sign the documents and then scanned so you can upload it into the system. In this case, you must send by post all the original documents that were signed by hand immediately after the electronic submission of your Tender”. Q: in the case of documentation hand signed, do you need to receive the original documentation sent by post on 23/04/2018 at 11:00? | 22/03/2018 The original hand-signed documents shall be sent on the same day by post or within a reasonable delay. The arrival of the original documents with a few days delay won't affect the admissibility of the tender, if submitted electronically within the given deadline. |

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| 18 | 22/03/2018 10:37 | 22/03/2018 15:47 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | <p>In the case of Subcontractors below 10% share, and NOT necessary to fulfil the selection criteria:</p> <p>Q1: Where should they be identified? Do they also need to be identified in Annex 2?</p> <p>Q2: Should they provide at least a Letter of Intent (Annex 5)</p> | <p>22/03/2018</p> <p>Answer to Q1: In case a subcontractor whose share of the contract is below or equal 10% and whose capacity is not necessary to fulfil the selection criteria, the only requirement is that a tenderer indicates the aggregated percentage of the contract to be sub-contracted by all subcontractors in the last row of section 1.4-Sub-contractor's details of the Annex 2-Letter of submission of tender.</p> <p>Answer to Q2: No, the Annex 5-Letter of intent is required only from those subcontractors whose share of the contract is above 10% or whose capacity is necessary to fulfil the selection criteria.</p> <p>The subcontractors whose share of the contract is below or equal 10% and whose capacity is not necessary to fulfil the selection criteria do not have to provide any document and do not have to be identified.</p> |

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| 19 | 26/03/2018 13:54 | 27/03/2018 09:44 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | ANNEX 6 TECHNICAL TENDER FORM..."This document does not replace the technical proposal. This is not the main document to include all the technical elements of the tender....." Q1: Is the template for the Technical Annex available (if yeas, where) or should we use a free model? | 27/03/2018 Indeed, Annex 6 "Technical tender form" does not replace the technical proposal. No specific template is provided for the technical proposal, and so tenderers are free to decide how to structure their technical offer. Please note, however, that the technical offer must cover all the requirements specified in the Tender Specifications. Please refer also to Section 2.7 of the Technical Specifications "Content of the tender". 03/04/2018 The "Annex 6-Technical tender form" itself is available in the "Document Library". |
| 20 | 29/03/2018 16:40 | 04/04/2018 10:07 | IPR Southeast Asia web site | When you say that the web site should be fully operational by the end f month 2,does this include the revamp process is finalised ? | 04/04/2018 A revamp of the current websites is not foreseen during the lifetime of the contract. Contractors are expected just to perform general maintenance and update of the existing web pages. |

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| 21 | 28/03/2018 10:08 | 04/04/2018 10:10 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | <p>Annex 7 – Financial Offer: “.....The quoted price must be a fixed amount which includes all charges (including travel, accommodation and subsistence expenses). Travel, accommodation and subsistence expenses are not refundable separately.”</p> <p>Q: will the travel costs be reimbursed on the basis of real costs (providing supporting documents together with the invoice) or on the basis of flat rate previously fixed in the Annex 7.</p> | <p>04/04/2018 As specified in the tender specifications, on page 23: “The quoted price must be a fixed amount which includes all charges (including travel, accommodation and subsistence expenses). Travel, accommodation and subsistence expenses are not refundable separately.”</p> <p>As specified in the Annex 1: Draft service contract: “1.4.3. Reimbursement of expenses: Reimbursement of expenses is not applicable to this contract.” Please see also the answer to the question number 2.</p> |

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| 22 | 28/03/2018 16:07 | 05/04/2018 11:05 | Criterium A1 | <p>You write in the tender specifications for selection criteria A1 that you wish the evidence for at least one completed project for a budget over 100000 euros.</p> <p>In European Commission Europeaid tenders, non completed projects are eligible to cover selection criteria as long as the value of the proportion of the work carried out by the contractor is over the minimum budget requested (over 100000 euros) at the time of the tender submission.</p> <p>Extended European Commission IPR projects should be eligible to cover the selection criteria, if their completion is by June 30 as the new contract starts on July 1.</p> <p>Please confirm that IPR projects which are not today fully completed are eligible either by adopting the European Commission Europeaid approach (see above) or by confirming that the completion date of extended IPR projects should be before the new contract starts, thus before July 1,2018.</p> | <p>05/04/2018</p> <p>As per tender specifications, page 28, the selection criterion A1: “The tenderer must prove experience in the field of intellectual property as well as in support for small and medium-sized enterprises or analyses in relation to SMEs.” and Evidence A1: “The tenderer must provide references for at least 1 completed project delivered in the field of intellectual property, and for 1 completed project delivered in the field of support to small and medium-sized enterprises, both in the last three years and each of them with a minimum value for of € 100 000.”</p> <p>A project that is not completed yet can only be accepted if the stage of implementation has finished with approved deliverables and reports. Those deliverables and reports must be relevant for the experience requested under the selection Criterion A1 and Evidence A1, and respect the minimum value requested in Evidence A1.</p> |

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| 23 | 03/04/2018 15:22 | 05/04/2018 16:12 | Tender reference number: EASME/COSME/2018/002 International Intellectual Property SME helpdesks | With reference to Subcontractors list and Staff members of the consortium we would like to know if they are going to be kept confidential both in the evaluation and implementation phase or will be published at some point. | <p>05/04/2018 The evaluation phase:</p> <p>As specified in point 14 of the invitation to tender: If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by Natalia MARTINEZ PARAMO, Head of unit EASME.A.1. Details concerning the processing of your personal data are available on the privacy statement at: http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf.</p> <p>The implementation phase:</p> <p>In addition to that, a contract award notice will be published one the</p> |

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| | | | | | notice will be published one the contract has been awarded. The contract award notice is an advertisement published in the Official Journal to inform interested parties that a contract has been awarded, mentioning the contract value, the name of the tenderer (or tenderers, in case of a joint tender). It also contains section V.2.5) Information about subcontracting where the proportion and the short description of the part of the contract to be subcontracted should be mentioned. |
| 24 | 29/03/2018 16:37 | 06/04/2018 15:11 | Southeast Asia web site | How many standard,customised, custom modules are in the regional Southeast Asia web site ? | 06/04/2018 IPR China: 126 standard and contributed modules, 4 custom modules. IPR South-east Asia: 115 standard and contributed modules, 5 custom modules. IPR Latin America: 203 standard and contributed modules, 5 custom modules. IPR hub: 96 standard and contributed modules, 3 custom modules. |

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| 25 | 29/03/2018 18:49 | 06/04/2018 15:15 | Umbrella web site: www.ipr-hub.eu website | <p>Q 1) How large (in GB) is the folder of the uploaded content? How large the database?</p> <p>Q 2) What database engine has been used? MySQL, PostgrSQL, other? Which version?</p> <p>Q 3) Does the website uses any external services (e.g. google map, antispam, chat, search engine, translators, ...)</p> | <p>06/04/2018</p> <p>Q 1) How large (in GB) is the folder of the uploaded content? How large the database?</p> <p>Files IPR hub200MB IPR Latin America 1.5 GB IPR South-east Asia 13 GB IPR China 12 GB total 26.7GB</p> <p>Database IPR hub158MB IPR Latin America 149MB IPR South-east Asia 288MB IPR China 160MB total 755MB</p> <p>Q 2) What database engine has been used? MySQL, PostgrSQL, other? Which version?</p> <p>MySQL 5.5.46</p> <p>Q 3) Does the website uses any external services (e.g. google map, antispam, chat, search engine, translators, ...)?</p> <ul style="list-style-type: none"> - liveChat of https://www.mylivechat.com/ - piwik statistic service |

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| 26 | 29/03/2018 18:46 | 06/04/2018 15:18 | Regional web site Southeast Asia | Q 1) How large (in GB) is the folder of the uploaded content? How large the database? Q 2) What database engine has been used? MySQL, PostgrSQL, other? Which version? Q 3) Does the website uses any external services (e.g. google map, antispam, chat, search engine, translators, ...) | 06/04/2018 Please see the answer to the question n°25. |

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| 27 | 09/04/2018 10:59 | 09/04/2018 15:44 | IP Experts - Criterion B3 | In the case a consortium is pursuing multiple Lots, would it be possible to present the same profile for Criterion B3 in multiple lots? If so, would the IP expert in question be allowed to work on all Lots should they be awarded? | <p>09/04/2018 As part of Selection Criterion B3, it is theoretically possible to present the same profile for more than one Lot. That person can carry out tasks in more than one Helpdesk, provided that he/she has the necessary skills and qualifications. However, please note that the implementation of Task 2 specifically requires that "To serve the needs of SMEs asking queries virtually, by phone or on site at events (from tasks 1, 3, 4 and 5) (as well as to potentially provide some of the trainings and some materials) the Helpdesks must rely from the start of the contract on at least two IP-skilled persons permanently engaged with the Helpdesk in the target geographical area and potentially with one more in the EU." Further, please bear in mind the obligation set out in Section 3.3.4. B, 4th paragraph above the table, " The contractor shall ensure that the staff members listed in the technical offer are effectively available and assigned to the project when it begins."</p> |

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|----|---------------------|---------------------|-----------------------|--|--|
| 28 | 09/04/2018 12:13 | 10/04/2018 10:28 | Selection criteria A1 | Thank you for your answer to question 22 on April 5. The question was sent on March 28 and your answer affects the set up of consortiums/subcontractors. Given the easter holidays and the 8 calendar days for your reply it would be appropriate to consider an extension of the tender submission deadline accordingly thus until April 30. | 10/04/2018 We do not consider necessary to extend the deadline, taking into account that no additional or new information was provided with the answer. |
| 29 | 09/04/2018 17:36 | 10/04/2018 10:58 | Task 2 - Experts | Task 2 (page 13) at least two IP-skilled persons permanently engaged with the Helpdesk in the target geographical area and potentially with one more in the EU, should we consider that each these person should be a senior expert? Could we propose 2 senior experts and one junior expert? Or could we propose 1 senior IP expert, 2 junior IP experts? | 10/04/2018 The reference to “at least two IP-skilled persons permanently engaged with the Helpdesk” in Task 2 does not predefine any specific level of seniority for those IP experts, only that those two people have adequate knowledge and skills to manage the Enquiry Helpline. You may propose to engage two senior IP experts, one senior and one junior, or any other combination which ensures that the Enquiry Helpline is fully operative at all times and since the beginning of the contract. |

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| 30 | 11/04/2018 13:15 | 11/04/2018 19:52 | events and training | <p>In section 1.7 one of the KPIs says the following:</p> <p>"Participation at key events across the EU and in partner countries to provide IP awareness and information on the IP Helpdesk services:</p> <p>A minimum of 10 events shall be attended per year. At least 50% of those planned trainings shall take place in COSME countries "</p> <p>Does this mean that the IPR SME Helpdesk is expected to conduct traings at 50% of events in COSME countries (trade shows, conferences, etc..)? Or is it suggesting that 50% of EVENTS and not TRAININGS need to be held in COSME countries (in other words, the use of the word training was a typo)? Or is it suggesting that all awareness raising events must be trainings?</p> | <p>11/04/2018</p> <p>The reference to "trainings" in the paragraph you quote is indeed a typo. The paragraph should read:</p> <p>"Participation at key events across the EU and in partner countries to provide IP awareness and information on the IP Helpdesk services: A minimum of 10 events shall be attended per year. At least 50% of those planned events shall take place in COSME countries."</p> |

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| 31 | 11/04/2018 11:40 | 11/04/2018 19:55 | IPR Helpdesk Websites | <p>On the one hand, you state in Q&A n° 20 that "a revamp of the current websites is not foreseen during the lifetime of the contract. Contractors are expected just to perform general maintenance and update of the existing pages."</p> <p>On the other, you request tenderers to submit "intended sections of the websites" (p. 9 ToR), and award criterion 1 refers to "the effectiveness and feasibility of the timeline for the DEVELOPMENT of the website".</p> <p>Can you please clarify this contradiction?</p> | <p>11/04/2018 Contractors may propose changes to the actual content, structure and functionalities of the websites. Those changes shall be implemented during the entire duration of the contract. However, in our answer to question 20, we referred to those changes as "updates" since a full revamping of the webpages shall not be imposed on the contractors. To further clarify question 20, what needs to be operative by the end of month 2, are the main functionalities of the current websites, functionalities which facilitate the implementation of Tasks 1 to 4.</p> <p>In that respect, the paragraph you quote in the award criterion 1 shall be read as "the effectiveness and feasibility of the timeline for the updating of the websites".</p> |

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| 32 | 13/04/2018 13:50 | 16/04/2018 11:52 | Criteria A2 and question about experts. | <p>1) Regarding Criteria A2 where the tenderer must prove capacity to work and draft reports in English; it is our understanding that this means we should include in the proper annex 2.2 a complete report of at least 10 pages from within the last two years in full within the table and not as an annex or attachment. Is this correct?</p> <p>2) Is an expert allowed to commit to more than one consortium for participation as an expert for this project. In other words, if an expert has expressed a willingness to be included with a consortiums proposal as one of the IP experts, but has also committed to another consortium as well, can both consortiums present the CV of the same expert?</p> | <p>16/04/2018 Answer to Q1: Concerning the criteria A1 and A2, the evidence must be simply explained by using the Annex 2.2. The submission of evidence for the criteria A1 and A2 is not mandatory at this stage. Concerning the criteria B1, B2, B3 and B4, the evidence must be explained by using the Annex 2.2. The submission of evidence for the criteria B1, B2, B3 and B4 is mandatory.</p> <p>Answer to Q2: It is up to the tenderer to decide on the composition of the team they wish to present in their technical offer to prove their capacity to carry out the tasks. The contractor shall ensure that the members of the team listed in the technical offer are effectively available and assigned to the project when the project begins.</p> |

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| 33 | 16/04/2018 11:42 | 16/04/2018 11:54 | Consortium composition | Can a subcontractor be involved in two different consortia? Can a freelance person be involved in two different consortia? | 16/04/2018 Yes, one subcontractor can be part in more than one bid. Likewise, a freelance person can be included in more than one bid. It is up to the tenderer to decide on the composition of the team they wish to present in their technical offer to prove their capacity to carry out the tasks. The contractor shall ensure that the members of the team listed in the technical offer are effectively available and assigned to the project when the project begins. Please also see the answer to question number 32. |

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| 34 | 17/04/2018 14:24 | 17/04/2018 15:59 | Annex 8 - Checklist of Documents | <p>Item: "Legible photocopy of the notice of appointment of the persons authorized to represent the tenderer"</p> <p>We find this item a bit unclear... Am I correct to assume that this means the contact person named in the letter of submission? How much "power" does that representative have to have?</p> <p>Thanks!</p> | <p>17/04/2018</p> <p>The "legible photocopy of the notice of appointment of the persons authorized to represent the tenderer" is a document which certifies that the person has the right to represent the tenderer in dealings with third parties and in legal proceedings and with the right to sign on behalf of the tenderer. Such a notice of appointment may take a form of an extract from the national commerce register, extract from the statutes, extract from a document establishing the organisation, a publication of such appointment if the legislation applicable to the legal person requires such publication.</p> <p>The persons authorized to represent the tenderer should be mentioned in section 1.2.1. - Person authorized to sign the contract on behalf of the tenderer (Annex 2 – Letter of submission)</p> <p>Should any further clarifications be necessary, the Evaluation Committee would contact the tenderer(s) to request them.</p> |

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| 35 | 17/04/2018 18:58 | 18/04/2018 11:05 | Criteria B1 | <p>For Criteria B1 it states "overseeing project delivery, quality control of delivered service and client orientation in projects of a size of at least € 400 000 and with a geographical coverage of at least 3 countries..."</p> <p>It is our understanding that by geographical coverage, it can refer to projects where the services being implemented were for the benefit of multiple countries without necessary having to perform on-site activities in at least 3 different countries.</p> <p>Is this correct?</p> | <p>18/04/2018 Concerning the selection criterion B1, in order to fulfil the requirement related to the geographical coverage, the project must concern at least 3 countries.</p> <p>Fulfilment of this requirement may be demonstrated through any of the types of the actual work mentioned in this criterion: "project management, including overseeing project delivery, quality control of delivered service and client orientation", with or without on-site presence in the countries.</p> |

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| 36 | 18/04/2018 12:54 | 18/04/2018 15:47 | Criterion B4 | Regarding the criteria of having 3 years of professional experience in providing business support to SMEs, could it be clarified what exactly is meant by business support? Would this include activities such as drafting reports on SME trade competitiveness, providing capacity building, public administration reforms to support SMEs, evaluations of programs to benefit SMEs,etc? | 18/04/2018 The requirement of having three years of professional experience in providing business support to SMEs refers to the provision of advisory services directly to individual SMEs on any area of business management and entrepreneurship (e.g. coaching services, support to internationalisation, innovation management, access to finance, writing business plans, etc.). The key concept is that individual SMEs should be the actual clients of the support services provided. Services provided to other type of entities (e.g. public authorities) which ultimately could be beneficial to SMEs are not considered "business support to SMEs" in the sense of eligibility criterion B4. |

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| 37 | 18/04/2018 11:30 | 18/04/2018 18:48 | Experts | <p>In reference to the response provided for question 7, where it was stated: "In case a subcontractor's share of the contract is below 10% but this subcontractor is necessary to fulfill the selection criteria, in that case it is necessary to submit the documents listed in the Annex 8." We understand this response to suggest that freelance consultants who partner with the consortium in order to fulfill Criterion B3 or B4, must complete both a Declaration of Honor as well as a Letter of Intent.</p> <p>If this is the case, in the field in the Letter of Intent where it asks for "Name of Economic Operator" would it be correct to put Freelance Expert, or should they put the name of the Lead Tenderer?</p> | <p>18/04/2018 Tenderers are required to identify the subcontractors whose share of the contract is above 10% or whose capacity is necessary to fulfil the selection criteria (they become so called "identified subcontractors"). In case of a subcontractor being a freelancer, their capacity would be needed to fulfil the selection criteria - technical and professional capacity criteria. That is why, they should provide Annex 5: Letter of intent for sub-contractors and Annex 3: Declaration on honour (exclusion and selection criteria). They should be also indicated in section 1.4 of the Annex 2: Letter of submission of tender Concerning the Annex 5: Letter of intent for sub-contractors, the name of the freelancer should be inserted after the "name of the economic operator" . The name of the lead tenderer should be inserted after "if the contract is awarded to:"</p> |