

Call for tenders' details

Title: Technical Assistance Facility for the Clean Ocean Initiative in Sub-Saharan Africa

Start date: 20/09/2019

Time limit for receipt of tenders: 12/11/2019

Contracting authority: European Investment Bank (EIB)

Status: Closed

Call for tenders question list

#	Submission date	Publication date	Question subject	Question	Answer
1	26/09/2019 12:20	04/11/2019 17:02	Tender submission form	In section C - Annex 1 there are two formats of the tender submission form. Can you please inform if we have to complete both submission form or only one. If we have to complete only one submission form, can you please indicate which one?	04/11/2019 There is one submission form where you have to provide financial and professional data and references of projects, and another one concerning the technical offers. You have to fill all form included in the tender dossier.
2	02/10/2019 17:22	04/11/2019 17:03	Submission deadline	Please confirm that the submission deadline is 15 November 2019 as indicated in the Instructions to Tenderers p. 1.	04/11/2019 The deadline is 15 November 2019.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
3	02/10/2019 15:33	04/11/2019 17:03	EIB - Technical Assistance Facility for the Clean Ocean Initiative in Sub-Saharan Africa	In the tender instructions under point 5 Selection criteria it says "The reference period which will be taken into account will be the last three years from submission deadline", but afterwards it states "(a) The tenderer (individual company or consortium altogether) has implemented, during the last 5 years (up to the deadline for the receipt of applications indicated under item 10 below)...". Will the reference period that will be taken into account will be 3 years or 5 years?	04/11/2019 It is 5 years.
4	02/10/2019 18:21	04/11/2019 17:04	Key Expert 2 and 3	Please can you clarify if Key Expert 2 is Solid Waste Key Expert as per Evaluation Grid, or if Key Expert 2 is Wastewater and Storm Water Key Expert, as per TOR?	04/11/2019 KE2 is Wastewater and storm water key expert; KE3 is Solid waste sector expert.
5	02/10/2019 18:32	04/11/2019 17:05	Technical capacity of tenderer (ITT 5.3a and 5.3b) and project references	Please confirm the number of references that has to be submitted (Item 6 of the tender form). Please clarify if these will have a weight in the technical score or are just minimum requirements? Can you please clarify if submitting more than the minimum number of references meeting the requirement criteria (as per ITT, 5.3a and 5.3b Technical capacity of tenderer) will bring additional points?	04/11/2019 The maximum number of references to be presented as requested under 3a and 3b in Section 5 of the Instructions to Tenderers is 15 in total. Any additional reference will not be taken into account.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
6	02/10/2019 18:35	04/11/2019 17:05	Reference period for Technical capacity (5.3a and 5.3b of ITT)	Can you please confirm that the reference period for technical capacity of tenderer (ITT 5.3 a) and 5.3 b)) is 5 years?	04/11/2019 It is 5 years.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
7	08/10/2019 15:07	04/11/2019 17:25	Clarification questions: Clean Ocean Initiative	<p>1) In the ITT, '3. Technical capacity of the tenderer' the selection criteria mentions a reference period of both 3 years: 'The reference period which will be taken into account will be the last three years from submission deadline' and 5 years: 'The tenderer (individual company or consortium altogether) has implemented, during the last 5 years.'</p> <p>Please can you confirm if the reference period for technical capacity is 3 or 5 years?</p> <p>2) In section 7. Content of tenders, it mentions that we must submit one original, however, there is no reference in the ITT to how many copies of the bid need submitting. Please can you confirm if we need to submit copies, if so how many, (and a copy on CD/ USB) as well as the original submission?</p> <p>3) Section '6. Experience' of the Service Tender Submission Form, does not specify the number of references to include: 'The number of references to be provided must not exceed < number > for the entire application.' Should this be 15 as with a standard submission?</p>	<p>04/11/2019</p> <p>The reference period for the projects is 5 years. One original hardcopy and an electronic version should be submitted. The maximum number of references to be presented as requested under 3a and 3b in Section 5 of the Instructions to Tenderers is 15 in total.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
8	17/10/2019 14:12	04/11/2019 17:31	Clarification Questions: Technical Assistance Facility for the Clean Ocean Initiative	<p>1. The Contract Notice (ref 2019/S 182-442060) at Section II 1.4 states that “The purpose of this assignment is to identify, prepare and support the implementation of technically, financially, economically, environmentally and socially sound investment projects in Sub-Saharan Africa*” with the corresponding asterisked footnote stating “*With the exception of South Africa”. The ToR does not refer to this exclusion of South Africa from the assignment’s scope. Please clarify South Africa’s status within COPIP Programme scope. 2. ToR paragraph 4.1.1 states (our emphasis): “The Consultant shall prepare a pipeline of a minimum of 20 projects with potential for financing in the eligible sectors. Out of the initial 20 projects, a minimum of 10 projects will be subject to pre-feasibility studies and submitted for approval and selection of a minimum of 5 pilot projects, for which feasibility studies and related documentation will be prepared by the Consultant”. ToR paragraph 4.2.4 states (our emphasis): “With the goal to test new approaches to collection and valorising plastics identified as components in the</p>	<p>04/11/2019 As indicated in the Contract Notice, projects in South Africa are not eligible under this programme.</p>

Call for tenders questions summary

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				identified as components in the feasibility studies, and to build awareness and commitment in host communities, the Consultant shall carry out one small scale pilot project in each of the selected five projects subject to feasibility studies." Please confirm the sequencing of the pilot projects, i.e. is the Consultant to select five pilot projects for which Feasibility Studies are to be prepared (ToR §4.1.1), or is the Consultant to carry out five pilot projects within the parameters of the five selected Feasibility Studies (ToR §4.2.4)?	

Call for tenders questions summary

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9	17/10/2019 14:14	04/11/2019 17:32	Further Clarification question: Clean Oceans	<p>The document 'Annex V: Budget' requests that tenderers provide a price breakdown based on the outputs/deliverables in the Terms of Reference.</p> <p>The below table maps the deliverables defined in the ToR against the Annex V budget items, and the eligible incidental expenditure defined in the ToR. ToR Deliverables for Global Pricing, Annex V Budget Item, ToR</p> <p>Incidentals §4.2.1 – Identification (20 fiches), Item a No (?), §4.2.2 – Prefeasibility studies (10) Item b No (?) §4.2.3 – Feasibility studies (2+3), Items c and d, No (?) §4.2.4 – Pilot projects (5), Not a budget item, Yes §4.2.5 - Lessons learnt, Not a budget item, Partial (e.g. workshops) §4.2.6 – Communication, Not a budget item, Yes §4.2.7 - M&E, Not a budget item, Partial (e.g. workshops) Question: How are the fees and the costs-from-fees related to the last four ToR deliverables (§4.2.4 - §4.2.7) covered in the budget of Annex V? If these fees/costs are not part of any budget items (a, b, c, or d), can they then be charged under</p>	<p>04/11/2019</p> <p>All expenditures that are not described under Section 6.6 of the Terms of Reference as eligible incidental expenditures, but required to reach the expected results shall be included in the prices a, b, c and d.</p>

Call for tenders questions summary

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				they then be charged under Incidental Expenditure?	
10	18/10/2019 08:49	04/11/2019 17:33	Regional Workshops	On page 13 of the ToR, under section 4.2.5 Lessons learnt and knowledge sharing (all stages), as deliverables are mentioned 2 regional workshops. On page 14 of the ToR, section 4.2.6 Communication, it is also mentioned as deliverables "Organisation of two concluding regional workshops". Could you please clarify if it is required to deliver 4 (four) workshops in total or the workshops mentioned in sections 4.2.5 and 4.2.6 are the same - therefore only 2 (two) workshops must be organised.	04/11/2019 The contracting Authority confirms that in total 2 regional workshops are expected to be organised.
11	18/10/2019 08:56	04/11/2019 17:33	Ratio of Projects	On page 10 point 4.2.1 of the ToR it is stated that: "The Consultant will identify and propose a pipeline of at least 20 candidate projects, of which a majority should be solid waste projects and the remaining representing the wastewater and storm water sectors". Can you please clarify if there is any specific proportion/ratio foreseen? (E.g. shall solid waste projects constitute 60% and 40% for wastewater and storm water sectors?)	04/11/2019 The contracting Authority confirms that there is no pre-defined ratio between the three sectors other than that at least 50% of the projects shall be in the solid waste sector.

Call for tenders questions summary

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12	18/10/2019 10:57	04/11/2019 17:34	Special surveys' costs	According to p. 13 of the ToR: "Special surveys such as topographic, geological, geotechnical, environmental, climate assessment, purchase of maps etc. as required by each sub-project are subject to prior written approval by the Contracting Authority, and should be provisioned for and the related costs included in the price. The selection of projects should be made with consideration to the budget available for surveys, in light of that no additional budget is available for this." Does this imply that such costs are included in the Global price for this contract?	04/11/2019 The contracting Authority confirms that all costs for special surveys are to be included in the Global price for this contract.
13	18/10/2019 11:29	04/11/2019 17:34	Deadline for receipt of tenders by the contracting authority	Could you please confirm the deadline to submit our technical and Financial offers ? Is it the 12 or 15 of November 2019 ? Thank you Best regards	04/11/2019 The deadline for submitting the offers is the 15th of November 2019, 23:59 CET. A corrigendum will be published to the OJEU to this end.
14	18/10/2019 15:02	04/11/2019 17:35	References' period	In regard to the Technical capacity of the tenderer (Selection criteria 5.3), could you please confirm that the reference period which will be taken into account will be the last five years up to the deadline for the receipt of applications.	04/11/2019 The Contracting Authority confirms that the reference period for the project presented as references shall be the past 5 years – i.e. finalised between November 2014 and the deadline for the receipt of applications.

Call for tenders questions summary

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15	18/10/2019 15:05	04/11/2019 11:47	Backstopping team CVs	On page 18 of the ToR (Section 6.2 Support Staff and Backstopping) it is stated that "the CVs of the main backstopping team are to be presented in the organisation and methodology". Could you please clarify if the same format should be used as for the CVs of the key experts?	04/11/2019 The Contracting Authority confirms that the same format of CV as for the Key experts must be used. 04/11/2019 The Contracting Authority confirms that the same format of CV as for the Key experts must be used.
15	18/10/2019 16:08	04/11/2019 17:35	Payments	<ul style="list-style-type: none"> • The Annex V: Budget defines five interim payments, which make the total amount of the financial proposal. However, article 6.7 Lump Sums of the TOR indicates "No lump sums are foreseen in this contract". How should we understand article 6.7? • The Annex V: Budget does not show an advance payment for the Consultant. Can you specify if an advance payment will be granted to the Consultant? 	04/11/2019 The contractual payment conditions are described in Article 7 of the Special Conditions of the Service Contract. No Lump Sums payments are foreseen. Payments are subject to approval of the deliverables as described in Article 7.2 of the Special Conditions of the Service Contract. An advance payment of up to 30% of the maximum contract value is foreseen.

Call for tenders questions summary

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16	18/10/2019 16:09	04/11/2019 17:40	Scope of work	<ul style="list-style-type: none"> • Could you confirm our understanding of the following points of the TOR: § 4.2.2: "The Consultant will prepare ToRs for these prefeasibility studies that must be approved by the Bank. The Consultant will launch, manage and track the pre-feasibility studies for the 10 projects, reporting to the Bank as appropriate, ensuring quality control on deliverables, as well as donor and stakeholders (including civil society) consultation." § 4.2.3 of TOR: "The Consultant will prepare ToRs for these feasibility studies that must be approved by the Bank." We understand that the Consultant will prepare the TOR for the prefeasibility and feasibility studies for approval by the Bank and, after approval, will actually carry out these studies. 	04/11/2019 Yes, the Consultant will prepare the draft of the Terms of reference and then carry out the related studies after review and approval of the Terms of Reference by the Contracting Authority.

Call for tenders questions summary

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17	18/10/2019 16:10	04/11/2019 17:40	Projects to be selected	<ul style="list-style-type: none"> • Could you confirm our understanding that the five pilot projects may be defined as the finally selected five projects implemented at a small scale? • Can specify whether the programme will support only technical investment or if capacity building investment needed for the long-term viability of the five selected projects will also be considered? 	04/11/2019 As specified in the Terms of Reference , the Consultant shall carry out one small scale pilot project in each of the selected five projects subject to feasibility studies, testing and demonstrating components forming part of the feasibility studies. While it is expected that the pilot projects would involve some form of small scale physical investment, they are also intended to increase stakeholder awareness and build promoter capacity.
18	18/10/2019 16:10	04/11/2019 17:41	Geographical scope of the project	<ul style="list-style-type: none"> • We understand that “The region to be covered comprises the eligible ACP countries in Sub-Saharan Africa as listed under the EU-ACP Partnership Agreement “. Can you specify if Madagascar, Comoros and Cabo Verde Islands are included in the scope of the programme and confirm that Republic of South Africa is excluded? • Is the presence of either AFD or KfW offices required for the consideration of one country according to criteria of plastic waste emission? 	04/11/2019 Yes, The contracting Authority confirms that Madagascar, Comoros and Cape Verde Islands are included in the scope of the programme and confirm the Republic of South Africa is excluded. The presence of either an AFD or KfW office in each of the selected countries is not a requirement.

Call for tenders questions summary

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19	18/10/2019 16:11	04/11/2019 17:41	Technical capacity of the tenderer	<ul style="list-style-type: none"> • Instruction to tenderers, §3: Can you clarify whether the references must be less than five or three years old? 	04/11/2019 The Contracting Authority confirms that the reference period for the project presented as references shall be the past 5 years – i.e. finalised between November 2014 and the deadline for the receipt of applications.
20	18/10/2019 16:11	04/11/2019 17:42	Delay for submission of the proposal	<ul style="list-style-type: none"> • Considering the content and the different aspects of the Terms of Reference, we would like to be able to benefit from one additional month for the preparation of the proposal, i.e. until December 13, 2019. 	04/11/2019 The deadline for submitting the offers remains on 15 November 2019, 23:59 CET.
21	21/10/2019 11:06	04/11/2019 17:43	Conflict of interest in future tenders	The consultant will do at least 20 project fiches, 10 pre-feasibility studies and 5 feasibility studies with TOR for the next phase. Can EIB confirm that the consultant will only be excluded from work defined by the TORs that have to be produced by the consultant as part of the Feasibility Studies. In other words, can EIB confirm that preparation of project fiches and pre-feasibility studies under this project will not, in itself, be considered a cause for conflict of interest in future tenders?	04/11/2019 Out of the 10 pre-feasibility, 5 will be subject to a feasibility study. If at a later stage, and outside the scope of this contract, a decision is taken to prepare feasibility studies based on any of the 5 remaining pre-feasibility studies, the Consultant would not be eligible to bid for such tender.

Call for tenders questions summary

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22	21/10/2019 11:07	04/11/2019 17:43	General Conditions of Contract	Can EIB confirm that the General Conditions of Contract that are part of this tender are identical to General Conditions of Contract for External Actions version 2018? If this is not the case, can EIB inform which GCC for external action this is OR whether these General Conditions of Contract are tailormade by EIB	04/11/2019 The General Conditions included in the tender dossier are those that will apply to this Service Contract.
23	21/10/2019 11:09	04/11/2019 17:44	Special Conditions of Contract	We see several references to the Special Conditions of Contract (inter alia in the GCC, but also in TOR), but we did not see the Special Conditions of Contract in the tender material. Will EIB make the Special Conditions of Contract Available in advance or will they be part of the contract negotiation?	04/11/2019 The Special Conditions of the Service Contract are provided in the Tender Dossier (File named: "Draft Contract")
24	21/10/2019 11:09	04/11/2019 17:45	Incidental Expenditures	We notice that incidental expenditures shall not be used for surveys as part of the Identification, pre-feasibility study or feasibility study. Can EIB provide an indication of whether any surveys (topographic, geotechnical, land use, flora and fauna etc..) will be expected and if so what is the level of expenditures from fees that the Consultant is expected to set aside for surveys?	04/11/2019 Yes., the contracting Authority confirms that surveys are expected to be required but the extent will depend of the scope and local context of the five projects selected for preparation of feasibility studies. The share to be set aside shall be estimated by the Consultant, considering the overall available budget.

Call for tenders questions summary

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25	21/10/2019 11:10	04/11/2019 17:55	Indirect taxes	<p>We notice that there is a standard formulation that the project is free of taxes. It is our experience that in practice it is often difficult for the consultant to uphold an exemption from indirect taxes, or to get a reimbursement of indirect taxes. Will the EIB be willing to finance documented non-recoverable indirect taxes from incidental expenditure under this contract?</p>	<p>04/11/2019</p> <p>The Consultant might be exempt from direct and indirect taxes in the countries where it will have to operate as this project is financed through EC / Cotonou funds. The Consultant should verify that this tax exemption applies to their activities with the relevant governmental authorities. The Promoter will be able to support the Consultant regarding the administrative requirements upon his establishment in the normal place of performance. However, it must be noted that EIB has no influence in this matter. The EIB benefits from VAT exemption on its purchases in Member States of the European Union; which means that the Consultant's activities performed in the EU (e.g. home office) can be exempt of VAT. We confirm that the Consultant is expected to quote the price net of any intra-Community VAT. Under article 22 of the Protocol of the Privileges and Immunities of the European Union and article 151(b) of Council Directive 2006/112/EC on the common system of value added tax, the EIB benefits from VAT exemption on its purchases in Member States of the European Union. In its capacity as a Community body, the EIB is not liable to VAT and consequently has no VAT number. An intra-Community</p>

Call for tenders questions summary

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					no VAT number. An intra-Community VAT exemption certificate (15.10 Form) may be provided to you, should you require such document to enable you to justify to the local tax authorities the issuing of an invoice excluding VAT. - The offer is free of any taxes, duties and or VAT; - The consultant should follow the national legislation of the hosted country; The Consultant shall remain responsible for the proper application of the rules on VAT at the place where he is taxable.
26	21/10/2019 17:52	04/11/2019 17:57	Taxes	For purpose of tax calculation, kindly provide us with information on: 1 the time expressed in months of local service execution in each relevant country. 2 potential exemptions from taxes in these countries under domestic tax legislation or based on agreements that EIB has concluded with these countries. 3 the obligation to maintain an operational office in these countries.	04/11/2019 Please refer to the preceding answers.Question25
27	21/10/2019 10:58	04/11/2019 17:58	PROPOSAL'S DEADLINE - AA-010039-001 - Clean Oceans Initiative: Project Identification & Preparation Programme for Sub-Saharan Africa (COPIP)	Please clarify the deadline of the proposal's submission. (The eTendering indicates as deadline: 12/11/2019, 23:59 and the instructions to tenders 15/11/2019, 23:59).	04/11/2019 The deadline for submitting the offers is the 15th of November 2019, 23:59 CET. A corrigendum will be published to the OJEU to this end.

Call for tenders questions summary

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28	21/10/2019 11:21	04/11/2019 17:59	Deadline for submission of tenders	The Instructions to tenders indicate the deadline for submission of tenders to be 15/11/2019, whereas the Ted-eTendering platform indicates the deadline to be 12/11/2019. Can EIB inform us of the valid deadline for submission of the tender.	04/11/2019 The deadline for submitting the offers is the 15th of November 2019, 23:59 CET. A corrigendum will be published to the OJEU to this end.
29	21/10/2019 11:41	04/11/2019 18:00	Pre-financing guarantee	We note that there is the provision in the contract for pre-financing, with the requirement for a pre-financing guarantee. We normally expect to see a copy of the proposed draft for this pre-financing guarantee (bond). This was not included in the tender documents we received. Please can you send this?	04/11/2019 The template is provided on the Document Library under the name: "Declarations and other Templates - Annex 8 Pre-financing guarantee".
30	21/10/2019 11:42	04/11/2019 18:00	South Africa	Could you please clarify if South Africa is included in the project? The contract notice excludes South Africa but there is no mention of this in the TOR.	04/11/2019 Yes, the Contracting Authority confirms that South Africa is excluded from the scope of this programme.

Call for tenders questions summary

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31	21/10/2019 11:48	04/11/2019 18:01	Tax and Cotonou agreement	<p>Our consortium notes, pursuant to information contained in the TOR, that the tax and customs arrangements that will be applicable to work performed under this project are those contained in Article 31 from Annex IV of the Cotonou Agreement signed on the 23rd June, 2000. Our consortium has experience of working on other EIB funded projects on which we have also been advised tax and customs arrangement pursuant to the Cotonou Agreement will be applied. On these projects the taxing authorities of the jurisdictions in question have refused to accept the obligations placed upon them by the Cotonou Agreement to exempt contractors, their employees and consultants from taxes. Given the number of countries implicated in this project there is a significant risk that at least some of the countries' taxing authorities will refuse to be bound by the provisions of the Cotonou Agreement which will result in, at present, unknown tax costs. Could the EIB advise how it seeks to address this issue to ensure that all bidders are aware of their tax obligations in each of the potential</p>	<p>04/11/2019 The Consultant might be exempt from direct & indirect taxes (e.g. VAT, income tax) in the countries where it will operate as project financing source is EC / Cotonou. The Consultant should verify that this tax exemption applies to their activities with the relevant governmental authorities and whether any double taxation convention treaty exist with their country of registration. Some Promoters might be able to support the Consultant regarding the requirements upon his establishment in the normal place of performance. However, EIB has no influence in this matter. The EIB benefits from VAT exemption on its purchases in Member States of the European Union; meaning that Consultant's activities performed in the EU (e.g. home office) can be exempt of VAT. We confirm that the Consultant is expected to quote the price net of any intra-Community VAT. Under article 22 of the Protocol of the Privileges and Immunities of the European Union and article 151(b) of Council Directive 2006/112/EC on the common system of value added tax, the EIB benefits from VAT exemption on its purchases in Member States of the European Union. In its capacity as a Community body, the EIB is not</p>

Call for tenders questions summary

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				<p>obligations in each of the potential countries of service provision? Whilst we are aware of our duty bound to understand our tax obligations in each country and under normal circumstances would carry out an analysis of the relevant tax legislation to understand expected tax costs, given that the EIB has presented to bidders the provisions of the Cotonou Agreement as dictating tax and customs arrangements and in certain cases overriding local tax legislation we seek to address this particular tax issue and to request guidance on EIB's knowledge of the acceptance of the Cotonou Agreement's tax provisions by the relevant taxing authorities, and to understand what protection or securities the EIB might provide in the event of taxes ultimately being assessed on a contractor, its non-national employees and consultants, contrary to the Cotonou Agreement.</p>	<p>a Community body, the EIB is not liable to VAT and consequently has no VAT number. An intra-Community VAT exemption certificate (15.10 Form) may be provided, should you require it to justify to your local tax authorities the issuing of invoices excluding VAT. - The offer is free of any taxes, duties and / or VAT; - The consultant should follow the national legislation of the hosted country; The Consultant shall remain responsible for the proper application of the rules on VAT where he is taxable. We confirm that non-recoverable non intra-community VAT may be considered as eligible cost and be reimbursed in full, within the Incidental expenditure incurred by the Consultant and approved by the Contracting Authority on a case-by-case basis.</p>

Call for tenders questions summary

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32	21/10/2019 12:08	04/11/2019 18:02	Deadline for subblission	In the Instructions to tender it is stated that "Deadline for receipt of tenders by the Contracting Authority is the 15.11.2019". However on the TED platform it is stated that "time limit for receipt of tenders:12/11/2019" Can you please confirm that the Deadline for receipt of tenders by the Contracting Authority is the 15.11.2019	04/11/2019 The deadline for submitting the offers is the 15th of November 2019, 23:59 CET. A corrigendum will be published to the OJEU to this end.
33	21/10/2019 12:10	04/11/2019 18:03	Project Name	On the TED platform the Project name is given as "Technical Assistance Facility for the Clean Ocean Initiative in Sub-Saharan Africa". However in the Instructions to tenderers the projects' tile is "Project Identification and Preparation Programme Facility for the Clean Ocean Initiative in Sub-Saharan Africa". Can you please clarify which is the correct project name?	04/11/2019 While both names can be referred to, we suggest to use the following name: The Clean Oceans Initiative Project Identification &Preparation Programme for Sub-Saharan Africa (COPIP)

Call for tenders questions summary

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34	21/10/2019 14:29	04/11/2019 18:03	Reference period for references.	Referring to AA-010039-001 TAINSTRUCT 5.3 "The Reference period which will be taken into account will be the last three years from submission deadline", this seems contradictory to the part below: 5.3.a "The tenderer (...) has implemented, during the last 5 years (...) at least 5 projects " Please clarify the reference period for the references to provide.	04/11/2019 The Contracting Authority confirms that the reference period for the project presented as references shall be the past 5 years – i.e. finalised between November 2014 and the deadline for the receipt of applications.
35	21/10/2019 14:40	04/11/2019 18:04	Incidental expenditures	Ref ToR § 6.6 p19: we understand that the implementation of the 5 pilot projects will be financed by the incidental expenditures. By consequence, each project will be on average < 100 k€. Our experience indicates that this amount might not be sufficient for such infrastructure projects. Please confirm if the implementation of the 5 pilot projects are covered by the 500k€ of the incidental expenditure.	04/11/2019 Yes the cost for implementation of the pilot projects shall be covered under the incidental costs. The scope of the pilot projects must be determined in line with the available budget.

Call for tenders questions summary

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36	21/10/2019 14:43	04/11/2019 18:04	Taxes	Reference to TAINSTRUCT Chapter 22 and Annex 9: Usually foreign companies must register in the project countries they work in. This would result in accounting costs, fees and tax obligations, etc. Kindly advise, in how many countries registrations will be required and how the related fees and expenses shall be reimbursed to the Consultant. We understand that EIB is not liable to VAT. On the other hand it is stated, that "the Consultant is expected to quote the price net of any taxes. Please confirm that any other local taxes in the various project countries, like e.g. withholding taxes, company income taxes, personal income taxes of the long term experts, etc., which might be charged to the Consultant, will be reimbursed by the EIB.	04/11/2019 The Consultant might be exempt from direct and indirect taxes in the countries where it will have to operate as this project is financed through EC / Cotonou funds. The Consultant should verify that this tax exemption applies to their activities with the relevant governmental authorities. The Promoter will be able to support the Consultant regarding the administrative requirements upon his establishment in the normal place of performance. However, it must be noted that EIB has no influence in this matter. The EIB benefits from VAT exemption on its purchases in Member States of the European Union; which means that the Consultant's activities performed in the EU (e.g. home office) can be exempt of VAT. We confirm that the Consultant is expected to quote the price net of any intra-Community VAT. Under article 22 of the Protocol of the Privileges and Immunities of the European Union and article 151(b) of Council Directive 2006/112/EC on the common system of value added tax, the EIB benefits from VAT exemption on its purchases in Member States of the European Union. In its capacity as a Community body, the EIB is not liable to VAT and consequently has no VAT number. An intra-Community

Call for tenders questions summary

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					no VAT number. An intra-Community VAT exemption certificate (15.10 Form) may be provided to you, should you require such document to enable you to justify to the local tax authorities the issuing of an invoice excluding VAT. - The offer is free of any taxes, duties and or VAT; - The consultant should follow the national legislation of the hosted country; The Consultant shall remain responsible for the proper application of the rules on VAT at the place where he is taxable. We confirm that non-recoverable non intra-community VAT may be considered as eligible cost and be reimbursed in full, within the Incidental expenditure incurred by the Contractor and approved by the Contracting Authority on a case-by-case basis.
37	21/10/2019 14:46	04/11/2019 18:05	Projects proposed by th EIB	The EIB will propose 5 potential project ideas. 1/ In which countries would these projects be located? 2/To which sectors these projects would belong?	04/11/2019 The contracting Authority confirms that this information is not available at this stage and will be communicated to the Consultant once the contract is signed.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
38	21/10/2019 14:49	04/11/2019 18:06	EIB's regional representations	Please provide the list of countries and cities, where EIB has regional representation	04/11/2019 This information is available from EIB web site (https://www.eib.org/en/infocentre/contact/offices/index.htm) In Sub-Saharan Africa, EIB is present in Abidjan, Addis Ababa, Dakar, Nairobi, Pretoria and Yaoundé.
39	21/10/2019 14:54	04/11/2019 18:07	CV of non key experts.	CVs for non-key experts are not requested and will not be evaluated. How do you expect the Tenderer to demonstrate access to a pool of senior experts from which senior non-key experts could be identified and mobilized with a very short notice?	04/11/2019 Information pertaining to the access to non-key experts will be evaluated as part of the Organisation and Methodology.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
40	21/10/2019 14:58	04/11/2019 18:08	Budget presentation and extra costs	<p>The Tender provides a budget and the number of projects to be delivered by the consultant at each stage of the implementation (identification, pre-feasibility, feasibility, pilot projects). However, details about the projects are unknown at this moment, and, therefore, a level of effort per project cannot be appropriately prepared at this stage of the tender. How is the Contracting Authority going to tackle issues related to extra costs incurred by the Consultant due to studies and projects with extraordinary level of effort.</p>	<p>04/11/2019 The bidders will have to explain in their methodology how they intend to scope the projects so that they remain relevant and within the set budget. It will be the responsibility of the consultant to size projects adequately. The required level of effort for preparation of projects will also be considered in the selection of projects subject to feasibility studies.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
41	21/10/2019 15:00	04/11/2019 18:08	Surveys	Projects being effective regarding Clean Oceans are expected to have a significant size and may also spread over an extended area. As the Consultant has to include in his services all surveys required, please indicate what type of surveys are meant by this and also if this may include eventual required special surveys dependent on project nature and location (e.g. endangered flora-fauna-species, fish dolphin wale surveys, hydrological surveys, groundwater surveys, solid waste sampling campaigns etc.)	04/11/2019 Possible types of surveys are indicated in the Terms of Reference section 4.2.3. As stated, the costs of such surveys should be included in the Price.
42	21/10/2019 15:08	04/11/2019 18:09	Number of projects at each phase	The Annex V : BUDGET indicates clearly the number of projects: - 20 projects identified - 10 projects for prefeasibility studies - 5 feasibility studies. Nevertheless, the ToR leave interpretation for higher number: ToR §4.2.1 (page 10): "The Consultant will identify and propose a pipeline of AT LEAST 20 candidate projects..." ToR §4.2.1 (page 11): "...the consultant will recommend the selection of AT LEAST 10 projects for pre-feasibility". Please confirm the number of projects to be studied at each phase.	04/11/2019 The consultant may identify and propose more than the minimum number of projects at each stage allowing the Contracting Authority to make a selection of the 10/5 projects for pre-feasibility studies and feasibility studies.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
43	21/10/2019 15:21	04/11/2019 18:11	Location of offices	Ref ToR § 6.3 page 18: Are the key experts (in particular the KE1 Team leader), and the non key experts expected to be posted in a particular country / city? If yes, please advise which one(s)?	04/11/2019 Please refer to the Terms of Reference, Section 6.1 which states: "Each of the key experts are allowed to spend a maximum of 30% of their time allocated under this assignment working in their respective home offices. The rest of the time must be allocated for work on project sites or in local project offices in Sub-Saharan Africa. (...) If the Consultant Team choose to establish project offices, preference for the location of such offices shall be given to cities with EIB representation, e.g. Nairobi for East and Southern Africa and Abidjan for West Africa."

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
44	21/10/2019 15:32	04/11/2019 18:12	ToR	Can we assume that (selected) project will not be situated in high risk countries and/or regions? If such high risks occur during project implementation, can project activities be suspended?	04/11/2019 Projects should be selected in locations and countries where the likelihood for successful preparation and implementation is high. The selection of project countries and regions should be conducted in consultation with the EIB where different levels of country/project risk will be taken into consideration. The geographical scope of the Services is defined in the Terms of Reference. The General Conditions of the Service Contract foresees that the Contracting Authority may suspend the implementation of the contract when it considers such a suspension being in the interest of the project. Suspension of certain activities because of local situation will be assessed on a case by case basis.
45	21/10/2019 15:33	04/11/2019 18:13	Instructions to tenderers, page 2 5. Selection criteria 2) Professional capacity of renderer	Can you confirm that the fields in which (at least 20 of) the permanent staff of the tenderer are required to work are: (i) solid waste management; (ii) wastewater management and (iii) urban stormwater management?	04/11/2019 The Contracting Authority confirms that the permanent staff of the tenderer are required to work are: (i) solid waste management; (ii) wastewater management and (iii) urban stormwater management.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
46	21/10/2019 15:35	04/11/2019 18:13	Section A: Instructions to tenderers Page 2 5. Selection criteria 2) Professional capacity of renderer	Can you please specify the reference period (since reference is made to 'the last three years from submission deadline' and 'during the last five years (up to the deadline for the receipt of applications indicated under item 10 below)'	04/11/2019 The Contracting Authority confirms that the reference period for the project presented as references shall be the past 5 years – i.e. finalised between November 2014 and the deadline for the receipt of applications.
47	21/10/2019 15:35	04/11/2019 18:14	Projects offices	Ref to ToR 6.1: "Each of the key experts are allowed to spend a maximum of 30% of their time allocated under this assignment working in their respective home offices. The rest of the time must be allocated for work on project sites or in local project offices in Sub-Saharan Africa. " Are the project sites and local project offices those of the local project promoters?	04/11/2019 It is the responsibility of the Consultant to provide suitable working conditions to its staff for the performance of their tasks. Promoters are not expected to provide office space to the experts.
48	21/10/2019 15:36	04/11/2019 18:15	Section A: Instructions to tenderers Page 2 7. Content of tenders	Can you confirm that only one original Technical offer and Financial offer have to be submitted?	04/11/2019 The Technical offers and the financial offers must be submitted in separate envelopes (double envelope system). Each shall be submitted in one original paper version and an electronic version included in their respective envelope.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
49	21/10/2019 15:37	04/11/2019 18:21	Section A: Instructions to tenderers Page 6 7.1 Technical offer	Can you please indicate what you do consider as "The electronic version of the technical offer" that must be included with the printed version in the separate envelope in which the technical offer is submitted?	04/11/2019 The Technical offers and the financial offers must be submitted in separate envelopes (double envelope system). Each shall be submitted in one original paper version and an electronic version included in their respective envelope. As per the instructions to tenderers, the electronic version of the Technical Offer must be included in the envelope of the Technical Offer. In the same manner, the electronic version of the Financial Offer must be included in the envelope of the Financial Offer.
50	21/10/2019 15:38	04/11/2019 18:22	Section A: Instructions to tenderers Page 6 7.2 Financial offer	Can you please indicate whether an electronic version of the financial offer must be included with the printed version in the separate envelope in which the financial offer is submitted?	04/11/2019 The Technical offers and the financial offers must be submitted in separate envelopes (double envelope system). Each shall be submitted in one original paper version and an electronic version included in their respective envelope.
51	21/10/2019 15:39	04/11/2019 18:22	Section B: Terms of Reference page 7 2.3 Results to be achieved by the Consultant	Accelerated access to increased levels of finance sources is often dependent on the country credit rating as sovereign guarantees are asked as collateral. Is the country debt status a (key) factor for financing and therefore, project selection?	04/11/2019 It is up to the consultant to propose in its methodology the selection criteria it considers the most relevant.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
52	21/10/2019 15:40	04/11/2019 18:22	ToR Multiple consortium participation	Is a consulting firm allowed to participate in more than one consortium?	04/11/2019 No, a consulting firm is not allowed to participate in more than one consortium. Please refer to the Declaration referred to in Point 7 of the Tender Submission Form, where you are required to confirm that you “are not participating in any other tender for the same contract, whatever the form of participation (as a member - including leader - in a consortium or as an individual tenderer)”.
53	21/10/2019 15:42	04/11/2019 18:23	Section C: Declarations and other templates Annex 1 page 5 Service Tender Submission Form: 5. Fields of Specialisation	Please confirm that the ‘relevant field of specialisation’ refers to: (i) Solid waste management (with focus on plastics’; (ii) Wastewater management; (iii) Urban storm water management	04/11/2019 Indeed, these fields of specialisation are of relevance to the contract. It is up to the bidder to identify possible additional fields of expertise it considers as relevant in light of the information provided.
54	21/10/2019 15:43	04/11/2019 18:24	Section C: Declarations and other templates Annex 1 Page 6 Service Tender Submission Form: 6. Experience	Can you indicate the maximum number of references to be provided?	04/11/2019 The maximum number of references to be provided is 15.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
55	21/10/2019 15:45	04/11/2019 18:25	Section C: Declarations and other templates Annex 4 Financial offer c.q. Budget	<p>Could you please confirm that the maximum budget available for this contract, as stated in the contract notice (EUR 6 million), refers to A. Sub-total global price (a to d)? Can you please confirm that no further breakdown of the Budget is required, other then the four amounts for points a to d? Will the budget breakdown in points a to d, also be used for the payment schedule? In Annex 4, the budget needs to be broken down in points a to d. However, in the ToR (page19), payments are split into 5 (4 interim payments and one final payment). Please clarify. Point a to d of Annex 4, coincide with activities 4.2.1 to 4.2.3 of the ToR (pages 10 – 12). How are the remaining activities 4.2.4 to 4.2.7 (pages 13 – 14) need to be reflected in the budget format presented in Annex 4?</p> <p>Please clarify. Please clarify whether the payment schedule as presented under article 7.2 of Section D (SERVICE CONTRACT NO AA-010039-001, Special Conditions), should be presented in Annex 4, OR whether this will be discussed during</p>	<p>04/11/2019</p> <p>The maximum budget available refers to the grand total (A+B+C) as specified in the Section C, Annex 4 TA Budget document. The financial offer shall be presented using the Annex 4, TA Budget document. NO further breakdown is required. The contractual payment conditions are described in Article 7 of the Special Conditions of the Service Contract. There will be no contract negotiations. This contract is an assent contract, the clauses of which are not to be modified.</p>

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
				whether this will be discussed during Contract Negotiations?	
56	21/10/2019 15:46	04/11/2019 18:25	Section C: Declarations and other templates Annex 8 Pre-financing guarantee form	Please confirm that the pre-financing guarantee only has to be submitted after receipt of Notification of Award.	04/11/2019 The contracting Authority confirms that the pre-financing guarantee will be required after signature of the contract.
57	21/10/2019 15:47	04/11/2019 18:29	Section C: Declarations and other templates Annex 10 Expenditure verification	Please indicate whether the 'Expenditure verification' is required for each interim payment request and or the final payment request.	04/11/2019 The contracting Authority confirms that the 'Expenditure verification' is required for each interim payment.
58	21/10/2019 15:49	04/11/2019 18:30	Section D: Draft Contract Agreement and General Conditions Page 2 7.2 Payment Schedule (Special Conditions of Contract)	See question raised under Section C – Annex 4. Please clarify	04/11/2019 The contractual payment conditions are described in Article 7 of the Special Conditions of the Service Contract. The budget template in Annex 4 should only be filled in with no other information added.
59	21/10/2019 15:51	04/11/2019 18:30	Extension of submission date of proposal	Given the complexity of the assignment we herewith kindly request an extension of the submission of the proposal with 1 month.	04/11/2019 The deadline for submitting the offers is the 15th of November 2019, 23:59 CET. A corrigendum will be published to the OJEU to this end.. No extension can be granted.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
60	21/10/2019 15:53	04/11/2019 18:30	Instruction to tenderers Submission date 12 or 15 november	In the e-tendering platform the submission date of the proposal is 12/11/2019 but in the Instruction to Tenderers the submission date is 15/11/2019. Please clarify.	04/11/2019 The deadline for submitting the offers is the 15th of November 2019, 23:59 CET. A corrigendum will be published to the OJEU to this end.
61	21/10/2019 15:55	04/11/2019 18:31	ToR Page 9, 8th Alinea of section 4.1.1. project description	What is meant by plan and support? Please clarify.	04/11/2019 The Consultant shall plan the pilot projects and support the promoters in the implementation of the pilot projects.
62	21/10/2019 15:57	04/11/2019 18:31	ToR Page 18, 6.4, Facilities to be provided by the Consultant 2nd Alinea	All facilities and support must be included in the price. Does this mean included in the fee?	04/11/2019 All expenses other than those defined as eligible incidental expenditure and expenditure verification must be included in the fee.
63	21/10/2019 15:59	04/11/2019 18:32	ToR Page 19, Expenditure clarification	Who will appoint the auditor?	04/11/2019 As per Article 7.8 of the General Conditions, it is up to the Consultant to notify the Contracting Authority of the external auditor it will appoint for the contract.
64	21/10/2019 16:01	04/11/2019 18:33	ToR Page 19, 6.8 Expenditure clarification 3rd Alinea	What will happen when the increase results in excess of the maximum project price?	04/11/2019 Should the expenditure verification budget require an increase, this could give rise to a Contract Addendum. Please note that the budget allocated to Expenditure verification cannot be reduced.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
65	21/10/2019 16:02	04/11/2019 18:33	ToR Page 22, 7.3 Visibility requirements	How much exposure is desired by the EIB?	04/11/2019 It is up to the consultant to propose actions of visibility as defined in the Terms of Reference.
66	21/10/2019 16:03	04/11/2019 18:33	ToR Annex 2 Environmental & Social studies	Can we assume that the level of ESIA is related to the level of detail of the project?	04/11/2019 The contracting Authority confirms that the level of ESIA is related to the level of detail of the projects.
67	21/10/2019 16:42	04/11/2019 18:34	ToR, Section 4.2.1, page 10:	ToR, Section 4.2.1, page 10: As an indication, projects should have a minimum capital expenditure in the range of EUR 20m, which could comprise different components of integrated projects with the same promoter. Projects can have both public and private promoters, and care should be taken to select committed promoters that are well placed to provide support during preparation and take responsibility during implementation. Projects/components that involve, engage or support the private sector, with resulting job creation, are encouraged. Question: What is the budget above specified for? 20 M € for each of the 5 projects or for the sum of the 5 projects?	04/11/2019 The contracting Authority confirms that the minimum capital expenditure in the range of EUR 20m is per project.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
68	21/10/2019 16:42	04/11/2019 18:35	ToR, Section 6.6 Incidental expenditure, page 19	ToR, Section 6.6 Incidental expenditure, page 19: The provision for incidental expenditure covers ancillary and exceptional eligible expenditure incurred under this contract. It cannot be used for costs that should be covered by the Consultant as part of its fee rates, as defined above. Its use is governed by the provisions in the General Conditions and the notes in Budget form part of the Contract. It covers: Costs related to the implementation of the 5 pilot projects Costs related to the communication activities, such as publications, website development and maintenance Costs related to carrying out the workshops. The provision for incidental expenditure for this contract is EUR 500,000. This amount must be included unchanged in the Budget breakdown. The Contracting Authority reserves the right to reject payment of per diem for time spent travelling if the most direct route and the most economical fare criteria have not been applied. Prior authorisation by the Contracting Authority for the use of the incidental expenditure is needed. Question 1: Does the line "Costs related to the	04/11/2019 1. No. Per diem for the experts should be included in the global price. 2. See answer above. 3. No. Per diem for the experts should be included in the price.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
				Does the line “Costs related to the implementation of the 5 pilot projects” include per diem for the travels? Question 2: If yes, is the per diem payable for all the African countries visited by the experts? Question 3: The ToR suggests that the project offices should be (preferably) in Nairobi or Abidjan. If the Consultant establishes such offices in Nairobi for example, would per diem be payable for Kenya?	
69	21/10/2019 17:51	04/11/2019 18:36	Project location	Kindly advise in which countries concretely the projects will be realized and hence trigger possibly an obligation for registrations	04/11/2019 Project activities will be carried out in eligible ACP countries in Sub-Saharan Africa. Exact countries are to be identified in the course of the project. It is up to the bidders to assess the need or requirements for registrations.

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