

Call for tenders' details

Title: Study on Sustainability Ratings and Research

Start date: 09/08/2019

Time limit for receipt of tenders: 23/09/2019

Contracting authority: European Commission, DG for Internal Market, Industry, Entrepreneurship and SMEs (GROW)

Status: Closed

Call for tenders question list

#	Submission date	Publication date	Question subject	Question	Answer
1	19/08/2019 10:49	19/08/2019 10:56	3.6.2. INTERIM STUDY	The specifications mention: "The interim study shall include a completed Section I. under Point 3.2.2 - State of play of the sustainability-related products and services market, as well as preliminary results of Section II - Classification of providers and products and preliminary results of Section III, Task 1 – Sources of data, type of data and data collection process and Task 2 – Considerations and opinions of the companies assessed." However, section III has no Task 2 called 'Considerations and opinions of the companies assessed'. Can you please clarify?	19/08/2019 Indeed, Task 2 – Considerations and opinions of the companies assessed refers to Section V. Please read text on interim study as follows: The interim study shall include a completed Section I. under Point 3.2.2 - State of play of the sustainability-related products and services market, as well as preliminary results of Section II - Classification of providers and products, preliminary results of Section III, Task 1 – Sources of data, type of data and data collection process and preliminary results of Section V, Task 2 – Considerations and opinions of the companies assessed.

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#	Submission date	Publication date	Question subject	Question	Answer
2	21/08/2019 11:50	21/08/2019 15:58	Selection criteria relating to tenderers	<p>1. The first selection criterion refers to a minimum of 3 projects proving experience in the field of sustainability-related topics and securities markets. Does each of this project have to prove experience in both of these fields combined, or can they prove expertise in each of these fields all together? i.e. can a tenderer for example provide 2 references covering sustainability-related topics and 1 covering securities market? 2. Regarding the list of relevant services, it is mentioned that a certificate of satisfactory execution should accompany 'the most important one'. Could you please define 'important' (does it regard the value of the project, its relevance, or something else)?</p> <p>Thank you,</p>	<p>21/08/2019</p> <p>1. The 3 projects should touch upon sustainability-related products in the context of securities markets/financial services. 2. The 'most important' one should be based on a combination of value, relevance and recipient.</p>
3	28/08/2019 15:51	28/08/2019 16:58	Letter of intent	Does the Letter of intent need to be signed by an authorized representative of the subcontracting company?	<p>28/08/2019</p> <p>Yes indeed, the letter of intent needs to be signed by an authorized representative of the subcontracted company.</p>
4	28/08/2019 17:51	29/08/2019 09:42	Section 2.3.3 a. Criteria relating to tenderers	Can referenced projects (presented for Section 2.3.3 a. Criteria relating to tenderers) cover multiple criteria at the same time or can a project only cover one criterion at a time?	<p>29/08/2019</p> <p>A delivered service/reference project can, if relevant, reply to more than 1 criterion.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
5	29/08/2019 07:00	29/08/2019 09:44	Technical and professional capacity criteria and evidence / Tenderer's reference projects	Do all the required reference projects have to be completed?	29/08/2019 Yes, reference projects have to be completed.
6	03/09/2019 09:26	03/09/2019 11:36	Confidentiality / Anonymity	Some information to be gathered (from data users but especially from data providers) are very sensitive and the organisations surveyed will not be willing to share them with any third party and/or to release them publicly. Will it be possible to make some information anonymous and/or to use orders of magnitude?	03/09/2019 We understand that some information to be gathered might be sensitive. Therefore, we confirm that it is possible to make those anonymous and/or to use orders of magnitude. The outcome should however allow to identify the type of actors concerned, their market operations and size.
7	03/09/2019 09:34	03/09/2019 13:18	UK in country selection	At europa.eu we can read that, "for the time being, the United Kingdom remains a full member of the EU". Do you confirm that the UK is considered as a "EU Member State" in the tender specifications?	03/09/2019 Indeed, the UK shall be considered as a Member State in the context of these tendering specifications.

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8	03/09/2019 10:53	03/09/2019 16:59	Scope of work	As per the tender specifications, the analysis will include many different providers: data, indices, ratings, rankings, scores, awards, controversy alerts or portfolio screenings. 1) Are brokers / sell-side analysts included? 2) To the best of our knowledge, awards are rarely used by investors to perform their investment decisions. What are your expectations on these providers?	03/09/2019 1) All providers of sustainability-related products/services, including sell-side and buy side analysts, should be assessed in the study. The study should establish an exhaustive list of products offered to investors. 2) If it can be substantiated with facts, as you mention, that awards are only rarely used by investors in their investment decisions, less emphasis is expected to be put on awards in the analysis.

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9	04/09/2019 13:30	04/09/2019 15:08	Evidence of fulfilling criteria	1. In section 2.3.3. For data collection and statistical analyses, the experience requirements suggest either 2 projects or studies. The experience requirement for sustainability-related topics and securities markets requires 3 projects. Is it correct to assume that in cases where only "projects" are stated as requirements without mention of publications or studies as an option, that neither publications nor studies can be used as evidence substitutes for projects? 2. In cases where publications are accepted as evidence of capacity, can a cover page of a publication serve as evidence in place of a certificate of satisfactory execution?	04/09/2019 1. "Projects" can be read as studies, reports, substantial publications or another related activity. 2 – No, a certificate of satisfactory execution signed by the contracting party is required.
10	04/09/2019 16:34	04/09/2019 17:13	Declarations of honour and evidence for legal and regulatory capacities	Are (i) the declarations of honour and (i) the evidence for legal and regulatory capacities expected in Section 1 (as per Annex 2) or in Section 2 (as per the tender specifications)?	04/09/2019 The evidence for legal and regulatory capacities is part of section 1. The declarations on honour are part of section 2.

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#	Submission date	Publication date	Question subject	Question	Answer
11	05/09/2019 09:29	06/09/2019 16:12	Technical and professional capacity	<p>1. For evidence relating to the capacity to draft reports in English. Are there any parameters regarding the size or depth of reports/studies submitted in order to fulfil this criterion? 2. Is there a specific preferred format for the CVs that are to be submitted as evidence of profiles of the team delivering the service. 3. a. Will all the documents provided as evidence for meeting different criteria be made public? b. If we highlight in the certificate of satisfactory execution for a specific service that we are bound by confidentiality restrictions for this service, can the project be used to evaluate our eligibility but be kept from the public domain? 4. Can reference letters from clients serve as certificates of satisfactory execution?</p>	<p>06/09/2019 1. We confirm that there are no specific parameters for this criterion. The capacity to draft reports in English must be clear from all elements submitted in support of the application, including previous reports, studies, certificates ... 2. There is no mandatory format for the CVs except for the 2 A4 pages as indicated in the technical specifications. A possible format could be the Europass format, further information can be found here: https://europass.cedefop.europa.eu/ 3. a. No, the evidence provided for the selection criteria will serve only for the internal evaluation of the tender by the evaluation committee and will not be made public. b. As mentioned in answer point 3.a., evidence including certificates of satisfactory execution will not be made public. 4. We confirm that reference letters are accepted as evidence as long as they are not generic and contain the details of the conducted projects as requested: sums, dates and recipients, public or private and specifying that they have been carried out in a professional manner and have been fully completed.</p>

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12	10/09/2019 14:03	10/09/2019 15:16	Relevance and breadth of the geographical and market coverage	<p>Award Criteria, 1) Relevance and breadth of the geographical and market coverage: The minimum requirements for the geographical and market coverage stated in Tender specifications section 3.2.1 are the following: the proposed geographical coverage for investors, asset managers and corporate companies shall capture the diverse levels of development of markets across the EU, and cover at least 12 (twelve) EU Member States, with a geographical scope striking the balance between:</p> <p>a. Small and large EU Member States, b. Member States that have joined the European Union before the year 2004 and those that joined later. In addition, the perspective from one or several non-EU countries, where relevant, would be considered an advantage. Can you give examples of indicators on how you measure member state size?</p>	<p>10/09/2019 The population of the member state should be considered to define the size.</p>

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13	10/09/2019 14:26	10/09/2019 15:26	Project references, certificate of satisfactory execution	Can the same reference project be presented as the most important one in two different criteria? If yes, can the same certificate of satisfactory execution be used for these two criteria?	10/09/2019 A delivered service/reference project can, if relevant, be presented as the most important one for more than 1 criterion. In that case, the same certificate of satisfactory execution can be used.
14	10/09/2019 10:56	10/09/2019 15:32	Proposal Template	Is there a proposal template for presenting information relating to the award criteria (section 2.4), i.e how we should structure/present pertaining to: 1) Relevance and breadth of the geographical and market coverage. 2) Methodology. 3) Organisation of the work. 4) Quality control measures.	10/09/2019 There is no template to present this information. The award criteria should be taken into account throughout the complete technical proposal.
15	09/09/2019 10:15	10/09/2019 15:34	2.3.3 a Criteria relating to tenderers	Would you kindly clarify whether referenced projects need to cover both ratings AND securities or whether covering one of these two aspects suffices?	10/09/2019 The projects should allow to demonstrate the capacity to provide legal analysis on financial services legislation with a particular focus on ratings and/or research and securities markets.
16	10/09/2019 14:19	10/09/2019 16:52	Technical and Professional Capacity Criteria and Evidence: Capacity to conduct EU cross-country studies	Are EU cross-country studies, which the customer haven't paid for, but which are accessible to everyone on the website, accepted as project reference?	10/09/2019 Yes, studies that have been finalized can be used as reference, regardless if they have already been paid for or not by the customer/client.

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#	Submission date	Publication date	Question subject	Question	Answer
17	11/09/2019 14:44	11/09/2019 14:51	Declaration on Honour	Declaration on honour, p. 6, section: "The team delivering the service should include, as a minimum, the following profiles"; In other sections there are boxes to answer "yes", "no" and "n/a", but here the box in the "yes" column is missing. Is there a reason why the box is missing?	11/09/2019 Thanks for noticing. There is no specific reason, also this part of the declaration should have the choice "yes", "no" and "n/a". Please add the missing box "yes" manually.
18	11/09/2019 09:57	11/09/2019 16:53	Signatures of the authorised representative	Does it have to be the same person who signs all the official documents, or can it be a different person, if each person is authorised to represent the company?	11/09/2019 It does not necessarily has to be the same person signing all the documents as long as the persons signing are authorised to represent the company.

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#	Submission date	Publication date	Question subject	Question	Answer
19	11/09/2019 17:05	12/09/2019 10:13	Declaration on honour: VII – SELECTION CRITERIA	Could you please clarify which answer a subcontracting company should choose (YES / NO / N/A) in case that one of the requested requirements listed under section VII – SELECTION CRITERIA is not fulfilled by the company itself, but by another consortium member? In our case, this applies to the criteria "capacity to provide legal analysis on financial services legislation" and "team delivering the service", as there is only one tick box for the whole team.	12/09/2019 As it is the COMBINED capacity of all tenderers and subcontractors that must comply with the criteria under 2.3.3.a, there is only one box to tick. The coordinator of the tender will be able to confirm to the partners and subcontractors if all criteria have been replied to.
20	12/09/2019 09:42	12/09/2019 10:37	Annex 2 - Letter of Submission of Tender: Person authorized to sign the contract on behalf of the tenderer	In Annex 2 - Letter of Submission of Tender it is asked to fill the name of the "Person authorized to sign the contract on behalf of the tenderer". Does this person have to be an authorized representative of the company? In our company, partners have the authorization to sign contracts, although they do not have the authorization to represent the company juridically.	12/09/2019 The Annex 2 - last page - must be signed by a person authorized to make binding offers to third parties. It can indeed be a different person than the one authorized to represent the company juridically or to sign contracts. A legible copy of the appointment of this/these person(s) must be added.

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21	12/09/2019 07:37	12/09/2019 10:44	List of Documents and Contents for the Submission process	Where can we find a complete list of documents and Contents, which are necessary for the Submission - or are this only the Annexes of the tender?	12/09/2019 Please refer to point 1.9 "content of the tender" as well as the annexes (which are partly or completely relevant depending on whether it is a joint tender or not).
22	11/09/2019 17:40	12/09/2019 11:30	Question on the Study on Sustainability Ratings and Research	I'm urgently Looking for the requirements of the tender report - can you help with further informations. All other Things, like LOI, Financial, Datas etc. are very clear. But we couldn't find anything About the Project description (structure, numbers etc..) Or is this open for us as submitter?	12/09/2019 The "tender report" is a document automatically generated from e-Submission and listing all the documents you have uploaded in e-Submission in reply to this tender. The tender specifications contain information on the documents that are needed for the participation, selection and award of this call for tenders. The tenderer is free on how to present "the project description" as we understand "the technical proposal" as long as it contains all the aspects and tasks required in the technical specifications and provides the information needed to apply the award criteria.

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23	12/09/2019 17:58	13/09/2019 08:32	Declaration on honour: VII – SELECTION CRITERIA	<p>We understood from the answer to our previous question (&quot;Declaration on honour: VII – SELECTION CRITERIA&quot;) that the coordinator of the tender must confirm compliance with all criteria with their partners and subcontractors. However, in the Tender specifications it is stated on p. 8 that &quot;The tenderers (and each member of the group in case of joint tender) and subcontractors whose capacity is necessary to fulfil the selection criteria must provide the declaration on honour (see Annex 3), signed and dated by an authorised representative, stating that they fulfil the selection criteria applicable to them&quot;. Therefore we would specifically like to know for VII (5) (c) if a subcontractor would only confirm the experience criteria applicable to itself and chose n/a for the ones not applicable and even more importantly should confirm the team criteria (for which only one box is available) even though the subcontractor by itself does only provide part of the required profiles (e.g.: expert in data collection but not project manager</p>	<p>13/09/2019 Yes, for part VII (5)(c), where there is a box for each required experience separately, subcontractors or other partners can tick only the box for the experience they cover. For the part on the profiles for which there is only one box to tick, subcontractors or other partners can tick "yes" even if they only cover one of the profiles mentioned (if they want, they can highlight the profile they are covering or delete the ones that are not relevant). It is up to the coordinator to make sure all profiles are covered which should be clear from the tender and the CVs provided.</p>

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				collection but not project manager which is provided by the sole tenderer or leader in a joint tender).	
24	13/09/2019 12:54	13/09/2019 17:13	Letter of Intent vs. Letter of Undertaking	It is mentioned in Tender Specifications p. 8: "The tenderer may rely on the capacities of other entities, regardless of the legal nature of the links that 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.". If we present a project credential of another entity in the Tender to fulfill the selection criteria requirements, is it enough if we provide a Letter of Intent from this other entity, or do we still need a separate Letter of Undertaking from them?	13/09/2019 The completed and signed letter is intent is sufficient for subcontractors that will take part in the tender and/or fulfil one or more of the selection criteria.

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#	Submission date	Publication date	Question subject	Question	Answer
25	16/09/2019 11:22	16/09/2019 11:32	Declaration on honour	<p>"The team delivering the service should include, as a minimum, the following profiles: * Project manager etc" I am a subcontractor to the team (who expects to deliver >10% of the project and whose capacity is to be relied upon to fulfil the selection criteria. Our team meets all of the criteria - but I personally don't meet all of them. Should I complete the field as 'Yes'? Presumably you are interested in which team members fulfil which of the selection criteria. Where should this be declared?</p>	<p>16/09/2019 You can tick "yes" in the declaration of honour. You can highlight the profile you are covering or delete the ones that are not relevant, but this is not mandatory. It is up to the coordinator to make sure all profiles are covered which should be clear from the tender and the CVs provided. See also question 23 Question23</p>

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#	Submission date	Publication date	Question subject	Question	Answer
26	16/09/2019 12:13	16/09/2019 13:00	Requirement to submit 'Certificates of satisfactory execution'	<p>The Call for Tenders repeatedly asks that "Evidence to be provided together with the Tender" is accompanied by 'certificates of satisfactory execution. But then the penultimate paragraph of 2.3 states that "The successful tenderer shall provide within a time limit set by the contracting authority and preceding the signature of the contract, the evidence mentioned above in relation to the selection criteria." This suggests that the evidence only need to be supplied by the successful tenderers. We are currently gathering this evidence and want to advise our former clients whether this is required by the time our tender is submitted or whether it will be required if our tender is successful. Many thanks.</p>	<p>16/09/2019 The paragraph you mention should indeed have been deleted. We refer to what has been mentioned at the beginning of section 2.3 : "If not requested together with the tender, the successful tenderer will be required, after the contract award, to provide the evidence mentioned below before signature of the contract and within a deadline given by the contracting authority" and what is mentioned for each selection criterion "Evidence (to be provided together with the tender)". We hereby confirm that the certificates of satisfactory execution have to be provided together with the tender.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
27	16/09/2019 15:43	16/09/2019 16:06	Joint Tender with an individual	1) In the case of a joint tender with an individual, are the following documents required: (i) Legal Form, (ii) Declaration of Honour, (iii) Power of Attorney? 2) If so, what supporting evidence to the Legal Form are required for a UK citizen?	<p>16/09/2019</p> <p>1) (i) yes, see point 1.10 of the tendering specifications (ii) yes, see point 2.2 of the tendering specifications (iii) see point 1.10 of the tendering specifications; it depends : or the letter of submission of tender is signed by a duly authorised representative of each of the tenderers or by a single tenderer duly authorised by other tenderers with power of attorney. 2) for supporting documents to the legal entity form: see footnotes on the legal entity form for a natural person.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
28	16/09/2019 15:59	16/09/2019 17:00	Identified subcontractors	<p>In order to enhance the reach of our coverage, we plan to use five specialist independent subcontractors. They are each likely to receive <5% of the total project value and, in aggregate, they will receive <20%. We do not depend on any of them to meet the selection criteria (and the reason for using them is simply to enhance the quality of the project). We will be happy to identify them. Do we, however, have to seek formal documentation from them all (e.g. Letter of Intent, Dec on Honour etc). The first of the sentences below suggests that they do not have to be identified (as they fall beneath the threshold). However, the last sentence suggests that we might subsequently need written approval to use them. "Tenderers are required to identify the subcontractor(s) whose share of the contract is above 10% and document their willingness to accept the tasks and the terms and conditions set out in the tender specifications via a letter of intent (model provided in Annex 6) Full details of such subcontractors must also be</p>	<p>16/09/2019 For subcontractors whose share of the contract is below 10%, there is no obligation to provide the documentation nor to identify them in the tender (of course you are free to do so). The last sentence refers to possible changes of any of the identified subcontractors or new subcontractors with a share above 10%, once the contract is ongoing. In that case, prior approval of the contracting authority is needed.</p>

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				subcontractors must also be provided in Annex 2. During contract implementation, the change of any subcontractor proposed in the tender or additional subcontracting will have to be subject to prior written approval of the contracting authority.";	
29	16/09/2019 19:37	17/09/2019 08:44	'Stamp' field on the legal entity form	What does this require please? Is signing and dating the form sufficient? Or is something else required?	17/09/2019 The legal entity form requires the company stamp. If your company does not have a stamp, signing and dating the form is sufficient.

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#	Submission date	Publication date	Question subject	Question	Answer
30	16/09/2019 13:13	17/09/2019 09:11	How to evidence in-house work (via the certificate of satisfactory execution)?	The member of our project team with 'capacity to provide legal analysis...' wishes to evidence suitability for the work by reference to five years working in-house. Your Call for Tenders requires as evidence 3 projects or studies and supply a 'Certificate of Satisfactory Execution' for the most important one. The Certificate of Satisfactory Execution form however, appears to be much more designed for people working on a contract / project basis and makes little sense for someone who has been working in-house. Can in-house work serve as evidence and if yes, how?	17/09/2019 The 3 reference projects should be projects/studies/publications that the tenderer (or tenderers in case of a joint bid) has executed for third parties (public or private) in the past 5 years. In-house work for an authority that is not even a tenderer for this call for tenders cannot be accepted as reference.
31	19/09/2019 16:32	20/09/2019 12:36	Reference for suitable evidence	In relation to the answer provided for question 9 stating: "projects can be read as studies, reports, substantial publications". When submitting a published book as evidence would a letter of recommendation from a publisher suffice (in place of a letter of a certificate of satisfactory execution)? Does a publisher count as an appropriate third party?	20/09/2019 A publisher is not considered as an appropriate third party. Please also refer to question and answer number 30: Question30

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#	Submission date	Publication date	Question subject	Question	Answer
32	20/09/2019 13:01	23/09/2019 16:06	Deadline date	May you please confirm if the date provided for conditions for the opening of tenders (25/09/2019) is the deadline or is 23/09/2019 the final day for submitting tenders?	23/09/2019 Dear Madam, dear Sir, According to the contract notice (section IV.2.2), the deadline to submit the tender is 23/09/2019 – at 23:59 at the latest.
33	20/09/2019 16:24	23/09/2019 16:07	Deadline hour	Good afternoon. What is the deadline hour on Monday? Thank you.	23/09/2019 Dear Madam, dear Sir, According to the contract notice (section IV.2.2), the deadline to submit the tender is 23/09/2019 – at 23:59 at the latest.

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