

Call for tenders' details

Title: Study on the System Architecture of a Quantum Communication Infrastructure — SMART 2019/0086

Start date: 23/09/2019

Time limit for receipt of tenders: 04/11/2019

Contracting authority: European Commission, DG for Communications Networks, Content and Technology (CONNECT)

Status: Closed

Call for tenders question list

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
1	02/10/2019 01:38	03/10/2019 07:41	Subcontractors from Switzerland	As economical operator is registered in Switzerland (not part of EEA), we understand that it is not eligible to bid as a main contracting party for this tender. However section 1.5 of the tender specification states: Tenderers are required to identify all subcontractors whose share of the contract is above 10% of the price of the tender or whose capacity is necessary to fulfil the selection criteria. 1. Does it mean that if economical operator from Switzerland contributes for less than 10% and is not necessary to fulfil the consortium selection criteria, the economical operator is allowed to be a subcontractor part of a consortium? 2. If economical operator from Switzerland contributes for free are they then allowed to be a subcontractor?	03/10/2019 The answer to both questions is yes.
2	07/10/2019 18:26	08/10/2019 08:17	TEMPLATE for the tender	Do you intend to make available a TEMPLATE for the tender ?	08/10/2019 No, there is no template for tender. See Tender Specifications section 1.6.: Structure and content for tender for further instructions.

Call for tenders questions summary

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3	08/10/2019 17:27	09/10/2019 14:56	EVALUATION AND AWARD	1) Can the same partner (or subcontractor) be part of more than one consortium for the bid? 2) Can it be selected as part of the two winning contracts and be awarded both contracts?	<p>09/10/2019</p> <p>1) Yes. Economic operators are free to organise themselves as they so wish, i.e. they can submit a tender as a single tenderer, or participate in a joint tender, or be a subcontractor. No limitation can be set as regards joint tendering and subcontracting. In principle, the direct participation (consortium) or indirect participation (subcontracting) of one and the same economic operator in more than one tender for the same procurement procedure is acceptable. 2) Yes. However, the contracting authority reserves the right to examine the tenders in case it suspects distortion of fair competition (like in the case of a number of tenders with the same legal entity participating in all of them) and exclude the tenderers concerned in case it is proved.</p>

Call for tenders questions summary

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4	11/10/2019 09:05	11/10/2019 12:27	Security of information agreement with the EU or an administrative arrangement with the Commission	<p>We assume that Horizon 2020 rules do apply and that Swiss entities are fully eligible to apply. However the "CONDITIONS UNDER WHICH THE CONTRACTOR MAY SUBCONTRACT" in Annex 7 (https://etendering.ted.europa.eu/cft/cft-documents.html?cftId=5305) state: "...No subcontract may be awarded to a company registered in a non-EU Member State or to an entity belonging to an international organization, if that non-EU Member State or international organization has not concluded a security of information agreement with the EU or an administrative arrangement with the Commission..." Here we believe that there is an existing agreement between the Swiss Confederation and the European Union on the security procedures for the exchange of classified information - > http://ec.europa.eu/world/agreements/prepareCreateTreatiesWorkspace/treatiesGeneralData.do?step=0&redirect=true&treatyId=8741 We would be grateful if you could confirm that this suffices and that Swiss entities would not be</p>	<p>11/10/2019 The Horizon 2020 participation rules relates to grants not procurement. Only bi/pluri-lateral treaties and the GPA governs access to market for procurements. The entities from Switzerland can be subcontractors but not partners as the GPA does not apply for this procurement procedure.</p>

Call for tenders questions summary

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				Swiss entities would not be disadvantaged.	
5	15/10/2019 11:05	15/10/2019 11:47	In which case is annex 4 required ?	On page 18 of tender specifications, we read "In case of subcontracting, all subcontractors whose share of the contract is above 25% or whose capacity is necessary to fulfil the selection criteria must provide a declaration on honour signed by an authorised representative." But on the bottom of page 31, concerning annex 4 , we read "Only identified subcontractors whose share of the contract is above 10 % of the price of the tender or whose capacity is necessary to fulfil the selection criteria". Could you please clarify?	15/10/2019 I confirm that tenderers are required to identify all subcontractors whose share of the contract is above 10% of the price of the tender or whose capacity is necessary to fulfil the selection criteria. The clerical error in the tender specifications is corrected accordingly.
6	15/10/2019 17:04	16/10/2019 10:54	Evidence to be provided for selection criteria	For selection criteria A3, A4, B10, could you please provide clarification on the conditions for the evidence to provide? The specifications say that the requested evidence has to be provided 'on request with the offer'). Which condition shall finally apply: on request or with the offer?	16/10/2019 For technical selection criteria the evidence needs to be provided with the offer. See the annex for 'documents to be provided with the offer' for further details. The tender specifications is updated accordingly.
7	17/10/2019 16:18	18/10/2019 09:04	Request for extension of the due date.	Would it be possible to obtain an extension of the due date for submission to Friday November 14th?	18/10/2019 Unfortunately, it is not possible to extend the deadline.

Call for tenders questions summary

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8	18/10/2019 10:53	18/10/2019 11:50	Annexes to be signed by subcontractors	Shall identified subcontractors who have to sign Annex 4 also sign Annex 3 (admin. ID form) ?	18/10/2019 The subcontractors do not need to sign Annex 3. In accordance with the Checklist of documents to be submitted, Annex 3 needs to be provided only by all the partners participating in the tender, the lead partner included.
9	18/10/2019 14:29	18/10/2019 17:06	Annex 6a	Annex 6a states: [...] Declares hereby that, in case the contract is awarded to [name of the tenderer], the company/organisation that he/she represents, [...] - Could you please specify which tenderer's name should be filled in here in case of a joint tender: the lead partner, or the partner who is directly dealing with the subcontractor? - Thank you.	18/10/2019 The name of the tenderer in Annex 6a should contain the names of all partners participating in the tender, lead and other partners.

Call for tenders questions summary

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10	17/10/2019 11:47	21/10/2019 10:03	Possible roles for subcontractors	Can a subcontractor whose competences are not necessary to fulfil the selection criteria act as Work Package leader?	<p>21/10/2019</p> <p>The tender specifications do not refer to work packages, hence the question on work package leaders is not applicable. Please be reminded that according to the selection criteria (section 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. According the selection criteria (Declaration and evidence, section 4.2.1), the evidence of the technical and professional capacity of the tenderers and of subcontractors whose capacity is necessary to fulfil the selection criteria shall be included in the tender.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
11	21/10/2019 16:51	21/10/2019 17:08	Photocopy of the notice of appointment	Could you please tell us if the requested photocopy of the notice of appointment of the persons authorised to represent the tenderer can be in the national language of the partner/subcontractor? Or does this paper have to be provided in English.	21/10/2019 The document can be provided in the national language of the partner/subcontractor, but of course if there is existing translation to English that would be appreciated.
12	21/10/2019 17:43	22/10/2019 12:05	Annex 6a	Could you please let us know which member of the subcontracting company has to sign Annex 6a: an authorised rep., the person who will be directly involved in the execution of the tasks, else?	22/10/2019 The letter of intent for subcontractor should be signed by person legally authorised to represent the company.
13	22/10/2019 11:16	22/10/2019 12:08	Annex 6b	Do members of an external consultancy board not involved in the execution of the tasks have to sign Annex 6b?	22/10/2019 If the contribution of an external consultancy board is financed by the contract resulting from this procurement procedure, they should sign the letter of intent for experts.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
14	22/10/2019 18:58	23/10/2019 10:31	Subcontractors to be identified	In the context of subcontractors, could you please specify what you mean with "whose capacity is necessary to fulfil the selection criteria"? - Does it mean: subcontractors whose input, contract references and CVs are needed to fulfil all the selection criteria stated in the tender specifications (F1, A1-A4, B&-B10)? Or does it (also) mean something else?	23/10/2019 The declaration of honour Annex IV has to be provided by subcontractors whose capacity is needed to fulfil any of the selection criteria's by economical operator(s) participating to this procurement procedure.
15	18/10/2019 12:34	23/10/2019 11:55	SAL	Should we receive some documents concerning footnote 2 and 3 in the SAL "Reference will be provided as soon as available"?	23/10/2019 The security aspect letter is provided at this stage as an example only. The official version including the footnotes will be provided at contract preparation stage.
16	22/10/2019 17:24	23/10/2019 12:36	Specifications – subcontracting	Where exactly should the tender include the proportion of the contract that will be subcontracted? In the technical offer? In the Financial section? Elsewhere?	23/10/2019 Financial tender would probably be the best place for it.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
17	22/10/2019 17:20	23/10/2019 12:42	Annex 5 - Power of Attorney	<p>In annex 5, Can you confirm that, in the following sentence: “1) To submit a tender as a partner in the group of partners constituted by Company 1, Company 2, Company N, and led by Company 1, in accordance with the conditions specified in the tender specifications and the terms specified in the tender to which this power of attorney is attached.”</p> <p>The term “group of partners” relates to the tenderers only and not to the subcontractors? As a consequence, can you confirm the list “Company 1, Company 2, Company N” should not include the subcontractors?</p>	<p>23/10/2019</p> <p>The group of partners relates only to the tenderers and not subcontractors. Since we have no access to eSubmission, all question related to the characteristics for using the application, contact the help-desk indicated in the platform.</p>

Call for tenders questions summary

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18	22/10/2019 17:19	23/10/2019 12:49	Annex 4 / Chapter VII	Chapter VII of Annex 4 requests the tenderer to declare they comply to the selection criteria applicable to it individually, in particular for the technical and professional capacity. However, the tender specifications states (page 21 §A) that in case of joint tender, this capacity will be evaluated for the whole group. It sounds contradictory with “applicable to it individually” . Can you please clarify what exactly is expected here from the tenderer?	23/10/2019 The filling of the Annex IV is done individually per economical operator participating to the call declaring the capacity they have. It is the responsibility of lead contractor to declare according the section VII of Annex IV: 'in case of joint tender, declares that: (a) the tenderer, including all members of the group in case of joint tender and including subcontractors if applicable, complies with all the selection criteria for which a consolidated assessment will be made as provided in the tender specifications.
19	22/10/2019 17:17	23/10/2019 12:51	Annex 4 / Chapter VI	Can you confirm the evidence described in Chapter VI of the Annex 4 at the top of the page 39 (a recent extract of the judicial record and the recent certificates issued by the competent authorities of the State concerned) is not to be provided for the submission of the tender but will have to be provided on request after the tender evaluation?	23/10/2019 This is required only from the tenderer for whom the contract is awarded.

Call for tenders questions summary

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20	22/10/2019 17:16	23/10/2019 12:53	Annex 4	The tender specifications say that subcontractors must complete Annex 4 if (1) their share of the contract is above 10% of the contract, OR (2) if their capacity is necessary to fulfil the selection criteria. Regarding the second possibility, can you confirm that the selection criteria are those listed in §4.2.4 of the Tender specifications (criteria A1 to A4 and B1 to B10)?	23/10/2019 We confirm that it is all selection criteria's listed under sections 4.2.2, 4.2.3 and 4.2.4 in the tender specifications.
21	22/10/2019 17:21	28/10/2019 09:12	Specifications §1.3	Is it necessary to provide evidence of the compliance with "environmental, social and labour law.....Directive 2014/24/EU" et the tender submission stage?	28/10/2019 This is included in the Annex IV: Declaration of honour. No additional documentation needed.
22	22/10/2019 17:22	28/10/2019 10:21	Specifications, Task 4	Can you please tell us if it is required to provide the below inputs at the submission stage: "The Contractor shall propose the specific areas of the Contract to be classified at level RESTREINT UE/EU RESTRICTED on the basis of a security risk analysis. The Contractor shall propose updates of the Security Classification Guide provided as appendix to the Security Aspects Letter, for approval by the Commission."	28/10/2019 It is not needed at the submission stage. The aspects linked to the SAL (security aspect letter) will be dealt during the contract implementation.

Call for tenders questions summary

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23	22/10/2019 17:35	28/10/2019 10:51	B10 - Language competences of Data collection team	Criterion B10 requires: "Collectively the team of at least 10 people should have knowledge of the EU official languages of all EU Member States having signed the EU Quantum Communication Infrastructure initiative at the closing date of this call for tenders". Is this criterion really fulfilled only if the data collection team as a group speaks ALL the official languages concerned? What about particular cases like Malta, LUX, Belgium? They have several. Is Maltese and Luxemburgish really needed? Please clarify.	28/10/2019 For each EU Member State having signed the EU QCI, in the team suggested for carrying out the tasks there should be the knowledge of at least 1 official language of the member state for communication purposes.
24	28/10/2019 13:13	28/10/2019 14:30	Notice of appointment of persons authorised to represent the tenderer	Could you please let us know if a recent trade register excerpt is accepted as Notice of appointment of the persons authorised to represent the tenderer if it clearly states the official representatives of the company who also signed the annexes?	28/10/2019 If the name of the legal representative is clearly mentioned in the notice of an appointment, this document is accepted.

Call for tenders questions summary

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25	29/10/2019 08:20	29/10/2019 08:23	tender report	on the e-submission guide it is said : "If you consider the tender complete and ready for submission, download the Tender Report (generated by the system), have it signed by the authorised person and upload it in this section.". Does any employee of the tender leader have the authorisation to sign this report or shall it be only someone having the authorisation to sign the annexes ?	29/10/2019 It has to be person(s) authorised legally representing the company (same person who has signed the Annex IV - Declaration on Honour).
26	29/10/2019 08:24	29/10/2019 08:33	Signed Annexes 4 and 6a.	Would it be acceptable for the EU to have 2 subcontractors which annexes 4 and 6a are loaded without signature at the moment of e-submission, and to receive this documents signed (electronically and the originals) few days after ?	29/10/2019 Please request subcontractors to sign the documents and provide them by e-mail. There is no possibility to submit documents via eSubmission after the deadline for submission.

Call for tenders questions summary

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27	04/11/2019 13:48	04/11/2019 13:53	letter to be sent to EC	In order to tell the transportation company that will bring the letter; would it be possible to get a phone number of the person/service who will receive our documents (decl of honor and signed tender report) by letter at this address : European Commission Communications Networks, Content and Technology Directorate-General Directorate R – Resources and Support Unit R2 – Administration & Finance BU25 04/115 for the attention of Ms Utukka B-1049 Brussels, Belgium	04/11/2019 See following: Postal address: European Commission DG CONNECT R2 – Budget & Finance BU25 04/115 Jaana Utukka B-1049 Brussels, Belgium Address for courier delivery: European Commission DG CONNECT R2 – Budget & Finance BU25 04/115 Jaana Utukka Avenue du Bourget 1 B-1140 Brussels (Evere), Belgium (tel. +32-2-29 93299; open Monday to Friday 7.00-17.30)

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