

## Call for tenders' details

Title: Translations for the Needs of the Implementation of Directive (EU)2015/1535

Start date: 08/07/2020

Time limit for receipt of tenders: 31/08/2020

Contracting authority: European Commission, DG for Internal Market,

Industry,Entrepreneurshipand SMEs (GROW)

Status: Closed

## Call for tenders question list

#	Submission date	Publication date	Question subject	Question	Answer
1	13/07/2020 09:09	20/07/2020 14:24	Electronic signature	For the documents requiring a signature, will electronic signature (scanned or digitally certified signature) be accepted?	<b>20/07/2020</b> Where a document needs to be signed, the signature must be either hand-written, a qualified electronic signature or an advanced electronic signature based on a qualified certificate as defined in Regulation (EU) No 910/2014 on electronic identification and trust services for electronic transactions in the internal market (the eIDAS Regulation).

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#	Submission date	Publication date	Question subject	Question	Answer
2	13/07/2020 10:43	20/07/2020 14:26	Time limit for receipt of tenders	<p>We would like to ask to postpone the submission deadline of the tenders until September 30th for the following reasons: 1. The submission deadline August 31st falls into the middle of the summer holiday season in all European countries. All clients, subcontractors and other partners are on holiday and this will complicate and slow down the tender assembling process. 2. Since the COVID-19 situation in many European countries is still serious and people are still working remotely from home, this will slow down the tender assembling process and make it challenging to create, scan and sign paper versions of the documents. Postponing the time limit for receipt of tenders will ensure that all tenderers regardless of the country will have the equal possibilities to participate. It will also improve the quality of the tenders and this way ensure that the contracting authority will receive the best possible tenders.</p>	<p><b>20/07/2020</b> The submission deadline of 52 days (i.e. from 8 July until 31 August 2020) goes well beyond the minimum of 37 days required. This extra deadline is to take into account the summer period and any potential spill over effect of the Covid-19 crisis.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
3	13/07/2020 15:02	20/07/2020 14:42	Criterion T 1 - Minimum Level of Capacity	Could you please elaborate further on what is understood by a project "similar in scope and complexity"? Does translation work carried out under other EU tenders such as the European Commission's Directorate General for Translations (DGT), the European Parliament (EPCOR), or the Translation Centre for the Bodies of the European Union qualify under this criterion?	<b>20/07/2020</b> The scope and complexity of the call for tender can be found in the Tender specifications section 1.4.2 "Detailed characteristics of the purchase" and more specifically under 1.4.2.1 "The Scope of the Tasks". Other projects of similar scope and complexity will have many elements in common as those described in this section, for instance, volume of translations, language regime, delivery periods, quality checks.
4	14/07/2020 09:33	20/07/2020 14:44	Contract start date	What is the contract start date?	<b>20/07/2020</b> The contract is expected to start early in 2021. This date is purely approximate and does not constitute in any manner a commitment from the Commission side.
5	14/07/2020 09:33	20/07/2020 14:46	Results	When will you communicate the results of the tender?	<b>20/07/2020</b> The results will be communicated as soon as they will be available, in line with public procurement rules. At this stage we envisage before end 2020. This date is purely approximate and does not constitute in any manner a commitment from the Commission side.

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#	Submission date	Publication date	Question subject	Question	Answer
6	14/07/2020 09:34	20/07/2020 14:48	ramp-up time	How much time the winner will have for ramp-up (i.e. the time between the communication of results and start of the contract)?	<b>20/07/2020</b> Necessary time will be allowed for the contractor to be in a position to perform all the tasks required by the contract.

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#	Submission date	Publication date	Question subject	Question	Answer
7	14/07/2020 09:35	20/07/2020 14:52	sample files	Could you provide sample files for ad-hoc translation requests and quality revision requests?	<p><b>20/07/2020</b>            Ad-hoc translation requests: Under the Tender specifications section 1.4.2.2.C “Ad-hoc translations of other documents related to the procedure” all the relevant information can be found with regards to ad-hoc translations. Examples of stakeholder positions can be found in the public TRIS database in the notification pages under ‘contributions’. Among others, the Commission explanations on the case law of the Court of Justice of the European Union about the implementation of Directive (EU) 2015/1535 could also be considered as ad hoc translation. Such legal text that can be found under <a href="https://ec.europa.eu/growth/tools-databases/tris/en/about-the-20151535/case-law/">https://ec.europa.eu/growth/tools-databases/tris/en/about-the-20151535/case-law/</a>. Please note that the size of the documents in this heterogeneous category varies greatly from one case to the other. Quality revision requests may cover any document, under any category, prepared by the Commission or by any other intervenant for which a translation exists and its accuracy needs to be verified.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
8	14/07/2020 09:36	20/07/2020 14:55	"managerial staff"	What do you exactly mean by "managerial staff" (see p. 25 Criterion T2). Do you mean project managers, the legal representative or someone else?	<b>20/07/2020</b> Managerial staff are the persons in charge of the implementation of the contract.
9	14/07/2020 16:14	20/07/2020 15:03	table in excel-format	On p.56 you state that "The same table is available in excel-format as a separate file attached to the tendering documents." We couldn't find this excel sheet as a downloadable file. Could you please provide this file separately?	<b>20/07/2020</b> An excel-format file concerning translation capacity has been uploaded in the Document Library attached to this question.
10	14/07/2020 16:04	20/07/2020 15:06	individual share of the contract	It's difficult to predict and calculate the individual share of freelance translators for this contract. It depends on the size of the pool we will work with and the volumes received. Given the large number of language combinations, can we assume that the individual share of a freelance translator will not exceed the 0.5%?	<b>20/07/2020</b> The individual share of a freelance translator is to be calculated out of the general architecture of the proposal and may depend on the amount of translators involved for the same language combinations and the amount of translations provided. Examples for the amount of pages translated per source language can be found in the Tender specifications under section "1.4.2 Detailed characteristics of the purchase". It is completely up to the tenderer to decide on individual shares of the contract.

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#	Submission date	Publication date	Question subject	Question	Answer
11	15/07/2020 08:31	20/07/2020 15:09	Time limit for receipt of tenders	We kindly ask the contracting authority to consider current circumstances and prolong the time limit for receipt of tenders at least till mid-September as COVID-19 measures and summer holiday period complicate the tender preparation.	<b>20/07/2020</b> See answer to question 2.
12	15/07/2020 10:44	20/07/2020 15:12	Translation revision	It is said that Occasionally, the Contractor will have to carry out the quality revision of documents already translated and held by the Commission. Will this translation held by the Commission be human or machine translation? Thanks.	<b>20/07/2020</b> It can be either human or machine translations.
13	15/07/2020 11:31	20/07/2020 15:15	Annexes in editable format	Dear sirs, could we have editable versions of the different annexes to be presented? thanks	<b>20/07/2020</b> See answer to question 14. <b>04/08/2020</b> Please see answer to Question 56 and its respective document library.
14	15/07/2020 11:33	20/07/2020 15:17	TRIS database	Are there any costs for the contractor associated with the use of TRIS database? Thanks.	<b>20/07/2020</b> Under section "1.4.3.1 Management and transfer of documents" of the tender specifications, it is specified that the contractor will have access to the restricted TRIS database. There are no costs associated to the accessing of this database.

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#	Submission date	Publication date	Question subject	Question	Answer
15	14/07/2020 09:41	28/07/2020 10:53	subcontractors	On p.20 of the tender, under 2.4.2.d. you state that freelancers won't be considered subcontractors unless they perform translation services. While additional documents are required for subcontractors, freelance translators are exempted from some of those. Could you list the documents/annexes that need to be submitted with the tender or upon request for freelance translators? Thank you.	<b>28/07/2020</b> Freelancers and self-employed persons, who provide translation services to the contractor for the execution of the contract, even though considered sub-contractors, are exempt from submitting any supporting documentation.
16	15/07/2020 12:03	28/07/2020 10:59	Freelancers	In point 2.4.2 Subcontracting d it is stated that "As an exception to this, freelancers and self-employed persons who provide translation services to the contractor for the execution of the contract are regarded as subcontractors." Do we need to include the freelancers in Annex 4, as it is established that freelancers do not need to fulfill Annex 5.1? thanks.	<b>28/07/2020</b> Freelancers and self-employed persons are considered sub-contractors and therefore need to be listed in annex 4 (those that are known at the time of submission) even though they do not need to fill in Annex 5.1.



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#	Submission date	Publication date	Question subject	Question	Answer
17	16/07/2020 08:19	28/07/2020 11:03	Declaration on Honour	<p>1. Regarding section VII in Annex II</p> <p>i) The points a-c in section VII in Annex II include places where a reference to relevant section should be inserted. Below this section is a comment that the contracting authority should finalise the form for the tender. Would you please comment, if it's acceptable to submit the form as it is or should we, contractors, specify those sections in the points a-c? ii) Is it correct if we use the following sections for filling the gaps: (a) – 3.2.1 (b) – 3.2.2 (c) – 3.2.3 iii) Based on the criteria described in sections 3.2.1-3.2.3, is our understanding correct that if the form is filled by: - a legal person / group leader and group members, subcontractors with contract share above 0.5% – &gt; 'YES'/'NO' should be chosen for points (a), (b) and (c)? - a natural person / subcontractor with share below 0.5% (freelance-based cooperation partners) – &gt; 'N/A' should be chosen for points (a), (b) and (c)?</p>	<p><b>28/07/2020</b></p> <p>You can fill in this section of the declaration as follows: for point (a) “section 3.2.1”, point (b) “section 3.2.2” and point (c) “section 3.2.3”. Freelancers and self-employed persons on the one hand as well as those subcontractors with a contract share below 0.5% on the other hand are not required to fill in Annex 2.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
18	13/07/2020 14:41	03/08/2020 10:51	Criterion T1 - please clarify	Criterion T1: At least one similar (in scope and complexity) project completed in the last five years preceding the tender submission deadline and with a minimum value of EUR 10,000,000. Please clarify this. Can this be interpreted so that 10 million euros can include several projects with a total amount of 10 million euros? Or is there a typo since there is a conflict between this requirement (10 million euros) and the minimum turnover requirement (1 million euros).	<b>03/08/2020</b> The completion of at least one project of a minimum of EUR 10,000,000 over the course of the past 5 years is required, in order to demonstrate the experience in a project of similar scope and complexity. The EUR 10,000,000 requirement is proportionate to the value of the current tender and the information available to the Commission points to the fact that there is a market with several companies that are able to fulfill this criterion. "Similar project in scope and complexity" does not mean that it has to be the same type of project, but similar to that which is described in the tender specifications section 1.4, namely the offering of highest quality translation services for very large volumes of text on short deadlines and in different language combinations. In case of a consortium or a joint tender, at least one company must have completed one project of a minimum of EUR 10,000,000 over the course of the past 5 years. For example, a company which acted in a managing role as part of a consortium or a joint tender which completed a project of a minimum of EUR 10,000,000 in the past 5 years can participate. The call is open to all sort of companies or group of companies, including SMEs,

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					group of companies, including SMEs, that fulfill the criteria as specified in the tender specifications. Any company can therefore participate, independently, as part of a consortium, a joint tender or as a subcontracting entity. Criterion T1 refers to the previous experience and is different from the minimum requirements set up by criterion F1 in section 3.2.2 of the tender specifications which specifies a minimum of EUR 1,000,000 for the annual turnover in respect of a tenderers economic and financial capacity only.
19	13/07/2020 14:58	03/08/2020 10:55	Criterion T1 - Minimum Level of Capacity	You mention 'at least one similar (in scope and complexity) project ... with a minimum value of EUR 10,000,000. Does it have to be 'one project', or is it acceptable if the amount of EUR 10,000,000 is comprised of a number of such projects (possibly carried out by different members of a consortium)? If the answer is that it must be 'one project', is the amount of EUR 10,000,000 actually correct, given that the average yearly turnover for all involved entities participating in a joint bid is EUR 1,000,000?	<b>03/08/2020</b> Please see answer to question 18.

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#	Submission date	Publication date	Question subject	Question	Answer
20	14/07/2020 09:24	03/08/2020 10:57	Tender Specifications	Regarding Criterion T1 – minimum level of capacity – and in case of a joint tender, could you please clarify if it is possible to prove experience in several similar projects from all the members in the last five years with a total amount of EUR 10.000.000?	<b>03/08/2020</b> Please see answer to question 18.
21	14/07/2020 16:14	03/08/2020 10:59	Tender Specifications	Concerning Criterion T1, could you please specify what do you mean by “similar” project (in scope and complexity)? Same client? Same languages combination (506)? Same volume? Same subject fields? Please clarify	<b>03/08/2020</b> Please see answer to question 18.

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#	Submission date	Publication date	Question subject	Question	Answer
22	15/07/2020 08:33	03/08/2020 11:00	The minimum value of project completed in the last five years	<p>p. 25 of the Tender Specifications: Most probably, there is a typographical error in the minimum value of project completed in the last five years. Shouldn't there be a value of EUR 1,000,000 instead of EUR 10,000,000? If this is not the case, we would like to point out that there are not many projects in the European translation market exceeding a value of EUR 10,000,000. Even the database of contracts awarded by European Commission since 2016 shows that the usual value of translation projects varies between 1,000,000 and 3,000,000. There was just one contract exceeding the value of EUR 10,000,000 awarded in the last five years, that is the current contract for translation of technical regulations in relation to Directive (EU) 2015/1535 of the European Parliament and of the Council. We truly hope that it is not intention of the contracting authority, the Directorate-General for Internal Market, Industry, Entrepreneurship and (!) SMEs to privilege the current contractor or to eliminate SMEs from the tender procedure.</p>	<p><b>03/08/2020</b> Please see answer to question 18.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
23	15/07/2020 13:45	03/08/2020 11:02	Technical and Professional capacity - Criterion T1	Does this criterior T1 (At least one similar (in scope and complexity) project completed in the last five years preceding the tender submission deadline and with a minimum value of EUR 10,000,000.) means that our company has to proof that we have done this amount of job/Budget with one single Project? or is it posible to set a compilation of projects with similar scope and total value? Has the scope to be exactly the same in terms of languages or we can add languges from different projects to the overall capacity? Thanks	<b>03/08/2020</b> Please see answer to question 18.
24	20/07/2020 07:45	03/08/2020 12:02	Translation Memories and Glossaries	Hello, Will you provide the existing translation memories and glossaries to the selected contractor? Thanks	<b>03/08/2020</b> Yes, translation memory databases will be made available to the new contractor as clarified in section 1.4.5 of the tender specifications.

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#	Submission date	Publication date	Question subject	Question	Answer
25	20/07/2020 07:52	03/08/2020 12:04	Technical Offer and Quality of the Tender	On page 31, it is indicated that the technical offer must provide all the information needed to assess the compliance with Section 1.4 and the exclusion, selection and award criteria as detailed in Section 3 of these specifications. On page 28, it is indicated that the explanations concerning the quality of the tender shall not be longer than 20 pages. Could you please confirm that the 20 pages mentioned above should be part of the Technical Offer?	<b>03/08/2020</b> Yes, the answers to the questions concerning the quality of the tender shall be submitted as part of the Technical Offer.
26	20/07/2020 07:54	03/08/2020 12:05	Quality of the tender	On page 28 it is indicated that to facilitate the analysis of the bids and to enable all tenderers to fully understand the awarding authority's requirements, tenderers are asked to answer at least all the following questions regarding the above-mentioned qualitative award criteria. Could you please confirm that we are to list all questions and our answers in the Technical Offer?	<b>03/08/2020</b> Yes, the answers to the questions concerning the quality of the tender shall be submitted as part of the Technical Offer.

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#	Submission date	Publication date	Question subject	Question	Answer
27	20/07/2020 08:23	03/08/2020 12:07	Criterion T1	Dear team, we write regarding the minimum level of capacity described in Criterion T1 of the specification document. Please can you confirm what would be deemed as an acceptable example of a project? For example, would it be acceptable to use a contract example which included interpreting as well as translation? Please also confirm that the EUR 10M would apply across the 5 years, if for example, we provided an example of a contract with a value of EUR 2M per annum. Thank you in advance.	<b>03/08/2020</b> A project which included interpreting as well as translation may be deemed as similar in scope and complexity, however, this is subject to the evaluation of the tender as part of the evaluation Criterion T1 . If the same contract amounts to a value of EUR 10,000,000 over the course of the past 5 years, then it can be eligible.
28	20/07/2020 09:37	03/08/2020 12:09	Hand-signed originals	On page 2 of the invitation letter you state that "the hand-signed originals must be sent by letter...". Can you please confirm that this does not apply in the case when the submission report and the declaration on honour are signed with an electronic signature?	<b>03/08/2020</b> Yes, correct.



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#	Submission date	Publication date	Question subject	Question	Answer
29	20/07/2020 10:28	03/08/2020 12:10	pdf files	On page 14 of the specifications, you state that documents to be translated will be mainly in Word format but in some cases PDF files will be sent for translation that will need to be converted. Could you please provide an estimate of the number of PDF pages per year (number of pages or % of documents).	<b>03/08/2020</b> It is not possible to give a clear estimate. A rough estimate would be that PDF versions are received for c.a. 20% of draft technical regulations.
30	21/07/2020 15:45	03/08/2020 12:11	Criterion F2	p. 40 of the Tender Specifications: Most probably, there is a typographical error in Annex 1. On the page 40 there is mentioned "Evidence of economic and financial capacity F2" Can you please specify Criterion F2 or is it meant for F1?	<b>03/08/2020</b> The row pertaining to "Evidence of economic and financial capacity F2" shall be disregarded.
31	22/07/2020 15:43	03/08/2020 12:13	Minimum level of capacity	Could you please confirm that the tenderer must proof ONE completed project with a value of 10 million EUR? (see page 25). In evidence you mention a 'list of projects', so we are confused. Also, min. level of capacity is at least 1 mln EUR turnover per year, so we wonder if the 10 mln is really the amount you expect to be proofed.	<b>03/08/2020</b> Please see answer to question 18.

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#	Submission date	Publication date	Question subject	Question	Answer
32	23/07/2020 09:36	03/08/2020 12:15	professional experience	On p. 26 of the specifications, you state that translators and revisers must have at least two-year experience in the field of translation. Proof of this may be requested by the Contracting authority at any time during execution of the contract. What is acceptable as proof of two-year experience? Is a Europass-CV sufficient? A signed self-declaration? Or something else?	<b>03/08/2020</b> A Europass-CV is sufficient. Europass-CV is the preferred format for evaluation purposes.
33	23/07/2020 09:41	03/08/2020 12:16	Translators and revisers outside EU	Are we allowed to work with freelance translators and revisers from non-EU countries? E.g. can we work with a Romanian translator with Moldovan nationality living in Moldavia?	<b>03/08/2020</b> Yes.
34	23/07/2020 10:53	03/08/2020 12:17	Award criterion - Price	On pp 27-28 of the specifications, you explain that the average price of 506 language combinations will be used to calculate (P all) = 23 languages. Does this mean that you won't consider Irish (Gaelic) for the pricing award criterion?	<b>03/08/2020</b> Yes, this is correct.

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#	Submission date	Publication date	Question subject	Question	Answer
35	23/07/2020 11:20	03/08/2020 12:20	Volume	For Draft Technical Regulations, we see the number of drafts/pages per source and target languages. Would you be able to provide us with the volume breakdown per language pair?	<b>03/08/2020</b> At this stage it is not possible to gather such statistics on such short notice. The statistics portrayed in the tender specifications should provide sufficient information as to the amount of source and target language documents per language.
36	23/07/2020 11:21	03/08/2020 12:20	Volume	For Messages, we see the number of messages/pages per source and target languages. Would you be able to provide us with the volume breakdown per language pair?	<b>03/08/2020</b> Please see answer to question 35.
37	23/07/2020 11:24	03/08/2020 12:21	Volume	For Impact Assessments, we only have the total source and target number of items and pages. Would you be able to provide us with the volume breakdown per language pair?	<b>03/08/2020</b> Please see answer to question 35.
38	23/07/2020 11:25	03/08/2020 12:23	Volume	When you say: For draft technical regulations: - texts exceeding 35 pages are to be translated into English, French and German. - texts exceeding 150 pages are to be translated into English. Does it mean texts are translated "only" in these languages or shall we understand these languages are mandatory and other languages may be requested?	<b>03/08/2020</b> It is not common and would be very rare that additional language translations would be requested when the amount of pages of the document foresees translation only into English, French and German, or respectively, into English only.

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#	Submission date	Publication date	Question subject	Question	Answer
39	23/07/2020 11:26	03/08/2020 12:24	Volume	When you say: For impact assessments: - texts until 35 pages are to be translated into English, French and German. Texts below 35 pages for which the draft technical regulation was only translated into English, are also translated only into English. - texts exceeding 35 pages are to be translated in principle only into English. Does it mean texts are translated “only” in these languages or shall we understand these languages are mandatory and other languages may be requested?	<b>03/08/2020</b> Please see answer to question 38.
40	23/07/2020 11:56	03/08/2020 12:36	Tender Specifications	Dear Sirs, Could you please be so kind and reply to our questions submitted on the 14/07/2020? we need time to prepare this tender. We thank you in advance for your reply Regarding Criterion T1 – minimum level of capacity – and in case of a joint tender, could you please clarify if it is possible to prove experience in several similar projects from all the members in the last five years with a total amount of EUR 10.000.000?	<b>03/08/2020</b> Please see answer to question 18.

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#	Submission date	Publication date	Question subject	Question	Answer
41	23/07/2020 12:00	03/08/2020 12:37	Tender Specifications	Dear Sirs, Could you please be so kind and answer to our questions submitted on the 14th July? As you can understand we need time to prepare this Tender. We thank you in advance for your reply. Regarding Criterion T1 – minimum level of capacity – and in case of a joint tender, could you please clarify if it is possible to prove experience in several similar projects from all the members in the last five years with a total amount of EUR 10.000.000?	<b>03/08/2020</b> Please see answer to question 18.
42	24/07/2020 13:46	03/08/2020 12:39	Quality checks of the translation: When the quality of the translation into a particular EU language is considered not sufficient, a price deduction of 100% will be applied to the translation concerned	Can you please confirm that such price reduction is applicable to the translation of that particular content in that particular language combination and not to all language combinations for that particular potential batch of translations?	<b>03/08/2020</b> Yes, the reduction applies only to the individual concerned translation and not to all language combinations that may form part of a particular batch of translations.
43	24/07/2020 13:46	03/08/2020 12:40	1.5 Place of performance: where will the contract be performed? The services will be performed at the contractor's premises as indicated by the contract notice.	Can you please confirm that the Freelance translators and reviewers working with us do not have to be working on our premises in the various countries?	<b>03/08/2020</b> Yes, we can confirm that freelance translators and reviewers do not need to be physically present at the contractor's premises.

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44	24/07/2020 13:47	03/08/2020 12:41	Final texts	Can you please confirm that all final texts are to be translated into all official EU languages?	<b>03/08/2020</b> In section of 1.4.2.2.d of the tender specifications it is stated that "Final texts are generally to be translated into the same languages as for which translation was provided for the notified drafts." This means that if a draft technical regulation was translated only into English, French and German, the final text will also only be translated into those languages. If it was translated into all other languages, this will also apply to the final texts.

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#	Submission date	Publication date	Question subject	Question	Answer
45	24/07/2020 13:48	04/08/2020 09:00	Use of MT-PE	Can you please indicate your position vis-à-vis the use of MT-PE?	<p><b>04/08/2020</b></p> <p>Considering the large volumes of texts to be translated, processing parts of the translation workflow via machine translation (MT) and finalising it via post editing (PE) is considered normal and a possible way to organise the tender. Our experience has shown that despite advances in translation technologies, human translators and revisers are central and fundamental to the translation process of this tender. This is particularly the case for the specific legal and technical language used in the concerned documents and the Commission reactions, which cannot be replicated one to one by translation tools and which need to be of the highest quality. Please note that for web-based translation machines, Contractors are only allowed to use them if they (the Contractors) can ensure that content translated via the machine will not be stored and used by third parties, neither can those third parties claim the intellectual property rights for the translations.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
46	28/07/2020 06:29	04/08/2020 09:01	Quality	On pages 15 and 16, "When the quality of the translation into a particular EU language is considered not sufficient, a price deduction of 100% will be applied to the translation concerned in the context of the monthly billing [...]". Apart from the price deduction, how do you expect the Contractor to react?, what would be the exact process: would the Contractor need to redeliver within a specific amount of time? Would the Commission send specific or any feedback?	<b>04/08/2020</b> In most cases, the Commission asks the Contractor to re-deliver the corrected versions. The Commission usually provides feedback and would ask the correction to be delivered within a specific set of time.



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#	Submission date	Publication date	Question subject	Question	Answer
47	28/07/2020 09:01	04/08/2020 09:10	Declaration of honour - editable version and missing information	Could you please provide editable version of the declaration of honour. Please also note that the declaration of honour is not complete since there is missing information in the VII Selection criteria section. The parts a), b) and c) should include references to the sections of specifications instead of [insert]: a) It has the legal and regulatory capacity to pursue the professional activity needed for performing the contract as required in section [insert] of the tender specifications; b) It fulfills the applicable economic and financial criteria indicated in section [insert] of the tender specifications c) It fulfills the applicable technical and professional criteria indicated in section [insert] of the tender specifications.	<b>04/08/2020</b> Please see answer to question 17. We have uploaded an editable version of the declaration of honour to the document library of this question.
48	29/07/2020 09:06	04/08/2020 09:13	Maximum number of proposal pages	In 3.4 Award criteria it says „The explanations concerning the quality of the tender shall not be longer than 20 pages.“ Is this a hard limit, i.e. pages over 20 are ignored? How is a page defined? Does this include other pages such as general company description, annexes, graphics, etc.?	<b>04/08/2020</b> Please note that the answers to the questions concerning the quality of the tender shall not exceed 20 pages. These answers are to be submitted as part of the Technical Offer and the limit of 20 pages is strongly recommended. Information other than the answers concerning the quality of the tender are not subject to a page limit and need to be submitted as part of the technical offer.

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#	Submission date	Publication date	Question subject	Question	Answer
49	29/07/2020 09:16	04/08/2020 09:29	Final text page count	In 1.4.2.2 d) Final Texts it says that in 2018 there were 14,041 source pages to be translated. Are these the net pages after translation memory leverage of the corresponding draft regulations?	<b>04/08/2020</b> The 14,041 pages represent the amount of pages to be translated from their source language, into their respective target languages. Final texts are translated either into all other languages, English, French and German or English only depending on the translation regime applied as explained on p.9 of the tender specifications.
50	30/07/2020 05:54	04/08/2020 09:49	Process - TRIS	On page 14 of the specifications, you state that the Commission will make available the requests for translation to the Contractor electronically and that the Contractor will also transfer the translations electronically, following the particular indications given by the Commission. Would you be able to provide more details on this process? Will the Contractor receive an email notification when a new request for translation is available? Will the Contractor download the source content and upload the translated content in TRIS?	<b>04/08/2020</b> Yes, automated email alerts inform the Contractor of relevant developments on TRIS that require their attention. For instance, such alerts may prompt the Contractor to access TRIS and accept pending translation requests. All the relevant files can be downloaded from there and following translation, the Contractor is expected to upload the relevant files directly onto TRIS.

## Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
51	30/07/2020 05:59	04/08/2020 09:52	Quality checks	For the various Quality checks described on page 15, how does the Commission communicate the feedbacks to the Contractor? Is the Commission interested in using an online platform (provided by the Contractor) to perform the Quality checks and provide feedback?	<b>04/08/2020</b> The quality check is performed internally by the Commission. The procedure is carried out by a Commission tool called Poetry, to which the Contractor does not have direct access. The results of the analysis are communicated to the Contractor only if there is an issue with the translation, alongside a credit note.
52	03/08/2020 10:34	04/08/2020 09:56	Revision	For content translated by the EU and to be revised, what will be handed off for these jobs - original source and translated target?	<b>04/08/2020</b> In most cases, the translated target version is provided to the Contractor for what is described in the tender specifications on p. 6 as an occasional task. Both versions can be provided insofar as they are readily available.
53	03/08/2020 10:35	04/08/2020 11:26	Revision	For the content translated by the EU and to be revised, will the EU ever used a pivot language, and if yes, will we receive the original source, the pivot translation and the translate?	<b>04/08/2020</b> If a pivot language version should exist, which is uncommon, it can also be provided to the Contractor. Please note that the revision of translations provided by entities other than the Contractor is an occasional task.

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#	Submission date	Publication date	Question subject	Question	Answer
54	03/08/2020 11:24	04/08/2020 11:31	Annex 4	Regarding Annex 4, if we understand well, the purpose is to list the subcontractors in order to identify the proportion of subcontracting. Regarding the last item refers to "Other subcontractors that do not need to be identified under Section 2.4.2), should we identify Freelancers overall as a category with the overall subcontracting proportion, or nominal identification is needed and in this case, the subcontracting proportion will be clearly inferior to the 0.5% per freelancer?	<b>04/08/2020</b> Please see answer to question 16.
55	03/08/2020 11:30	04/08/2020 11:33	Revision	For the content translated by the EU and to be revised, assuming that English/German/French will always be target languages, will we have access to these languages?	<b>04/08/2020</b> Yes, when available. Please note that the revision of translations provided by entities other than the Contractor is an occasional task.

**Call for tenders questions summary**

#	Submission date	Publication date	Question subject	Question	Answer
56	03/08/2020 13:15	04/08/2020 11:34	Excel templates attached to the tendering documents	<p>In both annexes 6 and 8 there is a mention of Excel templates for prices and capacity that should be available attached to the tendering documents. In question 9 one of this Excel templates was queried and you said: "An excel-format file concerning translation capacity has been uploaded in the Document Library attached to this question." Unfortunately, I could not find any Document Library attached to question 9 and in the main Document Library there is no Excel file.</p> <p>Could you please provide both of these Excel templates. Thank you.</p>	<p><b>04/08/2020</b> We have now uploaded it to the document library related to this question. Please note that the same excel can be used, separately, for both the translation capacity as well as the financial proposal.</p>

**Call for tenders questions summary**

#	Submission date	Publication date	Question subject	Question	Answer
57	04/08/2020 09:40	04/08/2020 11:37	Tender Specifications	<p>Criterion T1: Participating as a consortium or joint tender means that the companies that compose the consortium or joint tender can, together, provide the services required. If it is possible to participate as a consortium or joint tender, having a criterion that has to be fulfilled alone by one of the companies that compose the consortium or the joint tender instead of being fulfilled by the consortium or joint tender as a whole jeopardises the figure of consortium or joint tender. Can you please clarify if, in case of a consortium or a joint tender, the requirement to have completed one project of a minimum of EUR 10,000,000 over the course of the past 5 years can be fulfilled together by the companies that compose the consortium or joint tender?</p>	<p><b>04/08/2020</b> Please see answer to question 18.</p>
58	04/08/2020 11:40	07/08/2020 15:24	Document Library related to a question	<p>Thank you for answering my previous question. Unfortunately I cannot find the mentioned Document Library related to the question. Do we have access to it? If yes, how? Thank you.</p>	<p><b>07/08/2020</b> The document library tab for the questions is found on the same web-page as the respective question. In addition, the documents have now also been uploaded to the 'main' document library of the tender.</p>

## Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
59	04/08/2020 12:05	07/08/2020 15:28	Maximum number of proposal pages (answer #48)	3.4 Award „The explanations ... shall not be longer than 20 pages.“ How is a page defined? Is it physical pages or 1,500 characters? Do graphics add to the page count?	<b>07/08/2020</b> Physical A4 pages or 1,500 character pages are both acceptable references. Graphics that are used to exclusively answer questions concerning the quality of the tender should be part of the 20 pages.
60	05/08/2020 11:20	07/08/2020 15:37	Criterion T2 - Technical and professional capacity of the managerial staff	Could you please explain what evidence (information or document) we should provide for the "Contractual link"?	<b>07/08/2020</b> The contractual link is proof of a person's professional association to the tenderer. It can be any type of document that proves a contractual link, such as a document on ownership, employee contract, etc.
61	05/08/2020 16:27	07/08/2020 15:39	Total Contract Value, Overhead costs	Suppliers have to price setup, overhead, etc. into the page price. Therefore, the overall contract value is an important variable. According to the data in 1.4.2.2 there are, rounded up, 300k pages per year to translate. This page count multiplied with the current rate would result in €10m less than the total value stated in II.1.5. How was the call's "Estimated total value" computed? Does a low page price result in more documents being translated in all languages than into only EN, FR, DE and thus in an increased page count?	<b>07/08/2020</b> Tenderers are free to propose their own prices and rates, as long as the overall price does not exceed the total value of the tender. The estimated total value for the period of 4 years is a maximum value and was computed on the basis of the foreseen needs of the Commission in the forthcoming period. The page price has no influence on how many documents are to be translated.

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#	Submission date	Publication date	Question subject	Question	Answer
62	06/08/2020 13:40	07/08/2020 16:06	hand signed declaration on honour from subcontractors and managerial staff	Could you please confirm that only hand-signed originals of Tenderer's declaration on honour and submission report must be sent by post, scanned declaration on honour from subcontractors and managerial staff are accepted.	<b>07/08/2020</b> Please note that all declarations on honour and the submission report signed by hand must be scanned and uploaded in e-submission and sent by post to the contracting authority address.
63	05/08/2020 11:19	07/08/2020 16:08	Criterion T2 - Technical and professional capacity of the managerial staff	Do we need to provide the actual diploma(s) of the managerial staff or shall we just list/indicate them in the CVs?	<b>07/08/2020</b> The tenderer must provide evidence of the diploma(s) held by managerial staff.
64	05/08/2020 16:11	07/08/2020 16:09	Subcontracting	We are a small company and have been approached to act as subcontractor (limitedly to a small number of lots) by two different potential bidders. There is no prohibition to this effect in the call for tenders or under the applicable rules. Can you please confirm that this is possible?	<b>07/08/2020</b> We confirm that this is possible.
65	06/08/2020 14:54	07/08/2020 16:10	Page count tool	1.4.3.2 mentions a Page count tool. Does this tool take translation memory leverage into account?	<b>07/08/2020</b> The Page count tool only counts pages. The Page count tool does not take into account translation memory leverages. It operates on a word/character count basis and is able to distinguish and count segments in tracked changes.



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Call for tenders questions summary

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#	Submission date	Publication date	Question subject	Question	Answer
66	07/08/2020 14:49	12/08/2020 12:37	Power of attorney	p. 38 of Specifications – in the table there is mentioned that power of attorney must be submitted by group leader and members of the group in case of joint tender. We thought this document is needed only by members of the group. Can you please confirm. Thank you.	<b>12/08/2020</b> Yes, we confirm that the power of attorney is needed only by members of the group. Please disregard the crosses in the table on p.38 of the tender specifications that mark "sole tenderer" and "group leader" in the row on the power of attorney.

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#	Submission date	Publication date	Question subject	Question	Answer
67	10/08/2020 16:17	12/08/2020 12:41	Criterion T1	<p>Dear Team, We wanted to kindly ask you to clarify regarding question 22 as it is not the same as question 18 and hence requires a different explanation. As explained by the questioner of question 22, criterion T1 is not proofable with contracts awarded by the European Commission for anyone else other than the current contractor of this tender. Based on the market data available to us, criterion T1, further, limits the number of eligible providers to only a handful world-wide, of which most are not even based in the EU. The add-on that consortium can apply together with one of the large players, doesn't help much as a large player doesn't have any incentive to cooperate with another provider. Given the recent technological developments in the professional translation space, we believe that the contracting authority would strongly benefit from enlarging the number of eligible providers to more innovative providers not only from a cost savings potential, but most importantly from a service level perspective. E.g. the expected delivery times outlined in the tender are at</p>	<p><b>12/08/2020</b> We take note of your views. Please kindly note that this part of the tendering process is reserved for questions and answers pertaining to clarifications to support potential tenderers in submitting their offers to this call for expression.</p>

## Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
				times outlined in the tender are at least 2x longer than our standard SLAs. Hence, it is in the interest of the contracting authority to foster a competitive tender process. We very much look forward to your answer as well as a reference on which market analysis the Commission bases its assumption that this criterion is fulfillable by enough providers to ensure a fair tender outcome. Sincerely, Benedikt Brühl	
68	11/08/2020 11:17	13/08/2020 17:00	Technology	Do you have public facing, open, API for potential future incumbent to connect to?	<b>13/08/2020</b> A new version of TRIS is currently in development and may have certain open API (application programming interface) features in the future. At the moment, TRIS is a self-standing system which does not permit the contractor to integrate own software into TRIS.
69	11/08/2020 11:19	13/08/2020 17:01	TRIS access	Could you please describe how TRIS is being accessed at the moment (with supplier restrictions)?	<b>13/08/2020</b> Internal TRIS (also called 'restricted TRIS') is accessed via web-browser. The contracting authority will provide the contractor with its own account and login details.

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#	Submission date	Publication date	Question subject	Question	Answer
70	11/08/2020 11:19	13/08/2020 17:03	POETRY	Can you describe the review process and specific parameters Poetry measures quality by?	<b>13/08/2020</b> Poetry does not measure quality. Quality assessment is performed by specialized Commission staff according to internal rules applied to all external translations. In the context of this translation tender, the specialized staff is provided several random samples per month for review, these include samples of translated draft technical regulations and of translated notification messages, as laid down in section 1.4.4 of the tender specifications.
71	11/08/2020 11:20	13/08/2020 17:04	POETRY	How does Poetry determine good/bad quality?	<b>13/08/2020</b> Please see answer to question 70.
72	11/08/2020 11:18	13/08/2020 17:05	Workflows	Is there a possibility to receive a description of the current workflow ref transferring/receiving files the current incumbent is using in order to identify efficiencies?	<b>13/08/2020</b> The contractor manages translation requests via access to internal TRIS, which allows for downloading/uploading of translation files, individually or in batches. Please see section 1.4.2.3 (Description of the TRIS database) of the tender specifications, section 1.4.3.1 (Management and transfer of documents), as well as the answer to question 50 for more information. A detailed description of the workflows would be provided to the successful tenderer.

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#	Submission date	Publication date	Question subject	Question	Answer
73	11/08/2020 11:21	13/08/2020 17:07	Reporting and KPIs	What type of Management Information are you expecting; what type of KPIs and frequency of reports do you require and how would you like to receive this data?	<b>13/08/2020</b> With regards to KPI's please refer to section 1.4.3 (Deliverables) of the tender specifications. Further, in section 1.4.3.1 it states: "By the end of each month, the Contractor shall provide the list of translations, and revisions if appropriate, delivered in the previous month. For this purpose, a specifically formatted Excel template or another electronic tool will be provided by the Commission. After approval of the list by the Commission, the Contractor shall send a monthly invoice in paper concerning the approved list of translations to the address provided in the invitation to tender." Other type of reports may be requested, subject to discussion with the contractor.
74	11/08/2020 11:22	13/08/2020 17:08	Current contract	When does the current contract finish with the current incumbent?	<b>13/08/2020</b> The current contract ends on 28 February 2021.

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#	Submission date	Publication date	Question subject	Question	Answer
75	11/08/2020 11:23	13/08/2020 17:10	Data Confidentiality	Is all data to be stored in the EU?	<b>13/08/2020</b> The data shall only be held in data centres located within the territory of the European Union and the European Economic Area. Please refer to art. I.9.2 'Processing of personal data by the contractor' and art. II.9.2 'Processing of personal data by the contractor' in the special and general conditions of the draft service contract.
76	14/08/2020 10:03	14/08/2020 16:22	Legal and regulatory capacity	Tenderers, including subcontractors whose individual share of the contract, known at the time of submission, is above 0.5%, must prove that they have legal capacity to perform the contract and the regulatory capacity to pursue the professional activity necessary to carry out the work subject to this call for tenders. Freelancers and self-employed persons who provide translation services to the contractor for the execution of the contract are exempted from this obligation. Could you please confirm if there are specific documents to be submitted for the Evidence of legal capacity?	<b>14/08/2020</b> Tenderers and sub-contractors do not need to submit specific evidence to prove legal and regulatory capacity, apart from that which is requested for registration in the Participant Register (see section 2.3 of the tender specifications).

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#	Submission date	Publication date	Question subject	Question	Answer
77	17/08/2020 06:48	17/08/2020 12:10	Annex 2	Could you please confirm Annex 2 is to be filled in by the Legal Representative only, not by every single member of the team who will manage this program?	<b>17/08/2020</b> Yes, as described under section 3.1 of the tender specifications, the declaration must be signed by an authorised representative of the entity providing the declaration. In the event that you take part in the tender as a company, you may fill in the column for 'legal persons'.
78	18/08/2020 09:23	18/08/2020 11:58	language combinations with relay	On page 29-30 you state that the language combinations for which a relay will be used must be specified. Can we specify these language combinations in Annex 8 Translation capacity table (e.g. by using a colour-code)?	<b>18/08/2020</b> Yes, however, please note that the language combinations for which you intend to use relay languages should also be specified as part of the answers to the questions on the quality of the tender. Please also see questions 25, 26, 48, 59 and their respective answers.

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#	Submission date	Publication date	Question subject	Question	Answer
79	18/08/2020 12:19	21/08/2020 09:42	Relay language usage - what is the perception?	Related to the previous question on specifying the language combinations for which a relay language will be used. Is the use of a relay language perceived as something negative? Do you consider the fewer language combinations with relay the better? And will this number play a role when comparing and evaluating the tenders?	<b>21/08/2020</b> The use of a relay language is not perceived as something negative. The evaluation of the tender in respect to relay languages will be based on the answers provided by the tenderer to the specific questions on the quality of the tender that concern relay languages (see p. 28-30 of the tender specifications). The number of relay languages may play a role, however, independently of the number of relay languages used, the most important criteria is quality assurance and the description of how the tenderer intends to apply reinforced quality controls.
80	18/08/2020 18:57	21/08/2020 09:43	Personal data (reg. question 75)	In the answer to question 75 you refer to the contract points I.9.2 and II.9.2. where it's stated that "Personal Data" must reside on EU/EEA data centers. Apart from metadata. Do you consider the regulations and other content to be translated as "Personal Data"?	<b>21/08/2020</b> Draft Technical regulations and other documents as listed under section 1.4.2.2 of the tender specifications can occasionally contain personal data.



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#	Submission date	Publication date	Question subject	Question	Answer
81	19/08/2020 20:36	21/08/2020 09:45	Evidence for criterion T2	Is the signed Europass CV format ( <a href="http://europass.cedefop.europa.eu/en/documents/curriculum-vitae">http://europass.cedefop.europa.eu/en/documents/curriculum-vitae</a> ) sufficient evidence for the criterion T2? Is any other document required for this evidence of Criterion T2?	<b>21/08/2020</b> As it is stated on p. 26 of the tender specifications, to fulfill Criterion T2 "the tenderer must provide evidence in respect of each person with managerial responsibilities regarding: - Full name - Address - Contractual link - Diploma(s) held - Signed Declaration on Honour on exclusion and selection criteria (Annex 2) - Signed commitment letter in case of subcontractors whose individual share of the contract, known at the time of submission, is above 0.5% (Annex 5.1)." Please note that for the full name and the address, it is considered sufficient when provided via Europass CV. For the contractual link, please see answer to question 60. For the diplomas please see the answer to question 63.
82	20/08/2020 20:23	21/08/2020 16:36	Criterion T2 - Tenderers are requested to submit the CVs of the managerial staff and must indicate their academic and professional qualifications.	The tenderer must provide evidence in respect of each person with managerial responsibilities regarding: - Full name - Address - Contractual link - Diploma(s) held For the diplomas, do you refer to higher education diplomas or to management-related certifications?	<b>21/08/2020</b> Diploma(s) refers to academic degrees obtained in the context of higher education and may also include other certificates related to professional qualifications (such as management-related certificates).

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#	Submission date	Publication date	Question subject	Question	Answer
83	20/08/2020 20:20	21/08/2020 16:37	Criterion T2 - Tenderers are requested to submit the CVs of the managerial staff and must indicate their academic and professional qualifications.	The Europass curriculum vitae format ( <a href="http://europass.cedefop.europa.eu/en/documents/curriculum-vitae">http://europass.cedefop.europa.eu/en/documents/curriculum-vitae</a> ) shall be filled in and signed by each person involved in the execution of the managerial tasks foreseen in the tender. Could you please confirm if all pages of the CV must be signed or only the last one?	<b>21/08/2020</b> For an electronic version of a document with qualified electronic signature, it is sufficient if there is one signature on the CV. For a scanned document and hence a manual signature, all pages need to be signed (where after the first signature, initials are sufficient for all the following pages). For more information on signatures please see section 4.3 of the tender specifications, as well as the answer to question 1.

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