

## Call for tenders' details

Title: Provision of Interim Workers Services to the Agency for Support for BEREC (BEREC Office)

Start date: 07/04/2021

Time limit for receipt of tenders: 17/05/2021

Contracting authority: Agency for Support for BEREC (BEREC Office)

Status: Closed

## Call for tenders question list

## Call for tenders questions summary

#	Submission date	Publication date	Question subject	Question	Answer
1	14/04/2021 15:55	16/04/2021 13:55	Criterion F1 and T1	<p>Criterion T1 states that at least three years of similar services (in scope and complexity) should be provided with a reference list. Do we understand correctly that "scope and complexity" are not defined financially? We have 10 short term contracts with a total value of 100 000 euros (10 000 euros each). Would that meet the criterion? If there is an alternative definition of "scope and complexity of similar services" to the current tender, we are grateful for clarification. Please also confirm that criterion F1 is only about general financial turnover and this turnover does not need to be the turnover of provision of interim workers.</p>	<p><b>16/04/2021</b></p> <p>The scope and complexity of the services referred to in criterion T1 do not refer to the financial side of the services provided. The criterion will be evaluated based on the scope, the level of complexity, and the volumes of the provided services. Relevant elements for evaluation are, inter alia, the range of the provided services, the profiles of the provided services, and the circumstances and conditions under which services were provided. As to the criterion F1, we confirm that the criterion concerns the total turnover and not only the turnover generated by the provision of interim workers services.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
2	20/04/2021 12:57	21/04/2021 15:10	Technical Specifications 3.5. Remuneration of interim workers	According to 3.5. working and employment conditions of temporary agency workers shall be, for the duration of their assignment at a user undertaking, at least those that would apply if they had been recruited directly by that undertaking to occupy the same job. Does this mean that monthly salary of intra-muros category II, III and IV experts needs to be equal to the salaries of the current in-house staff of category II, III and IV? If yes, does it mean that all offers below this basic level will be rejected?	<b>21/04/2021</b> The gross hourly rate to be paid to the interim workers in each category is fixed as described in Annex 6 (Financial Offer form), offers below these rates will be rejected. Tenderer's financial offer must consist of a coefficient that has to be quoted in the yellow field (C17) of the aforementioned table. The coefficient is binding and will not change throughout the validity of the contract. The same coefficient will be applied to the fixed hourly rate of the interim workers (cells F7-H7) before taxes throughout the full duration of the FWC. The final price per hour that contractor will charge BEREK Office for interim work throughout the duration of FWC will be visible in the table after the coefficient is entered by the tenderer. More information can be found in the tender specifications.

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#	Submission date	Publication date	Question subject	Question	Answer
3	16/04/2021 14:11	21/04/2021 15:11	Criterion L2	According to this criterion the tenderer must be entitled to provide work placement services and as an evidence a copy of licence issued according to the Latvian law should be presented. According to our knowledge company incorporated in Latvia does not need separate licence for offering work placement services. Please advise what kind of licence is meant.	<b>21/04/2021</b> In accordance with Article 17(2) of Support for Unemployed Persons and Persons Seeking Employment Law the provision of work placement services shall be permitted to merchants to whom a relevant licence is issued by the State Employment Agency. While we cannot assess your individual case of the company's incorporation in Latvia; in case of an entity registered in another EU Member State, Latvian law, in particular Article 17(4) of Support for Unemployed Persons and Persons Seeking Employment Law, requires to submit to the State Employment Agency a notification of an intention to provide work placement services in Latvia and a copy of a document (e.g. licence issued by the relevant Member State), which certifies that it is entitled to provide work placement services in the relevant Member State. Thus, in case of a merchant registered in another EU Member State these documents will constitute an evidence concerning Criterion L2.

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#	Submission date	Publication date	Question subject	Question	Answer
4	16/04/2021 14:07	21/04/2021 15:12	Clarification T1	On 16/04 Contracting Authority answered to 14/06 question concerning T1 in the following manner "The criterion will be evaluated based on the scope, the level of complexity, and the volumes of the provided services." Please quantify the volumes of specific contracts that qualify as a reference. How many positions per year (last 3 years as requested) qualifies as similar assignment (complexity and volumes). Thank you!	<b>21/04/2021</b> Regarding the indicative volumes of the provided services, please check an indicative estimate of the volumes (expressed in hours) to be ordered over the whole duration of the framework contract which are given in the financial model in Annex 6, as provided in art.1.7 of the Part 1: Administrative specifications of the Tender Specifications. Regarding the level of complexity of the provided services, please check the Table 1 in art. 3.2. Description of job requirements Tender Specifications of the Part 2: Technical specifications. The table provides information on the job categories and activities of the interim workers that the BEREC Office might request (the profiles are not exhaustive, but serve as an indication of the type of assignments likely to be requested by the BEREC Office).

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5	22/04/2021 16:19	28/04/2021 11:24	Quantification of volumes of previous references	Regarding the indicative volumes of the provided services, on 21/04 contracting authority referred to indicative estimate of the volumes (expressed in hours) to be ordered over the whole duration of the framework contract (financial model in Annex 6). Does it mean that while evaluating previous references, volumes in man-hours for the past 3 years should be at least same as indicated in Annex 6 (indicative total volume of the 3 years to come)?	<b>28/04/2021</b> In order to assess the selection criteria that requires the tenderer to prove experience in the field of providing qualified interim workers to clients of a similar scale (TENDER SPECIFICATIONS Part 1: Administrative specifications, 3.2.3. Technical and professional capacity, criterion T1), the minimum level of capacity is at least three years of similar services (in scope and complexity) provided in the last three years. As evidence you are asked to provide a list of 10 contracts of the principal services provided in the last three years (2018, 2019, 2020), with sums, dates, recipients (public or private), and a brief overview of the types of profiles of the (interim) workers. In addition, you will need to provide one reference letter from a company to whom interim services were provided in the period of the past two years (2019, 2020). The financial model in Annex 6 should be used for the preparation of the financial offer by the tenders and should be considered as an estimate for the future, as it contains the indicative estimate of the volumes (expressed in hours) to be ordered over the whole duration of the framework contract. It is not intended to be used for the assessment of the

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					to be used for the assessment of the technical and professional capacity, criterion T1.

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6	26/04/2021 10:08	30/04/2021 16:49	Legal and regulatory capacity Criterion L1:	We are a company with a legal entity in an EU member state A and have a license for interim services in the EU member state B (for Germany, namely Arbeitnehmerüberlassung). This licence is granted by the German Federal Ministry of Employment on a yearly basis and is audited by them in intervals. Could you please confirm that our license for the placement of interim staff in Germany will be accepted to the fit the requirements of L1	<b>30/04/2021</b> In accordance with Article 17(2) of Support for Unemployed Persons and Persons Seeking Employment Law the provision of work placement services shall be permitted to merchants to whom a relevant license is issued by the State Employment Agency. In case of an entity from another EU member state, such licensing means the submission to the State Employment Agency of Latvia a notification of an intention to provide work placement services in Latvia together with a copy of a document (e.g. license issued by the relevant Member State) which certifies that it is entitled to provide work placement services in the relevant Member State. The State Employment Agency of Latvia assesses the submitted documents and registers the entity in the register of the foreign work placement service providers allowed to provide such services in Latvia. Thus, the assessment of the validity of the license issued by another EU Member State is the duty of the State Employment Agency of Latvia and it depends on the legislation of your country of establishment (it could be a case that the laws of your country of establishment do not allow your company to provide work placement services in Latvia without explicit



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					services in Latvia without explicit mention of Latvia as the country where the services are provided; therefore, we highly recommend to check the legislation of your country of establishment prior to sending the notification and the license to the State Employment Agency of Latvia).

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#	Submission date	Publication date	Question subject	Question	Answer
7	07/05/2021 16:10	11/05/2021 11:16	Subcontractors	Please advise if the references (contracts) of a subcontractor are eligible for Criterion T1/T2? Do subcontractors need to adhere to the licencing requirement - Evidence of Criterion L2?	<b>11/05/2021</b> As per section 3.2 Selection criteria (Tender specifications Part 1: Administrative specifications), the Criteria T1 and T2 apply to the tenderer as a whole, i.e. the combined capacities of all involved entities are assessed. Thus, subcontractors can also contribute to the fulfilment of these criteria. With regard to the Criterion L2, as per Annex 1 List of documents to be submitted with the tender or during the procedure (Tender specifications Part 1: Administrative specifications), identified subcontractors are required to provide evidence for the Criterion L2. In addition, please note that, according to section 2.4.2 of the Tender specifications Part 1: Administrative specifications, tenderers are required to identify subcontractors: a) on whose capacities the tenderer relies upon to fulfil the selection criteria as described under Section 3.2; b) whose individual share of the contract, known at the time of submission, is above 10 %.

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