

Call for tenders' details

Title: Framework Contract on the execution of audits and controls and the development of audit and control strategies in the areas of Home Affairs and Justice

Start date: 28/12/2018

Time limit for receipt of tenders: 28/02/2019

Contracting authority: European Commission, DG Migration and Home Affairs (HOME)

Status: Closed

Call for tenders question list

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#	Submission date	Publication date	Question subject	Question	Answer
1	10/01/2019 13:37	14/01/2019 14:49	HOME/2019/ISFX/PR/AUDI/0001 - Clarification request	<p>On page 31 of the tender specifications, it is stated that each bidder must provide a “minimum of 5 references in the area of justice, consumer rights and/or gender equality and a minimum of 5 references in the area of legal and irregular migration, integration, readmission, return, asylum, borders management, security, fight against organised crime, terrorism, cybercrime, human trafficking, prevention of radicalisation, police cooperation.” Such experience must also all be within the immediate 4 previous calendar years. This requirement is extremely prescriptive and potentially restrictive as to who may or may not be able to bid for this contract. Whilst, we can understand that prior knowledge and experience could be beneficial or advantageous, of its own it is no guarantor of quality or performance. Neither is it correct or fair to say that any bidder with no such specific experience could not reasonably and quickly get themselves up to speed with the</p>	<p>14/01/2019 The Contracting Authority does not consider the requirement neither prescriptive nor restrictive, since as stated on p. 29 under point 4.2: “The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal (...)”</p>

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				themselves up to speed with the specific programme intricacies and provide a high quality service, especially if they have relevant similar experience of other EU programmes (with similar contractual rules and requirements) as well as the specific types of programme management arrangements. Given all of this, and after further consideration, would the Contracting Authority be willing and able to amend its requirements here so as to enable a greater degree of competition and opportunity for it to obtain the best value for money bid for the services requested?	

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2	10/01/2019 14:12	14/01/2019 14:53	HOME/2019/ISFX/PR/AUDI/0001 - Clarification question	<p>In terms of the requisite experience in the various thematic/programme fields that DG Justice and DG HOME seek specific examples of experience in, will the DGs accept examples where they are conducted in a country other than those of the EU or the 3 other associated states? For example, we have significant experience in the fields of: • legal and irregular migration, • integration, • readmission, • return, • asylum, however, this is largely in countries such as Turkey, Lebanon and Jordan through programme and project audits and IO verification missions conducted on behalf of DG ECHO as well as DG DEVCO. Additionally if, in principle, such experience is acceptable at the level of knowledge and experience of the types of activities and programmes the two DGs are engaged in, can it also count towards demonstrating the need to have conducted work in at least 5 different countries, even though they are not EU Member states or one of the three named associated states?</p>	<p>14/01/2019 Please refer to the technical and professional capacity criteria and evidence A. "Criteria relating to tenderers": "Out of the minimum ten references, the list shall include at least five audits performed across five different countries of the European Union and/or Switzerland, Norway, Iceland and Liechtenstein." As stated in point 4.2 of the technical specifications, the tenderer may rely on the capacities of other entities (joint consortium or subcontracting). Regarding joint tenderers please refer to point 1.7: "A joint tender is a situation where a tender is submitted by a group of economic operators (natural or legal persons). Joint tenders may include subcontractors in addition to the joint tenderers. In case of joint tender, all members of the group (the tenderers, not the subcontractors) assume joint and several liability towards the contracting authority for the performance of the contract as a whole, i.e. both financial and operational liability (...)" Regarding subcontracting please refer to point 1.8: "Subcontracting is permitted but the contractor will retain full liability towards the contracting authority for performance of the contract as a whole. If the tenderer intends to</p>

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					whole. If the tenderer intends to subcontract part of the services, he shall indicate in his offer which part will be subcontracted (type of tasks/expertise) and to what extent (% of the volume of services in terms of contract value). Tenderers must ensure that Article II.10 of the framework contract (Annex 5) can be applied to subcontractors. Tenderers are required to identify all subcontractors. Any natural person being not on the payroll of the tenderer or any legal entity being not a partner has to be considered as a subcontractor if involved in the contract (...)"

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#	Submission date	Publication date	Question subject	Question	Answer
3	10/01/2019 13:36	14/01/2019 14:57	HOME/2019/ISFX/PR/AUDI/0001 - Clarification question	<p>We have noted the experience requirement that we have two audit specialists in public complex procurement procedures and one audit specialist in International organisations respectively. In that respect it then appears, from the way the experience requirements for each are presented, that all 3 experts must have a certification or a university degree in the field of procurement. Can you confirm whether:</p> <ul style="list-style-type: none"> • This particular requirement is absolutely correct and necessary for the designated specialist in International Organisations? • In the case of the specialists in procurement, it would be acceptable to include experts with at least 5 years evident experience in this area, even though they do not possess a formal qualification such as a University degree or other Certificate? 	<p>14/01/2019 The requirement is amended. The corrigendum of the reviewed technical specifications will be uploaded on eTendering. The reviewed requirement is the following: "At least two audit specialists in complex public procurement procedures and one audit specialist in international organisations - Staff Category 2 Be an audit specialist who shall have: - at least five years professional experience in the audit/verification/consulting of public procurement procedures or in international organisations respectively; - shall have an excellent command of English (at least CEFR Proficient user C1); - University degree in the field of economics, laws, finance, international relations or equivalent field."</p>

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4	14/01/2019 17:22	17/01/2019 15:02	HOME/2019/ISFX/PR/AUDI/0001 - Clarification question	Page 67 & 88 – With regards to the Table 2.a and 2.b, Quality Criteria of the 2 scenario (DM & SM), and specifically to the section 4 – Confidentiality and 5 – Access to Audit Evidence, we have noticed that these criteria are also requested in the Annex 2, section 2 – Measures to achieve high quality services (Page 46-47) that will be part of a more general description. Therefore, could you please confirm that, in order to avoid repetition in the scenarios, we can refer to the general description without being penalized in the allocation of points ?	17/01/2019 As regard the first part of your question, we draw your attention to the fact that the both tables to assess the quality criteria are the same. Tables 2.a and 2.b (pages 67 and 88) of the scenarios are the same as the table provided in Annex 2 (pages 46-47). The sections 4 (Confidentiality) and 5 (Access to Audit Evidence) of the Tables 2.a and 2.b correspond to the sections 4 and 5 in Annex 2 and not to the section 2 (Measures to achieve high quality services). For the description to be included in each table please refer to section 4.3 Awarding criteria (part A) of the technical specifications: "For each criterion and sub-criterion of the quality criteria, the general description of the tender as well as the specific descriptions of the two scenarios included in Annex 4 will be taken into account in the evaluation. "Refer also to the paragraph before tables 2.a and 2.b (page 67 and 88): "Please, include in your technical offer a description of maximum 10 pages, explaining how you will carry out the audit of the case scenario for direct management. The information provided shall correspond to each award criteria of the following table (similar to the table in Annex 2) and be specific to..." The descriptions shall

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					be specific to..." The descriptions shall be different : Annex 2 shall provide a general description whereas Tables 2.a and 2.b shall provide a specific description for each scenario.
5	14/01/2019 17:19	17/01/2019 15:03	HOME/2019/ISFX/PR/AUDI/0001 - Clarification question	Page 11 – The footnote 11 refers to the Annex 4 – Scenario on Shared Management as a detailed example of audit of accounts/financial statements. However, according to us, Annex 4 – Scenario on Shared Management relates to audits of projects. Could you please confirm our understanding ?	17/01/2019 We confirm your understanding: the scenario on Shared Management provided in Annex 4 relates to audit of projects.
6	14/01/2019 17:18	17/01/2019 15:04	HOME/2019/ISFX/PR/AUDI/0001 - Clarification question	Page 7 – 1.8 Subcontracting. "Tenderers are required to identify all subcontractors. Any natural person being not on the payroll of the tenderer or any legal entity being not a partner has to be considered as a subcontractor if involved in the contract". Could you please define "partner".	17/01/2019 The "partner" in this sentence refers to a joint tenderer. Please refer to Section 1.7 Joint tenders (page 7): "A joint tender is a situation where a tender is submitted by a group of economic operators (natural or legal persons). Joint tenders may include subcontractors in addition to the joint tenderers."

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7	14/01/2019 17:20	17/01/2019 15:06	HOME/2019/ISFX/PR/AUDI/0001 - Clarification question	<p>Page 32 – 34 – At the end of the point 4.2 Selection Criteria, section B. Criteria relating to the team delivering the service (page 34), it is mentioned that the tenderer shall provide 1 CV for Cat.1, 5 CVs for Cat. 2 and 5 CVs for Cat. 3 and that other additional CVs will not be considered. However, on page 32, it is mentioned that “the team delivering the service should include, as a minimum, the following profiles” : a. At least 1 Audit Partner and 1 back-up (Cat. 1) b. At least 2 Audit co-ordinators and 1 back-up (Cat. 2) c. At least 3 Audit Specialists (Cat. 2) d. At least 10 Audit Seniors (Cat.3) e. At least 10 Audit Juniors (Cat.4) Based on the two above requirements, we understand that 1 CV Cat1, 5 CVs cat 2 and a selection of 5 CVs for the Senior profiles is requested (a total of maximum 11 CVs). Could you please confirm the correctness of our understanding.</p>	<p>17/01/2019 We confirm your understanding: - 1 CV for staff category 1 concerning the Audit Partner. - 5 CVs for staff category 2 concerning the 2 Audit co-ordinators and the 3 Audit specialists. - 5 CVs for staff category 3 concerning half of the 10 Audit Seniors.</p>

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8	18/01/2019 18:01	22/01/2019 16:33	Clarification question	<p>On page 33 of the revised specifications, it stipulates that out of the 10 requested specific examples of audits in the fields of Justice and Home Affairs programmes, they must contain at least 2 examples each of financial, compliance, systems and IT audits respectively. a. Can you more clearly define what you mean by a compliance audit in this context as this does not appear to be explained anywhere else in the specifications in any detail (as compared to the other types)? b. In respect of IT audits, our consortium could not specifically demonstrate two specific examples of such in the domain of Justice and/or Home Affairs. However, we do have such relevant experience more generally and, pending your clarification to a), we do believe we can satisfy the other 3 audit type criterion as mentioned. As such, would this still be acceptable in the context of satisfying the selection criteria here?</p>	<p>22/01/2019 Referring to question a): Examples of compliance audits are verification works, which do not require issuing a report on financial statements, such as (non exhaustive list): - verifying the compliance of the set-up of management and control system established in a Member State with the legal requirements, e.g. designation criteria (see Article 2 and Annex I of Regulation (EU) 1042/2014); - compliance of beneficiaries and/or the RA with public procurement rules established in the Member State; - verification of methodology and calculations for simplified cost options (see Article 18 of Regulation (EU) no. 514/2014); - compliance with requirements of the General Data Protection Regulation; - verification of target group, i.e. if the participants in the project or activities financed are eligible for the funding from DG HOME and DG JUST; - compliance with anti-fraud measures. Such compliance work usually covers a certain aspect across several projects within one Member State. Referring to question b): For IT audit (page 33) we confirm that it is possible for the tenderers to demonstrate two specific examples in other domains than Justice and/or Home Affairs. The aim of Information</p>

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					Home Affairs. The aim of Information technology (IT) audits could be for instance the verification of the reliability of systems for reporting performance data, financial data. These audits could also cover the compliance with the IT requirements and standards for the IT system used. IT audits could also cover the IT systems of Member States in relation to the implementation of Asylum, Migration and Integration Fund (AMIF) and Internal Security Funds (ISF) under shared management.

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#	Submission date	Publication date	Question subject	Question	Answer
9	18/01/2019 16:04	22/01/2019 16:37	Technical and Professional Capacity Criteria – Requirement to Provide References P30	<p>Under declaration and evidence, the selection criteria states: The tenderers initially shall not provide any other evidence for compliance with the selection criteria apart from the declaration on honour (Annex 1) (with exception for the CVs). This declaration is part of the declaration used for exclusion criteria (see section 4.1) so only one declaration covering both aspects shall be provided by each concerned entity. In a first stage, the contracting authority will evaluate the selection criteria on the basis of the declaration on honour and the CVs required in the criteria relating to the team delivering the service. P31 then goes on to explain the criteria required for technical and professional capacity in respect of references. Please confirm that we are required to provide the ten references outlined, in our tender submission. In essence, we wish to clarify that these references should be included with the tender, and not at contract award stage.</p>	<p>22/01/2019 For the selection, criteria please see section 4.2, Declaration and evidence, page 31: For the selection criteria, the tender shall include only the declaration on honour and the CVs. At a later stage and only for the tenderers with the highest-ranking mark, the contracting authority will ask these highest-ranking tenderers to provide the other documents related to the selection criteria (for which the ten references).</p>

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10	18/01/2019 16:05	22/01/2019 16:39	Technical and Professional Capacity Criteria –References P32	<p>With regards to the provision of ten references, it is stated on P32 the following: Be audit firm (as defined by Directive 2006/43/EC), i.e. an entity that is approved by the competent authorities of a Member State to carry out statutory audits. In the case of a joint-tender, all economic operators shall provide the aforementioned evidence. For previous EC framework contracts, in the case of a joint tender, such criteria is usually applicable to the tenderer as a whole, effectively a consolidated assessment is carried out. Please could you confirm whether the ten audits (of which two audits of types listed on P32), are indeed required for each joint tenderer (so for example, where there are two joint-tenderers, 20 references would be required in total), or whether ten in total are required to represent the consolidated experience of the tenderers.</p>	<p>22/01/2019 Please refer to part 4.A criteria relating to tenderers: “Tenderers (in case of a joint tender the combined capacity of all tenderers and identified subcontractors) must comply with the following criteria: (...)” The ten audit references are required per tenderer as a whole; in case of a joint tender the ten audit references are required for the combined capacity of all the tenderers and identified subcontractors.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
11	18/01/2019 16:07	22/01/2019 16:43	Issue of Final Technical Report – P19	In relation to the Final Technical Report (FTR), please could you confirm that for batch audits, one FTR is required per batch. So a summary would be provided for audits in the batch, as opposed to one FTR being provided for each audit in the batch.	<p>22/01/2019 Please refer to part 2.3 of the Technical specifications: Methodology to implement the framework contract services; Reporting and Communication (pages 18-24). “Under direct and indirect management modes: - The contractor shall write one audit report and one management letter per grant or delegation/contribution agreements (...) - After all final reports and management letters linked to a specific contract have been submitted to the contracting authority, the contractor shall prepare a “final technical report” to be submitted for review. This final technical report shall contain a summary of all tasks executed and reporting requirements met by the contractor under a specific contract.” For each batch, as defined for the different type of management mode (direct, indirect and shared management), the contractor shall write one final technical report per batch.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
12	18/01/2019 16:08	22/01/2019 16:44	Team composition – field work (staff categories 3 and 4) – P25	The ITT states the following requirement: At least two auditors of staff categories 3 and 4 (please see section 4.2.B), with a minimum of 1 senior auditor (staff category 3) who will be the team leader for the audit assignment (the other auditor will be the team member for the audit assignment); Please confirm whether two auditors of each category are required (thereby a team of 4) or if the requirement is for two auditors in total, that must be either category 3 or category 4.	22/01/2019 For each audit assignment, the proposed team must be composed of minimum two auditors; one of them being a senior auditor (staff category 3) and the other one being either a senior auditor (staff category 3) or a junior auditor (staff category 4).
13	18/01/2019 18:00	22/01/2019 16:48	Clarification question	With regard to the minimum numbers and experience criteria of the various experts as set out on pages 32-34 of the amended specifications, could you confirm whether it is possible for an expert to be named for two roles, eg as both a procurement specialist and an IO specialist or as a procurement specialist and an audit senior?	22/01/2019 It may be possible for an expert to be procurement and IO specialist as long as his/her professional experience meets the minimum technical criteria concerning the expertise as well as the one for a staff category 2. Notwithstanding, the tenderer is to prove evidence of three audit specialists. If a same person will carry out audits and be on field, the proposal should clarify availability of the person for horizontal tasks assisting other audit teams.

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#	Submission date	Publication date	Question subject	Question	Answer
14	24/01/2019 12:30	24/01/2019 16:48	Technical and Professional Capacity Criteria – Requirement to Provide References P30	Based on your answer on Question 9, is our interpretation correct that we do not have to provide the signed certificates relating to the credentials with our proposal, but that you only want to receive the certificates from the highest ranked tenderers. Can you please confirm that only the highest ranked tenderers have to provide these certificates after the evaluation of tenders.	24/01/2019 The signed certificates relating to the credentials will be asked at a later stage and only for the tenderers with the highest-ranking marked by the contracting authority.
15	24/01/2019 16:04	24/01/2019 17:27	Clarification on Q&A number 8	Based on your answer on Question number 8 relating to the IT credentials you state in the answer that for the IT credentials it is not necessary to provide the IT credentials in the domains of Home Affairs and/or Justice. Can you confirm that for the 10 references in total we can provide 4 references in the domain of Justice and 4 references in the domain of Home Affairs. And that the other 2 references (IT related) may concern other domains/areas.	24/01/2019 Yes we confirm

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#	Submission date	Publication date	Question subject	Question	Answer
16	22/01/2019 13:52	25/01/2019 12:28	HOME/2019/ISFX/PR/AUDI/0001 - Clarification question	Direct Management : Page 10 – The footnote 7 refers to the Annex 4 – Scenario on Direct Management as a detailed example of audit of On-the-spot controls of expenditure. However, the Annex 4 – Scenario on Direct Management (page 57) and the general objective of the audit (page 49) relate to financial audit of grants. Could you please confirm that the footnote 7 refers to the audit assignment “Financial audits” and not to the audit assignment “On-the-spot controls of expenditure” ?	25/01/2019 Direct management scenario refers to ‘On-the-spot controls of expenditure’. A corrigendum will be published.
17	22/01/2019 13:51	25/01/2019 12:34	HOME/2019/ISFX/PR/AUDI/0001 - Clarification question	Shared Management : In reference to the answer provided regarding the footnote 11 on page 11 and the scenario on Shared Management, you confirmed that the Annex 4 relates to audit of projects. However, we would like to obtain the following additional clarification: the Annex 4 – Scenario on Shared Management (page 79) and the general objective of the audit (page 68) clearly refer to financial audit. However, it might equally refer to the main task “Financial audits/expenditure verifications” (page 12). Could you please clarify.	25/01/2019 The financial audit quoted in the shared management scenario (Annex 4) shall be understood as audit of projects as described on p. 12 under point 2), first dash.

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#	Submission date	Publication date	Question subject	Question	Answer
18	24/01/2019 13:52	25/01/2019 12:37	Table 2b - Quality Criteria Scenario 1 and 2	Relating to the detailed description of the two scenarios what do you expect us to provide under point 3. "balance of the profiles and breakdown of the days". Is it correct that under point 3 you expect the table 1.b Price criteria and table B. daily mission allowances. Or do you expect us to provide CVs for the staff proposed in the two scenarios?	25/01/2019 The Commission expects that the tenderer explains “how the tasks are going to be distributed, the roles, profiles, responsibilities and lines of reporting within their own hierarchy. Description of the general composition of audit teams for on-the spot audit work should also be included.” (p. 48, point 3). Part A and B of table 1.b (shared management scenario) should be filled in to provide part the financial offer that will be used for the quality/price ratio award criteria. This table should be consistent with the description of the “balance of profiles and breakdown of tasks” (p. 48, point 3). The same approach is applied to the description and the financial offer related to the direct management scenario (part A and B of table 1.a). No CVs are required.
19	25/01/2019 14:05	25/01/2019 14:10	Declaration on Honour	VII - Selection criteria (5) a-c of the Declaration on Honour refers to sections 3.2.2-3.2.4 of the tender specifications, which do not exist. The selection criteria are described in section 4.2. Will you provide an amended version on eTendering or how should we proceed?	25/01/2019 Please proceed.

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#	Submission date	Publication date	Question subject	Question	Answer
20	25/01/2019 14:25	28/01/2019 10:49	Simplified Balance Sheet	The document library contains a Simplified Balance Sheet which is not mentioned in the Tender Specifications. According to the Tender Specifications, an evidence regarding the financial capacity is a copy of the Income Statements and Balance Sheet for the last two years. Is our understanding correct that the submission of respective copies (upon request!) is sufficient and a simplified balance sheet is not necessary?	28/01/2019 Yes we confirm. The tenderers initially shall not provide any other evidence for compliance with the selection criteria apart from the declaration on honour (Annex 1) (with exception for the CVs).
21	30/01/2019 12:53	30/01/2019 16:29	Clarification question	Further to clarification questions 8 and 15, in terms of compliance audit examples, can these come from work for other EU institutions and Agencies outside the fields of Justice and Home Affairs?	30/01/2019 Yes we confirm: compliance audit examples can come from work for other EU institutions and Agencies outside the fields of Justice and Home Affairs

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22	31/01/2019 11:27	01/02/2019 10:06	Answer to your question P/1	Further also to clarification questions 8 and 15, in terms of IT audit examples, can these also come from outside the EU institutions generally and include examples from commercial clients and other assignments? By "other assignments" we are referring to forensic or due diligence investigations on behalf of third parties.	01/02/2019 IT Audit examples can come from outside the EU Institutions. Nevertheless, these examples shall refer to IT Audits as described under point 2.2.2 of the technical specifications.
23	31/01/2019 09:42	01/02/2019 15:35	Tender specification Technical and professional capacity criteria and evidence – B. Criteria relating to the team delivering the services	With regard to the team delivering the services (pag.33), Staff Category 2 we have noted that at least two audit co-ordinators (one for each management mode) and one back-up need to have the status of certified auditor. Could you please confirm that internal audit certificated profiles are accepted as in other proposals for the European Commission?	01/02/2019 Yes we confirm.

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24	30/01/2019 15:30	01/02/2019 15:37	Senior Auditors	<p>The tender requires that 5 CVs be submitted for Senior Auditor roles. Given the duration of this contract, it is difficult to confirm that the Senior Auditors named in the tender, would be available for the duration of the contract, (for example, through career progression beyond Senior Audit level, or through attrition). For contracts under the FWC, please could you confirm that it is acceptable to the Commission to substitute Senior Auditors named in the proposal, for other audit staff with similar experience and qualifications (i.e. they fulfill the requirement of at least three years' professional experience in carrying out audit and control missions, and have an excellent command of English).</p>	<p>01/02/2019 During the duration of the FWC, senior auditors may be substituted, upon prior approval by the Commission, by persons with similar experience who fulfil the selection criteria as specified in the technical specifications (4.2 B).</p>

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25	30/01/2019 15:31	01/02/2019 15:39	Translation of reports	<p>On P18 of the tender, under reporting, reference is made to the audit report and management letter being provided in English, but then goes on to advise that a translation of the audit report and the management letter in the language of the country in which the audit was carried out may be requested on an ad-hoc basis. Please could you advise how the costs of translation can be recovered, and accounted for, in the financial proposal of the tender.</p>	<p>01/02/2019 The financial proposal of the tender shall not take into consideration the cost of translation, as translation may be required on an ad-hoc basis. Concerning the recovery of translation costs, these costs will be part of the financial offer for a specific contract if translation is required. Translation costs will be considered as reimbursement of expenses based on real cost (copy of the invoice of translation services).</p>

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#	Submission date	Publication date	Question subject	Question	Answer
26	30/01/2019 15:25	01/02/2019 15:51	Presence of Audit Co-ordinator at end of fieldwork – P 17	<p>The tender states that at the end of the fieldwork of the audit mission, the presence of the contractor's co-ordinator is mandatory for the closing meeting. Please could you clarify further on the following:</p> <p>a) Is it a mandatory requirement for the audit-coordinator to be 'physically' present for the closing meeting. For example, would it be acceptable for the co-ordinator to attend the closing meeting via teleconference/video conference/skype?</p> <p>b) In respect of the requirement for the presence of the co-ordinator at the end of fieldwork, please could you confirm that this is mandatory for each and every fieldwork assignment, irrespective of financial value of the project. We would like to explore the possibility of the team leader being authorised to lead on the closing meeting for projects with a low financial value (at a threshold to be determined by the Commission), in lieu of the Audit co-ordinator. Would the Commission be amenable to considering this request?</p>	<p>01/02/2019</p> <p>“At the end of the fieldwork of the audit mission, a closing meeting will be organised by the contractor. The presence of a representative of the auditee as well as the contractor's co-ordinator is mandatory. Other contracting authority's officials may also be invited.”</p> <p>a) It is acceptable for the coordinator to attend the closing meeting via teleconference/video-conference/skype, depending on the availability of the auditee's facilities.</p> <p>b) For direct management: the presence of the team leader is sufficient. For shared management, a closing meeting with the Responsible Authority (Member State) shall be organised and the presence of the audit co-ordinator is mandatory.</p>

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27	30/01/2019 15:21	01/02/2019 15:55	Audit Co-ordinator - qualifications	<p>P34 of the tender states that the audit co-ordinator should have the status of certified auditor. One of our senior managers has undertaken a senior audit role for a number of EC funded framework contracts, has over twenty-five years of professional experience carrying out audit and control missions, along with at least fifteen years of professional experience managing teams of at least 5 people, and over fifteen years' experience coordinating audit assignments relating to tasks described.</p> <p>Would it be acceptable to nominate this expert, with extensive practical experience in audit co-ordination, as one of the audit co-ordinators, where in lieu of a status of certified auditor, they have a University degree in the field of economics, laws, finance, international relations or equivalent field?</p>	<p>01/02/2019 No, it will not be accepted. Status of certified auditor is required as stated in Technical and professional capacity criteria and evidence, subsection B: Criteria relating to the team delivering the service.</p>
28	30/01/2019 15:20	01/02/2019 15:57	References - domain of justice, consumer rights and/or gender equality	<p>Would it be acceptable to the Commission to provide a reference for a contract, whereby annual statutory and compliance audit work is conducted for a firm of solicitors, as a reference under the domain of justice?</p>	<p>01/02/2019 The annual statutory audit will not be counted as experience required for compliance audit for this tender.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
29	30/01/2019 15:18	01/02/2019 15:58	Definition of Shared Management Mode (P12)	With reference to shared management mode (SMM), and the requirement for the audit coordinator under SMM to have three years' experience in auditing projects within shared management. Shared management is defined as the following (Footnote 9 – P12) : Under shared management mode, the European Commission entrusts the Member States with implementing programmes at national level. Member States then allocate these funds to final recipients (e.g. NGOs, public bodies, etc.). The Member State has primary responsibility for setting up a management and control system which complies with the requirements of the Regulations, ensuring that this system functions effectively and also preventing, detecting, and correcting irregularities. The European Commission has a supervisory role by satisfying itself that the arrangements governing the management and control system are compliant. This scenario is presented in the context of shared management for the EC and its programmes. Please could you clarify if the same sort of shared	01/02/2019 No, it will not be accepted.

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				clarify if the same sort of shared management structure within a national environment, where independent bodies (separate from central government), are delegated by central government to carry out control of regional funds involving appointment of auditors under a framework contract, would also be acceptable as a type of shared management mode.	
30	07/02/2019 11:47	07/02/2019 17:10	HOME/2019/ISFX/PR/AUDI/0001 - Clarification request	According to 4.2 of the Tender Specifications, two audit coordinators need to be nominated and must cover several tasks in both management and coordination of the contract and audit fieldwork (according to 2.3, one of the coordinator's task is the participation in every closing meeting). In the light of the expected volume of audits to be carried out, are we allowed to nominate more than two audit coordinators?	07/02/2019 A bidder can nominate more audit coordinators as far as they comply with the selection criteria. Please note that in such case the bidder shall clearly indicate in its offer the 2 CVs to be taken into account for evaluation purposes against the selection criteria by the evaluation committee.

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#	Submission date	Publication date	Question subject	Question	Answer
31	06/02/2019 16:05	07/02/2019 17:12	Uploading documents to portal	On page 9 of the tender specifications it is stated "tenders must be presented as follows: Part A: Identification of the tenderer, Part B: Non-exclusion, Part C: Selection, Part D: Technical offer, Part E: Financial Offer". On looking at the e-submission portal, the requested documents in the 'Parties' section need to be uploaded under the following categories: Legal and regulatory capacity, Economic and financial capacity, Technical and professional capacity, Exclusion criteria, Other documents. Please can you confirm which of the required documents need to be uploaded under which category as this differs from the Parts A-E listed on page 9.	07/02/2019 The bidder should upload the documents in each of the corresponding part of the portal on the basis of the content. In case of doubt, and if a document does not correspond to the title in the portal, the bidder should upload the document under "others".

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#	Submission date	Publication date	Question subject	Question	Answer
32	07/02/2019 11:42	07/02/2019 17:30	Pricing - Annex 3 and Annex 4	<p>According to the Tender Specifications, not only the prices per category (Annex 3) but also the prices indicated in the scenarios (Annex 4) will constitute the maximum prices allowed to charge for specific contracts.</p> <p>Considering that the scenarios in Annex 4 are based on very specific conditions, could you please explain how you are transferring the pricing-model of the two Annexes to the pricing of specific contracts as the particular conditions of future assignments could vary a lot from one to another?</p>	<p>07/02/2019</p> <p>The price schedule refers to the daily rate per profile that the contractor will be allowed to charge per day per profile when submitting an offer for a specific contract under the Framework contract. The purpose of the financial offer for the case studies is twofold: on one part it will be used for calculating the quality/price ratio for the award of the FWC, on the other part, the financial offer for the case studies will be also used as pricing-model to build up financial offer for any service request during the FWC duration. In particular, the approach to build up the team organisation and to size the adequate team in both volume and type of profiles will serve as a comparison to assess the financial offer for any specific request.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
33	06/02/2019 16:03	07/02/2019 17:37	Subcontractors	<p>On page 29 of the tender specifications it is stated that “all subcontractors whose share of the contract is above 20% and/or whose capacity is necessary to fulfil the selection criteria must provide a Declaration on Honour”. On page 8 it is stated “Subcontractors that are identified in the tender must provide a letter of intent signed by an authorised representative stating their willingness to provide the services presented...”. It is our understanding therefore that if we include subcontractors in our tender whose share of the contract is not above 20% and whose capacity is not necessary to fulfil the selection criteria, that we do not need to include a declaration on honour for these firms, only a letter of intent. However, when looking at the e-submission portal and adding a subcontractor firm, it is stated that a Declaration on Honour is mandatory. Please can you confirm whether we only need to list individually the names of the joint tenderers of our consortium on the portal, or does each subcontractor firm also need to be added individually in the 'Parties' section on the portal? If each subcontractor firm needs to be named individually, please confirm whether they need to complete a</p>	<p>07/02/2019 We confirm that only subcontractors whose share of the contract is above 20% and/or whose capacity is necessary to fulfil the selection criteria must provide a Declaration on Honour. The same applies for the letter of intent. Regarding eSubmission, only subcontractors whose share of the contract is above 20% and/or whose capacity is necessary to fulfil the selection criteria must be “named” and must provide a Declaration on Honour.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
				whether they need to complete a declaration on honour, even if their share of the contract is not above 20%, or should their Letter of Intent be uploaded as the Declaration on Honour?	
34	07/02/2019 12:31	13/02/2019 14:43	Batch assignments under shared management mode	Could you please clarify the meaning of the sentence 'Batch assignments under shared management mode entail the performance of up to fifteen expenditure items concerning one specific project per batch in one of the 28 EU MS or within Associated Countries' on page 12. We understand that it means up to 15 projects per batch; could you please confirm our understanding?	13/02/2019 For Shared Management mode, without prejudice to what is agreed in specific terms of reference and generally speaking, the most likely type of engagement will be the following: the contractor will be asked to conduct from eight to fifteen project audits for the same Fund.
35	07/02/2019 12:08	13/02/2019 14:45	HOME/2019/ISFX/PR/AUDI/0001 - Clarification request	According to the draft request for services (shared management), p.70, the auditor should use the checklists provided by the contracting authority. In our opinion, these checklists are an important basis to estimate the man-days for the given scenario, as they constitute the method that has to be applied. Could you therefore please provide these checklists?	13/02/2019 The checklist depends on the Fund to be audited, there is no standard common checklist. For the shared management scenario, we can provide you with an indicative checklist (the one used for ex-post audits for the 2007-2013 programming period). The audit work foreseen under 2014-2020 programming period will not be more extensive than the previous programming period.

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#	Submission date	Publication date	Question subject	Question	Answer
36	14/02/2019 13:29	14/02/2019 15:18	Content of tender	<p>On page 30 of the Tender Specification It says “The tenderers initially shall not provide any other evidence for compliance with the selection criteria apart from the declaration on honour (Annex 1) (with exception for the CVs).” Can you please clarify which documents must be provided at the current stage by the deadline 28/02/2019? Should we submit only the declaration on honour (Annex 1) and CVs by this deadline? Or, should the offer by the above deadline also contain Financial Offer (Unit prices), Technical Offer (generic technical offer + methodologies for 2 scenarios) Technical and professional capacity criteria and evidence - A. Criteria relating to tenderers (Project References) and Documentary Evidence?</p>	<p>14/02/2019 “The tenderers initially shall not provide any other evidence for compliance with the selection criteria apart from the declaration on honour (Annex 1) (with exception for the CVs)” This statement applies only to the evidence regarding selection criteria. All other documents requested shall be provided by submission date (the declaration on honour , the CVs, the Financial Offer (Unit prices), the technical Offer (generic technical offer + methodologies for 2 scenarios + price for 2 scenarios).</p>

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#	Submission date	Publication date	Question subject	Question	Answer
37	18/02/2019 10:02	18/02/2019 14:28	Q&A #19, Declaration on Honour	We are coming back to your reply to Q&A #19: We would appreciate if you could provide an amended version of the Declaration on Honour. Section VII (5) (a)-(c) of the Declaration on Honour is wrong as it refers to sections "3.2.2", "3.2.3" and "3.2.4" of the Tender Specifications which do not exist. Otherwise we have an issue with the signature.	18/02/2019 We will upload the amended version of the Declaration on Honour.

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#	Submission date	Publication date	Question subject	Question	Answer
38	14/02/2019 18:45	18/02/2019 16:22	With reference to your answer to Question 2	With reference to your answer to Question 2, which referred to whether the DGs will accept examples where they are conducted in a country other than those of the EU or 4 other associated states, your answer referred back to the ToR that “Out of the minimum ten references, the list shall include at least five audits performed across five different countries of the European Union and/or Switzerland, Norway, Iceland and Liechtenstein.” Our understanding from the ToR and your reply is that there can be at least 5 references which relate to assignments performed outside of the EU and associated countries, and these references do not need to be for European Commission directorates/agencies, as long as they relate to the thematic areas specified. Please could you confirm?	18/02/2019 Yes we confirm.

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#	Submission date	Publication date	Question subject	Question	Answer
39	14/02/2019 18:53	18/02/2019 16:25	With reference to your answer to Question 21 and 22.	For the requirement that “out of the 10 minimum references, the list shall include at least two audits of each of the following types: financial audit, compliance audit, system audit, IT audit”; our understanding from the ToR and your answers to previous questions (being questions 21 and 22) is that the references for this requirement (i.e. for financial audit, compliance audit, system audit, and IT audit) do not necessarily need to be in the thematic areas of Home Affairs and Justice as stipulated in the ToR. Could a tenderer therefore provide 10 references for financial audits in the thematic areas; and 6 references to cover compliance audit, system audit, and IT audits, but all unrelated to the thematic areas?	18/02/2019 Please refer to the Criteria relating to tenderers: “The tender must contain a description of the tenderer's references in the domains concerned (minimum 5 references in the area of justice, consumer rights and/or gender equality and minimum 5 references in the area of legal and irregular migration, integration, readmission, return, asylum, borders management, security, fight against organised crime, terrorism, cybercrime, human trafficking, prevention of radicalisation, police cooperation...”. The audit references do not need to relate to services provided to the European Commission directorates/agencies, as long as they follow the definitions specified in the Terms of References. Out of the minimum ten references, the list shall include at least five audits performed across five different countries of the European Union and/or Switzerland, Norway, Iceland and Liechtenstein. A tenderer can provide 10 references for financial audits in the thematic areas and 6 references to cover compliance audit, system audit, and IT audits, as long as the 6 additional references include 2 per type (compliance, system audit, IT audit) as specified on page 33 of the ToRs.

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#	Submission date	Publication date	Question subject	Question	Answer
					the ToRs.

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#	Submission date	Publication date	Question subject	Question	Answer
40	20/02/2019 12:18	20/02/2019 17:32	4.3. Awarding criteria	<p>Can you please clarify section 4.3. A. Quality criteria, which says: "For each criterion, the general description of the approach, organisation, methods and tools described in the tender will count for 30% of the final quality criterion score and the specific descriptions of the approach, organisation, methods and tools applied in the tender to the two scenarios of Annex 4 will count for 70% of the final quality criterion score (of which 60% for shared management scenario and 40% for direct management scenario)." However, under 4.3. C Award of the framework contract it says "Weighting for quality = 70 % (of which 60% for shared management scenario and 40% for direct management scenario)." What is the weight of the "general description of the approach, organisation, methods and tools"? Do you expect as part of the technical offer a separate section for "general description of the approach, organisation, methods and tools" or the methodologies for the two scenarios only? Many thanks for your clarifications.</p>	<p>20/02/2019 - the weight of the "general description of the approach, organisation, methods and tools" is 30%. - As stated under section 4.3 of the technical specifications, in the general part, the bidder shall describe the approach, organisation, methods and tools. This part will count for 30% of the final quality criterion score. For the 2 scenarios (Annex 4), the bidder will develop how he will apply the proposed approach, organisation, methods and tools (as described in the general part). This will count for 70% of the final quality criterion score (of which 60% for shared management scenario and 40% for direct management scenario).</p>

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#	Submission date	Publication date	Question subject	Question	Answer
				your clarifications.	

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