

Call for tenders' details

Title: Call for Tender for a Multiple Framework Contract on Impact Assessment, Evaluation and Evaluation Related services in the area of Migration and Home Affairs

Start date: 21/06/2019

Time limit for receipt of tenders: 30/07/2019

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	26/06/2019 11:36	28/06/2019 11:34	Clarifications	<p>Dear DG Home Procurement, Could the 2 questions below be clarified: 1) We ask if DG HOME would consider setting back the submission deadline for this procurement to a later date in recognition of the pressure on its supply chain created by the three procedures, with an estimated value of over EUR 120 million, that are running on very similar timetables: (i) Technical and Logistical Support to the Activities of the Directorate-General Migration and Home Affairs and Related Policies (estimated value EUR 40 million, deadline 27/06); (ii) Technical Support to Prevent and Counter Radicalisation (estimated value EUR 61 million, deadline 31/07/2019); and (iii) Multiple Framework Contract on Impact Assessment, Evaluation and Evaluation Related services in the area of Migration and Home Affairs (estimated value EUR 20 million, deadline 30/07/2019) We suggest that DG HOME will receive more offers and stronger offers if the schedule for the evaluation framework contract is adjusted to provide more time. The challenges of the simultaneous procurements are compounded by the difficulties that</p>	<p>28/06/2019</p> <p>1) The Contracting Authority does not foresee to extend the deadline for submission. The Call for tenders currently running differ in terms of services and scope (RADX and EVAL. EVNT is already closed). 2) Yes, 3 per Lot.</p>

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				compounded by the difficulties that can be experienced in engaging with individual experts and academic institutions during the summer vacation period. 2) Please could you confirm that the maximum number of contract awards for each of the two lots is three.	

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#	Submission date	Publication date	Question subject	Question	Answer
2	26/06/2019 11:41	28/06/2019 11:44	CVs and declaration on honour	<p>Dear DG Home Procurement,</p> <p>Please find below 2 questions on this specific call for tenders:</p> <p>1) Regarding the eligibility criteria for Lot 2 D2 experts, the terms of reference (pp.20-21) specifies that the tenderer must provide CVs of at least 12 senior experts. However, it is further specified that "the tenderer must provide CVs for 2 different senior experts per policy area in the following areas: fight against terrorism and radicalization, Fight against organized crime (including trafficking in human beings), cybercrime, anti-drugs policies, large-scale IT systems, protection of public infrastructure, police cooperation and access to information. The tenderer must provide CVs for 1 senior expert per policy area in the following areas: Crisis management, management of the EU external borders from a security point of view, security research and innovation policy, security industrial policy and markets with emphasis in particular at EU level." Thus, the number of experts per different policy areas amounts to a minimum of 18 CVs of senior experts (.e. 2 CVs x 7 areas +</p>	<p>28/06/2019</p> <p>1) There is a clerical error. The number of CVs to be provided as evidence for selection criteria D2, lot 2 relating to the team delivering the service shall be read as "at least 18 senior experts". 2) There is a clerical error. Section VII of the declaration on honour, p. c) shall be read as "It fulfills the applicable technical and professional criteria indicated in section 3.2. of the tender specifications."</p>

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				senior experts (.e. 2 CVs x 7 areas + 1 CV x 4 areas). Please could you clarify how should this paragraph be understood? 2) Section VII of the declaration on honour (Annex 1) refers to section 3.2.1, however this specific sub-section is not part of the tender specifications. Could an updated corrected version of the declaration be published?	

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#	Submission date	Publication date	Question subject	Question	Answer
3	26/06/2019 15:05	28/06/2019 11:45	Conflict of interest	Regarding the Tender Specifications, the provision of the services will concern not only DG HOME but also other agencies in the area of home affairs such as Europol, eu-LISA or Frontex, among others. On the other hand, the contract will cover impact assessments, evaluations and evaluation related services to be carried out regarding the non-exhaustive list of policies listed in page 7 and 8 of the Tender Specifications. Could you please confirm that in case of award there is (or will be) no conflict of interest in case the tenderer is (or will be) involved in the mentioned agencies in the provision of services related to the policies listed above?	28/06/2019 As stated in the technical specifications, under point 2.4, for the implementation of the FWC, "...The contracting authority evaluates the specific tenders and selects the most economically advantageous one on the basis of the award criteria... When doing so, it takes into account any conflicting interests which may negatively affect the performance of the specific contract (see Article II.7). It then awards and sends the specific contract to the successful contractor." In the General conditions of the draft FWC, Art. II.7 defines the conflict of interest and the actions to be taken by the contractor: "II.7.1 The contractor must take all the necessary measures to prevent any situation of conflict of interest or professional conflicting interest. II.7.2 The contractor must notify the contracting authority in writing as soon as possible of any situation that could constitute a conflict of interest or a professional conflicting interest during the implementation of the FWC. The contractor must immediately take action to rectify the situation. The contracting authority may do any of the following: (a) verify that the contractor's action is appropriate; (b) require the contractor to take further action within a specified deadline; (c)

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					action within a specified deadline; (c) decide not to award a specific contract to the contractor. II.7.3 The contractor must pass on all the relevant obligations in writing to: (a) its personnel; (b) any natural person with the power to represent it or take decisions on its behalf; (c) third parties involved in the implementation of the FWC, including subcontractors. The contractor must also ensure that the persons referred to above are not placed in a situation which could give rise to conflicts of interest." At each request for services, the evaluation committee will evaluate if a contractor's offer is in conflict of interest.

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#	Submission date	Publication date	Question subject	Question	Answer
4	28/06/2019 10:10	02/07/2019 17:05	Selection criteria: technical and professional capacity	In section 3.1 of the TOR (page 15) it is mentioned 'Any person being not on the payroll of the tenderer and being part of the tender is considered to be a subcontractor'. However, in section 3.2 (page 16) it is mentioned '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'. Could you please clarify whether the tenderer can rely on the capacity of other entities within the same global organization by producing a Statement of undertaking confirming to place those resources at its disposal and that no subcontracting is needed between entities of the same network or group?	02/07/2019 Relying on the capacity of other entities within the same global organization is not considered as subcontracting. Producing a statement of undertaking confirming to place those resources at its disposal is accepted.

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#	Submission date	Publication date	Question subject	Question	Answer
5	28/06/2019 15:08	02/07/2019 17:06	References for ongoing projects	Dear Sir/Madam, Could you please indicate if we could present references of ongoing projects, which meet the requirements, provided that we accompany them with letters from the client? Thank you very much in advance!	02/07/2019 No, projects must be completed as of submission deadline.
6	28/06/2019 19:02	02/07/2019 17:07	Technical and professional capacity	The technical and professional capacity criterion A1 and B1, in the tender specifications state that the tenderer must provide references for 3 projects on IA and/or evaluation and/or related services delivered in the fields of migration and security respectively, of specific values over the past three years (pp. 18-19). Given the time-frame of the project references needed, it is highly unlikely that an organization that is not incumbent on the elapsed framework contract will fulfill the criteria. Can you indicate whether the "related fields" referred to in the criterion will be assessed with some flexibility in order to ensure DG HOME receives a wider range of high quality offers?	02/07/2019 There is no flexibility related to the field of Migration (lot 1) and Security (lot 2). Please clarify the meaning of "flexibility" applying to the "related fields".

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#	Submission date	Publication date	Question subject	Question	Answer
7	01/07/2019 17:00	02/07/2019 17:08	Extension of deadline	We would kindly ask DG HOME to consider extension of the deadline for submission of tenders due to: 1) two specific calls have been launched under the current framework contract with deadlines close to the submission of the framework contract; 2) summer period affecting staff availability. In addition, the period of time allocated for submission of specific calls under the current FWC is 3 weeks whereas this tender (5 week deadline) contains important case studies and mobilisation of significantly more experts. We would very much appreciate your further consideration. Thank you in advance.	02/07/2019 The Contracting Authority does not foresee to extend the deadline. Due to the specific nature of this call for tender (for a framework contract with reopening of competition) and the political framework of DG HOME, which may require running multiple requests for service in parallel and in a short time period, tenderers should demonstrate, as namely specified in the award criterion "quality assurances system, risk mitigation measures, time constraints", that they are capable of running multiple requests for services in parallel.
8	02/07/2019 16:00	03/07/2019 11:37	Having more than one role	Could you please indicate if the same person could have more than one role (e.g, Project Manager and senior expert) within the same lot?	03/07/2019 The same person cannot have different roles within a same lot.
9	02/07/2019 15:14	03/07/2019 11:40	References	Could you please confirm if the same references can be presented to cover the selection criteria of the different lots? E.g. to present the same reference for Criteria A2 and Criteria B2.	03/07/2019 Yes

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#	Submission date	Publication date	Question subject	Question	Answer
10	02/07/2019 15:21	03/07/2019 15:22	References	In page 18 of the Tender Specifications it is stated that the project references must be "accompanied by statements of successful completion issued by the clients or alternative supporting documents." Could you please confirm if an affidavit signed by the tenderer, an invoice or an acceptance document, among others, would be accepted as an "alternative supporting document"?	03/07/2019 The tenderer already signs the declaration on honour. Therefore, an affidavit, as any document from the tenderer itself, such as invoice, etc. cannot be accepted as evidence. Only the provision by the client of an acceptance document for the completion of the project is accepted as evidence.

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#	Submission date	Publication date	Question subject	Question	Answer
11	01/07/2019 19:48	03/07/2019 15:47	Financial capacity criteria	<p>Dear DG HOME, financial criterion F2 on page 17 of the ToR states that the ratio between assets and liabilities for each member of the group in case of a joint tender must be above 1:1. For smaller or newly established companies, meeting this criterion might be difficult. Can you please confirm a) whether this criterion also applies for subcontractors; b) whether a financial guarantee from a parent company can be used as evidence of the necessary economic and financial capacity to perform this contract, if the asset to liability ratio of a legal entity is below 1:1? If a financial guarantee from a parent company is acceptable, could you please confirm what information should be provided in such a guarantee? Thank you very much.</p>	<p>03/07/2019</p> <p>a) This requirement applies to each member of the group in case of joint tender and to subcontractors whose capacity is necessary to fulfil the selection criteria and/or intended to provide more than 20% of the services. b) A financial guarantee from a parent company can be used as evidence if the letter contains the confirmation from the parent company that it will cover the loss and debts of the subsidiary company for which it is responsible for the duration of the framework contract (and possible renewal).</p>

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#	Submission date	Publication date	Question subject	Question	Answer
12	02/07/2019 15:12	03/07/2019 15:48	Criterion F2	In page 17 of the Tender Specifications, Criteria F2, it is stated that "Ratio between assets and liability above 1:1; this criterion applies to each member of the group in case of joint tender." Our understanding is that this criterion applies to each partner of the group in case of joint tender and not to subcontractors. Could you please confirm that our understanding is right?	03/07/2019 This requirement applies to each member of the group in case of joint tender and to subcontractors whose capacity is necessary to fulfil the selection criteria and/or intended to provide more than 20% of the services.
13	02/07/2019 16:03	03/07/2019 15:49	Using the same experts in both lots	Could you please indicate if the same person could be presented twice across the two lots?	03/07/2019 yes
14	05/07/2019 11:23	05/07/2019 11:37	Address	Could you please confirm that the address the required documents need to be sent to is: Rue du Luxembourg 46, 1000 Brussels?	05/07/2019 Please refer to the address in the contract notice as well as to the process for submission described in the invitation letter.

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#	Submission date	Publication date	Question subject	Question	Answer
15	04/07/2019 15:09	08/07/2019 16:43	Concerned activities	Could you please clarify if the evaluation and/or impact assessment of communication activities in the policy fields of DG HOME are covered by this call for tender?	08/07/2019 As mentioned in the technical specifications of the call in the area of Migration the following interventions maybe be subject of an evaluation: <ul style="list-style-type: none"> • existing legislation, strategies and action plans; • EU agencies and networks, such as the European Migration Network; • financial programmes, such as the Asylum, Migration and Integration Fund or any other financial programme managed by DG HOME and the agencies in the area of home affairs; • current large-scale IT systems, such as SIS, VIS and future IT-systems, and more in general data collections at EU level Concerning Security, the following interventions maybe be subject of an evaluation: <ul style="list-style-type: none"> • existing legislation, strategies and action plans; • EU agencies and networks; • financial programmes, such as the Internal Security Fund or any other financial programme managed by DG HOME and the agencies in the area of home affairs; • current large-scale IT systems, such as SIS, including future IT-systems, and more in general data collections systems at EU level (such as Passenger Name Record (PNR) and Advanced Passenger Information (API)). The evaluation of communication activities therefore is not covered by this framework

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					not covered by this framework contract.
16	05/07/2019 11:33	08/07/2019 16:43	External experts	Dear Sir/Madam, our interpretation of the Terms of References is that we need to provide Declarations on honour from each external expert as they help us meet the technical and professional selection criteria - could you please confirm that and could you please specify what type of supporting documents we might need from them - e.g. would a signed copy of a passport suffice? Thank you very much in advance!	08/07/2019 An expert acting as subcontractor whose capacity is needed to meet the technical and professional selection criteria, shall provide a declaration on honour with the evidence as described under point VI of the declaration of honour.

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#	Submission date	Publication date	Question subject	Question	Answer
17	10/07/2019 15:20	11/07/2019 15:47	Project managers	Dear Sir or Madam, the Terms of Reference state that we need to provide only 2 CVs for Project managers. Could you please let us know if we would be able to add additional project managers in future projects in the event that we will this framework contract?	11/07/2019 As indicated on p. 22 of the technical specifications "If the tender contains more CVs than the requested number described above, only the minimum for each category will be taken into account for the evaluation. The tenderer should therefore pay attention to the CV's provided in the tender and clearly mention the ones that the evaluation committee should assess against the selection criteria. The remaining CVs will not be considered." During the implementation of the framework contract, new CVs may be introduced upon approval of the contracting authority and only if they meet the required selection criteria as specified in the framework contract.
18	11/07/2019 16:30	12/07/2019 14:55	Case studies	In the description of the case studies it is not clear if the logistic costs related to meetings, workshops like, Hotels, Meals transportation for the experts covered by DG Home or if needs to be included on the proposed budget, could you please confirm?	12/07/2019 For the case studies, as for the future requests for services, the bidders are requested to submit a financial offer with a fixed price including travel and accommodation of experts performing the tasks. Please refer to the "Financial Offer Form to be used for each case study" attached in the word annexes. The same financial offer form will be used at each re-opening of competition.

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#	Submission date	Publication date	Question subject	Question	Answer
19	11/07/2019 16:46	12/07/2019 14:56	Referring to answer 17	Referring to the question and answer 17. For the Lot 2 we have prepare three case studies each on a very different topic and requiring different thematic and methodological skills. To demonstrate the full capacity of our consortium we would like to propose three different teams for each case study, including three different project managers (all satisfying the selection criteria of project manager of course). Is it therefore possible to present in the technical offer for the case studies three persons who meet the project manager criteria while having only two project managers and their CVs in the section on selection criteria?	12/07/2019 Yes. As indicated on p. 22 of the technical specifications "If the tender contains more CVs than the requested number described above, only the minimum for each category will be taken into account for the evaluation. The tenderer should therefore pay attention to the CV's provided in the tender and clearly mention the ones that the evaluation committee should assess against the selection criteria. The remaining CVs will not be considered."
20	11/07/2019 17:08	12/07/2019 14:56	Legal entities within the same group	Could you please let us know if we need to treat the legal entities withing a larger company as subcontractors?	12/07/2019 Legal entities within the same group are not subcontractors. Use of workers posted to the contractor by another company owned by the same group and established in a Member State ("intra-group posting" as defined by Article 1, 3, (b) of Directive 96/71/EC concerning posting of workers in the framework of the provision of services), are not subcontractors.

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#	Submission date	Publication date	Question subject	Question	Answer
21	12/07/2019 11:51	12/07/2019 14:58	Non identified subcontractors	Could you please confirm that subcontractors with a share UNDER 20% and/or NOT necessary to fulfill the required capacities should not be identified in the proposal and therefore do not need to submit any administrative or legal document, regardless of whether they are a legal person or a natural person (=individual experts).	12/07/2019 Your understanding is correct. However, during the framework contract implementation, for a specific request for services, if the subcontractor has a share of more than 20% and/or his capacity is necessary, the contractor shall notify the Commission and provide the requested documents.
22	15/07/2019 12:08	15/07/2019 16:46	Case studies' maximum number of pages	Dear Sir or Madam, Could you please indicate if the annexes are included in the page limitation of the case studies (15,000 or 20,000 words)? For case study 2 (lot 1), are footnotes included or excluded from the page limitation? Thank you very much, Best regards	15/07/2019 Yes annexes and footnotes are included in the page limitation for the case studies.

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23	12/07/2019 18:44	15/07/2019 16:48	Conflict of interest	Could you please clarify whether experts working in national institutions would be considered in a position of conflict of interest?	15/07/2019 For the award of the Framework contract, the contracting authority cannot exclude experts working in national institutions, as the conflict of interest depends largely on the specific nature of the roles, tasks and services to be delivered during the implementation of the requests for services under the Framework contract. The conflict of interest will be assessed by the Evaluation Committee during the evaluation of the technical proposal for each request for services. As stated in the draft framework contract (Lot 1 and Lot2) under the general conditions: II.7. CONFLICT OF INTEREST AND PROFESSIONAL CONFLICTING INTERESTS II.7.1 The contractor must take all the necessary measures to prevent any situation of conflict of interest or professional conflicting interest. II.7.2 The contractor must notify the contracting authority in writing as soon as possible of any situation that could constitute a conflict of interest or a professional conflicting interest during the implementation of the FWC. The contractor must immediately take action to rectify the situation. The contracting authority may do any of the following: (a) verify that the contractor's action is appropriate; (b)

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					contractor's action is appropriate; (b) require the contractor to take further action within a specified deadline; (c) decide not to award a specific contract to the contractor.
24	15/07/2019 16:24	18/07/2019 17:23	Financial offer	Hello, Based on our understanding of the financial offer, page 6 of the ToR indicates that the price schedule to be submitted according to the form attached in Annex 2 needs to be filled out with the fees for each professional profile, however on the e-tendering submission portal we will need to manually add in the final amount of our financial offer. The table proposed as a template does not include a row for the total amount. Please clarify what amount should be added on the portal.	18/07/2019 Please indicate 0.01 in the field related to total price in e-Submission. The Contracting Authority will not take into account this field for the evaluation but the financial offers submitted by the tenderer. In any case, the Contracting Authority does not have access to this data in e-Submission.
25	16/07/2019 16:02	18/07/2019 17:24	Case studies costs	In relation to your answer to Question 18, our understanding is that we do not need to take into account the costs related to experts involved by DG HOME. Could you please confirm that our understanding is correct?	18/07/2019 Please specify your request? The financial offer refers only to the experts of the contractor involved in the delivery of the tasks.

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#	Submission date	Publication date	Question subject	Question	Answer
26	16/07/2019 18:28	18/07/2019 17:25	Criteria C2 and D2	Dear Sir or Madam, Criteria C2 and D2 stipulate a number of CVs per policy area. Can the same CV be used for two or more of the relevant policy areas mentioned within the criterion (even if the total number of qualifying CVs required to satisfy this criterion remains at 15 for C2 and 18 for D2)? This would recognise the overlaps between a number of these policy areas and the expertise of our experts. Thank you, Best wishes.	18/07/2019 While not excluding that a person has expertise in several fields, the Contracting Authority will not accept one CV for two or more policy areas per criterion.
27	18/07/2019 14:28	19/07/2019 11:57	Financial offer	Hello, Based on our understanding of the financial offer, page 6 of the ToR indicates that the price schedule to be submitted according to the form attached in Annex 2 needs to be filled out with the fees for each professional profile, however on the e-tendering submission portal we will need to manually add in the final amount of our financial offer. The table proposed as a template does not include a row for the total amount. Please clarify what amount should be added on the portal.	19/07/2019 Question24

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#	Submission date	Publication date	Question subject	Question	Answer
28	23/07/2019 10:27	23/07/2019 15:02	CVs	On page 22 of the FWC (Evidence D6), it is mentioned that “If the tender contains more CVs than the requested number described above, only the minimum for each category will be taken into account for the evaluation. The tenderer should therefore pay attention to the CV's provided in the tender and clearly mention the ones that the evaluation committee should assess against the selection criteria. The remaining CVs will not be considered.” The tenderer may wish to mention additional experts not essential for meeting the selection criteria but with relevant method and or subject matter expertise for the case studies. In the latter case, can the tenderer include specialist profiles in the case studies not featuring in the list of profiles and CVs required to pass the selection criteria – Evidence D6? Put another way, can you confirm that we can include specialist experts in the case study teams that are not included in the 90 CVs of the overall framework ‘core team’?	23/07/2019 Please clarify your question and specify that you are referring to junior profiles?

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29	23/07/2019 16:17	23/07/2019 17:20	CVs	Regarding question 28 - The specialist profiles we are referring to concern all categories as set in the technical specifications (i.e. from D1 to D6).	23/07/2019 Criteria D1 to D6 are selection criteria aiming at evaluating the capacity of the bidder to provide the necessary human resources for the framework contract. A tenderer may provide profiles for the case studies not included in the core Team of the overall framework contract, however, these profiles will in any way be evaluated against the selection criteria anyway. The same approach will be followed during the whole duration of the Framework contract. For any request for services, if there is a need of special expertise, the proposed expert will be evaluated against the selection criteria and shall be approved by the Contracting Authority for the implementation of the specific contract.

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