

Call for tenders' details

Title: Legal Advice for Intellectual Property Rights

Start date: 28/05/2020

Time limit for receipt of tenders: 15/07/2020

Contracting authority: European Commission, Joint Research Centre - Brussels (JRC-BRU)

Status: Closed

Call for tenders question list

#	Submission date	Publication date	Question subject	Question	Answer
1	02/06/2020 08:46	03/06/2020 10:24	Annexes - Part 1 - Administrative specifications	In Part 1 the following list of annexes are mentioned: Annex 1, Annex 2, Annex 3, Annex 4, Annex 5.1, Annex 5.2, Annex 6 and Annex 7 but we cannot find them attached anywhere.	03/06/2020 Please note that the Tender specifications part 1- administrative Annex is uploaded as a zip-file containing annex 1-7.
2	12/06/2020 12:27	12/06/2020 16:25	Subcontracting	Could you please confirm that non EU based legal entities (e.i. legal entity based in India) could be involved as subcontractor?	12/06/2020 The contracting authority confirms that a non EU based legal entity can be involved as subcontractor.

Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
3	12/06/2020 12:19	15/06/2020 14:30	Technical capacity	In the tender specification Part 1: Administrative specifications page 15, we understood that for satisfying criteria T1 (proven experience in the field of legal advice for the defence, protection, exploitation and enforcement of Intellectual Property Rights) the candidate should provide services (more than one) in the above mentioned field during the last three years preceding the tender submission deadline with a minimum cumulative value of € 350.000. Can you please confirm that our understanding is correct?	15/06/2020 The understanding is correct. The services (could be one, could be more) executed in the legal advice for the defence, protection, exploitation and enforcement of Intellectual Property Rights areas shall cumulated exceed the value of 350 000 Euro in the last three years preceding the tender submission deadline .
4	18/06/2020 16:56	18/06/2020 21:29	Error in the Financial offer form	In the annex for the economic proposal, in the excel sheet, there are two errors: the cells for the travel cost and allowance rates are locked and on the sheet where the junior and senior lawyer price is entered then, while doing the automatic calculation, it moves them to the opposite (jr instead of sr, and vice versa).	18/06/2020 Thank you for your input on the excel sheet. The document has now been updated and is available in its version 2.

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#	Submission date	Publication date	Question subject	Question	Answer
5	02/07/2020 10:22	02/07/2020 11:12	TENDER SPECIFICATIONS Part 1: Administrative specifications 3.2.3. Technical and professional capacity Criterion T1	Minimum level of capacity: Services in the field provided during the last three years preceding the tender submission deadline, with a minimum value of € 350.000. Please, confirm that the minimum value of € 350.000 concerns the totality of services provided during the last 3 years and not one individual service or project.	02/07/2020 We do confirm that the that the minimum value of € 350.000 concerns the totality of service or services provided during the last 3 years. This means that there could be several projects/contracts or one project/contract covering the required services with the minimum value.
6	03/07/2020 16:15	06/07/2020 14:38	Financial Offer	With regard to the Annex 6 Financial Offer version 2 (18.6) there is still an error. D5 stipulates that the maximum percentage of working hours for senior experts out of the total working hours for all staff should be entered. In fact, only the hours of junior lawyers are taken into account in column G. Does the calculation need to be corrected?	06/07/2020 The calculation has been corrected. The financial offer form is now available in version 3 -06/07/2020.

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7	02/07/2020 17:48	06/07/2020 14:40	Legal and regulatory capacity	<p>Whereas pursuant certain EU member states' laws (e.g. Italy) it is not mandatory for associations of professionals (e.g. law firms) to be enrolled in any trade or professional register and it is not mandatory to be authorized by any national office for the performance of the contract in its country due to the fact that such an association is authorized by the national law per se, would it be sufficient to fulfill the admissibility requirements of Legal and regulatory capacity at point 3.2.1 (no. 1, 2 and 3) of the tender specification Part 1 ("Proof of enrolment in a relevant trade or professional register", "Proof of authorization that the tenderer is authorized to perform the contract in its country" "Proof the tenderer is a member of a specific professional organization") for a sub-contractor to submit the statute and by-laws of the professional association?</p>	<p>06/07/2020 The tenderer has to provide the evidence required at section 3.2.1. of the Administrative Annex if the national legislation imposes to obtain the respective evidence in order to have the legal and regulatory capacity to execute the services foreseen in the contract. The tenderer shall explain in the offer, with reference to the national legislation, why a certain evidence specified in the Administrative Annex is not required to demonstrate the legal and regulatory capacity.</p>
8	10/07/2020 11:00	10/07/2020 17:27	Financial offer	Do subsistence expenses include accommodation?	<p>10/07/2020 Yes.</p>