

## Call for tenders' details

Title: Leadership and Management Learning

Start date: 29/11/2021

Time limit for receipt of tenders: 31/01/2022

Contracting authority: European Investment Bank (EIB)

Status: Closed

## Call for tenders question list

#	Submission date	Publication date	Question subject	Question	Answer
1	01/12/2021 14:43	01/12/2021 15:12	Administrative Forms	Hello, Is is possible to get a copy of the Administrative Forms in Word format? Many thanks.	<b>01/12/2021</b> The Administrative Forms in PDF have been replaced by the same document in Word format. EIB Corporate Procurement
2	02/12/2021 19:49	17/12/2021 15:06	3.3 on page 31 of the Terms of Reference.	It says "the table below", is this an error and does it refer to the table on 29&30,31 ?	<b>17/12/2021</b> Thank you for pointing out this error. The sentence under Section 3.3 of the Terms of Reference should be read as "The table above" instead of "The table below".

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### Call for tenders questions summary

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#	Submission date	Publication date	Question subject	Question	Answer
3	02/12/2021 16:58	17/12/2021 15:07	Eligibility of UK entities	Hello, I cannot find information about the eligibility of the UK for this tender. Could you confirm if UK providers can submit to this tender? Thank you.	<b>17/12/2021</b> In accordance with Section 1.2 of the Terms of Reference, participation to this tender is not limited and open to all economic operators i.e countries of the European Union, the European Economic Area and third countries.

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#	Submission date	Publication date	Question subject	Question	Answer
4	29/11/2021 17:29	17/12/2021 15:10	Financial Offer / Pricing sheet	<p>1. The Excell Form needs to be filled in separately for each lot. However, the estimated volumes are the same for each lot. This means that we will be presenting the same Total Price Scenario for each Lot. What is the logic behind this if every Lot has a different Maximum Estimated Expenditure : Lot 1: 1M €, Lot 2: 1.5M €, Lot 3: 2,5M € ?</p> <p>2. On page 39 of the Terms of Reference : When a service is requested, the service provider may take into account: up to 3 (three) working days for each course day to develop the content of a completely new blended course. Can you please explain what this " Completely new blended course" means in terms of: a) length of the program: over how many days does this program run? b) what is the proportion of Live Online lectures versus Self paced content? c) how many hours of self paced content does is represent? d) how much video content does the self paced material contain? thank you.</p>	<p><b>17/12/2021</b></p> <p>1. If a tenderer submits a Tender for one lot or more than one lot, please note that a Pricing Form has to be filled-in for each lot. The estimated volumes mentioned in the Pricing Form are provided for evaluation purposes but they are, as much as possible, close to the EIB needs. 2. A new blended learning course mentioned on page 39 of Terms of Reference relates to a newly designed learning programme that includes a mix of various learning modalities (instructor-led, self-paced, assignment, etc). The length of the programme, proportion of instructor-led and self-paced, number of hours of self-paced and video content will be proposed by the successful tenderer in his proposal for the Assignment during the framework agreement implementation and subsequently agreed with the EIB (EIB's Learning Officer).</p>

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#	Submission date	Publication date	Question subject	Question	Answer
5	29/11/2021 11:55	17/12/2021 15:11	International organisations	Are international organisations established in EU Member States eligible?	<p><b>17/12/2021</b></p> <p>If an International Organisation is offering services on the market, it may participate in this call for tenders provided: (i) the offering of the services does not lead to the distortion of competition and (ii) the International Organisation respects and abides by all applicable laws and regulations of the European Union and of any country in which the Services are to be performed, including compliance with applicable obligations under environmental, social and labour law established by Union law, national law and collective agreements or by the international environmental, social and labour law provisions listed in Annex X to Directive 2014/24/EU, and with the data protection obligations resulting from Regulation (EU) 2016/679 and Regulation (EU) 2018/172.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
6	29/11/2021 17:14	17/12/2021 15:12	Requirement 2A: Facilitators	Does every Facilitator need to demonstrate 5 years of experience in Design, Development and Delivery of learning experiences?	<b>17/12/2021</b> Considering Section 1.7.1 of the Terms of Reference, "Technical and Professional Capacity", Requirement 2.A, we confirm that the listed criteria are cumulative i.e the years of experience under points ii. And iii. are to be met for each criterion. However, as explained under this Requirement 2.A, there may be a tolerance if the professional career has been interrupted.
7	29/11/2021 17:15	17/12/2021 15:13	Project Managers and Facilitators	When applying for more than 1 lot, do we need to submit different Facilitators and Project Managers for each lot or can they overlap?	<b>17/12/2021</b> For each lot for which the tenderer submits an offer, the tenderer must have at least three facilitators and two project managers. Since the requirements, as specified in the Terms of References (section 1.7.1 - Requirement 2) are the same for each lot, the profiles for the Facilitators and Project Managers can overlap, which means you can propose the same persons for all three lots.

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#	Submission date	Publication date	Question subject	Question	Answer
8	06/12/2021 09:38	20/12/2021 17:01	Academic qualifications for facilitators	P11 is clear that facilitators must have a level 7 EFQ. We have facilitators who have extensive experience of delivering leadership skills to the EIB over the last 4 years (current ELP and LMF) BUT have level 6 EFQ. Is this practical and directly transferable experience of weight , or does the Level 6 rule them out?	<b>20/12/2021</b> The requirement regarding the academic diploma for the facilitators has been modified: completed university studies attested by a diploma (at least Bachelor or equivalent degree level 6 in the EQF).
9	16/12/2021 15:48	20/12/2021 17:03	Declaration on minimum requirements	Dear Sir/Madam, Could you please clarify whether the Declaration on minimum requirements (Annex D) needs to be signed by all consortium members and subcontractors, including the leader or only by the consortium leader? Thank you in advance.	<b>20/12/2021</b> Please note that the minimum requirements described in Annex D on minimum requirements shall be met by the consortium members in view of providing the services of this Call for Tenders. Therefore, only the consortium leader needs to sign the Annex D, assuming that the consortium members meet together the minimum requirements.
10	15/12/2021 18:26	20/12/2021 17:04	Pricing Sheet, Part 1	Estimated volumes - You provided one pricing form with estimated volumes. Is it intended that the volumes will remain the same for all Lots or will the volumes differ from Lot to Lot? If yes, could you please provide specific volumes per Lot?	<b>20/12/2021</b> The price scenario is for evaluation purposes only. Please note that the daily rates proposed by the Tenderers are the maximum rates to be applied during the the Framework Agreement.

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#	Submission date	Publication date	Question subject	Question	Answer
11	15/12/2021 18:11	20/12/2021 17:07	1.8.1. Qualitative award criteria	Submission of Technical Proposal: Should each individual Criterion be submitted in a separate A4 document or can it be submitted as one A4 document that covers all four Criterion?	<b>20/12/2021</b> All the answers to the award criteria may be submitted in one single document, A4 format, assuming that the document complies with the Section 2.4 "Submitting an offer" of the Terms of Reference.
12	15/12/2021 18:10	20/12/2021 17:08	1.8.1. Qualitative award criteria	You mention that the programmes and content will be scored on how well it takes into account the key challenges and learning objectives. Are you able to provide more detail about the specific challenges and learning objectives per leadership level?	<b>20/12/2021</b> The objectives of each learning program are detailed in the Technical Specifications, Annex A of this Call for Tenders.
13	15/12/2021 18:08	20/12/2021 17:10	1.3. Brief description of the required services	What is the envisioned duration of the leadership programme?	<b>20/12/2021</b> In accordance with section 1.7.2 of the Terms of Reference, the duration of the Framework Agreement is 3 years, renewable for 1 year. Therefore, the duration of the services to be delivered under this Framework Agreement is the same.

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#	Submission date	Publication date	Question subject	Question	Answer
14	15/12/2021 18:07	20/12/2021 17:12	1.3. Brief description of the required services	You highlight that this new programme will replace existing programmes and will be aligned with the new leadership model. Do you have any indication about the current attitude of leaders towards the new leadership model? Will it be necessary to bring in elements of change management?	<b>20/12/2021</b> Thank you for pointing out to the aspect of change management. It would be valuable to add the change management elements to the learning linked to new leadership model.
15	15/12/2021 18:02	20/12/2021 17:14	Leadership & Management Learning - treatment of supplementary information (appendices)	With regard to the Technical Offer (ref 2.2) and noting the word count specifications, can you clarify how you will treat any supplementary information provided that is additional to the content within the parameters of the word count?	<b>20/12/2021</b> Due to the high number of offers received by the EIB, a high number of words would not allow the evaluators to go into the details of the tenders for the evaluation. This is why the number of words is limited. Please note that submitting an offer which is not compliant with any of the rules stated in the Procurement documents could lead to the rejection of the offer. The Tenderers shall strictly adhere with the instructions given to the Tenderers.
16	15/12/2021 18:00	20/12/2021 17:17	Leadership & Management Learning - word count query	With regard to the Technical Offer (ref. 2.2) and noting the word count specifications, can you clarify if wording used in images or visuals will be included in the final word count?	<b>20/12/2021</b> Please note that the word count will apply for every text, in images, visuals or Power Point presentations.



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#	Submission date	Publication date	Question subject	Question	Answer
17	15/12/2021 17:59	20/12/2021 17:18	Leadership & Management Learning - Tender Report (General Administrative Clauses)	Page 20 of the General Administrative Clauses refers to a Tender Report that is generated by e-Submission and needs to be signed by the tenderer. Where can we locate this form?	<b>20/12/2021</b> Please note that the Tender Report is automatically generated by e-Submission after the submission of the tender.
18	15/12/2021 17:45	20/12/2021 17:20	Technical and Professional Capacity.	Proof of experience for 3 Facilitators per LOT. In the FORM 7 of Administrative Forms, the following shows: Please describe the relevant previous experience in: Liquidity risk regulation and relative reporting standards (e.g. BCBS, EBA ITS templates) and best banking practice as well as IRRBB; Quantitative analysis and programming, in particular Excel VBA, Sql, Python, large data warehouse and relative data processing as collection, storage and maintenance. I believe this is relevant to another Tender Process perhaps?	<b>20/12/2021</b> Thank you for pointing out this issue. In fact, the experience to be described in the Form 7 shall be relevant for the services to be provided under the scope of the Framework Agreement.

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19	15/12/2021 07:44	20/12/2021 17:22	External speakers, high-level guests and experts rate	In Annex B, in the rate G4 when it indicates "provision", only the search and recruitment service should be considered or the hourly cost of the person indicated by EIB and the associated expenses (travel, accommodation,...) should also be included in this rate?	<b>20/12/2021</b> No, the hourly cost of the person indicated by EIB and the associated expenses (travel, accommodation,...) should not be included in this rate. With reference to section 3.11 of the ToR, for the provision of such services, the service provider will be paid at the maximum hourly rate proposed in Annex B Pricing Form part 2. Should they involve in addition costs to be paid to third parties, these will be reimbursed to the service provider against invoices and/or other relevant documentation, subject to prior approval by the EIB.
20	15/12/2021 07:36	20/12/2021 17:23	Place of delivery	In Annex B, rate C is requested for travels to Luxembourg, however in paragraph 1.2 of the Term and References document it is indicated as main place of delivery "Luxembourg, any of the local offices of the EIB or another location in the vicinity selected by the Bank". Can you please confirm that there will be no travel requested to any country other than Luxembourg?	<b>20/12/2021</b> As stated in the Terms of Reference, the main place of delivery will be Luxembourg, any of the local offices of the EIB or another location in the vicinity selected by the Bank. This means that the services will be delivered mainly in Luxembourg, but the EIB may sometimes need services in its local offices.

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#	Submission date	Publication date	Question subject	Question	Answer
21	14/12/2021 13:28	20/12/2021 17:25	Organisations from EU Member State	Recognise that EIB follows the EU Public Procurement Rules - can you confirm whether you expect applicant organisations to be from an EU member state? If no, will their be weighting in favour of those from an EU member state?	<b>20/12/2021</b> In accordance with Section 1.2 of the Terms of Reference, participation to this tender is not limited and open to all economic operators i.e countries of the European Union, the European Economic Area and third countries. The selection and award criteria for assessing the tenders are only the criteria described in the Terms of Reference. No preference will be given to EU countries, the award criteria respects the principle of equal treatment.
22	10/12/2021 17:15	20/12/2021 17:26	Coaching	Can you please provide guidance as to where you expect coaching services to be factored in on the pricing form?	<b>20/12/2021</b> Coaching services will be proposed under Rate B. The hourly rate B will be calculated based on the daily rate B divided by 8.

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#	Submission date	Publication date	Question subject	Question	Answer
23	08/12/2021 08:56	20/12/2021 17:27	Pricing form	We understand that “Rate A - design and/or development daily rate for production of learning experiences and other learning activities, including production of videos or e-learning” refers to the design and preparation of individual workshops or learning activities. Can the contracting authority please clarify how should the overall design of the learning journey be priced? In our experience, this entails a series of preparatory activities including and not limited to in-depth understanding of the learning needs and starting position, articulation of detailed from-to mindset and behavior shifts required, design of a coherent flow of blended activities to meet the needs of the cohorts or of individuals within the cohort. Following these activities, the design of the content of the individual learning experiences can happen.	<b>20/12/2021</b> Rate A described in point 4.3 is based on a 'course day' measure. Each blended learning experience can be measured in days (i.e. 8 hrs) of learning. For example a blended learning of 12 hrs of instructor-led + 4 hrs of self-paced will equal to 16 hrs (2 days) of learning. This will be a reference point to calculate the design effort. In our example: 16 hrs (2 days) of learning will be translated into 6 days of design effort.

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#	Submission date	Publication date	Question subject	Question	Answer
24	07/12/2021 18:03	20/12/2021 17:29	quality of an overall blended learning approach	could we have some indication of the scope of the "overall draft learning experience"? is it a learning experience of 1 week or 1 month or longer? how many people do you plan to have in one cohort?	<b>20/12/2021</b> At EIB the timing of an average learning experience is about 4-6 weeks in cohorts of max 15 participants. In the implementation of the framework agreement, the successful tenderers will, for each assignment, propose the design of a learning experience based on the EIB's Assignment Terms of Reference.
25	07/12/2021 18:12	20/12/2021 17:32	- 259 Heads of Unit - 193 Heads of Division (teams of 6-30 people), as part of a Department - 45 Directors/ Heads of Department , consisting of several Divisions; - 10 DGs,	Could you tell us which groups goes to which Training; fundamental, advanced, and Senior	<b>20/12/2021</b> Level of the programme will depend on managerial experience and the position challenges. Therefore, in the Terms of Reference the managerial populations are not linked to the Lots in 1-to-1 approach. The target groups are described under section 3.2
26	08/12/2021 08:55	20/12/2021 17:33	Pricing form and financial offer	We understand that the total price scenario in the financial proposal is for evaluation purposes only. Therefore, can the contracting authority please confirm that the total amount of cell D19 cannot be linked to the maximum budget for each lot, i.e. 1M€ for Lot 1, 1.5M€ for Lot 2 and 2.5M€ for Lot 3, and could be higher?	<b>20/12/2021</b> The price scenario is for evaluation purposes only. Please note that the daily rates proposed by the Tenderers are the maximum rates to be applied during the the Framework Agreement.

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#	Submission date	Publication date	Question subject	Question	Answer
27	08/12/2021 08:56	20/12/2021 17:35	Pricing form	<p>We understand that rates in cells G1-G2-G3-G4 refer to hourly rates for the provision of services, and additional third party costs can be charged separately following agreement with the EIB. Can the contracting authority please confirm that the hourly rates are intended mostly as covering the administrative effort for the activities indicated in G1-G2-G3-G4, while third-party costs including and not limited to fees for personality assessment or pay-per-access websites (G1), licenses for e-learning contents (G2), material cost of books and learning aids (G3), speaker fees (G4), would all be covered separately from the hourly rates?</p>	<p><b>20/12/2021</b> With reference to section 3.11 of the ToR, costs to be paid to third parties, will be reimbursed to the service provider against invoices and/or other relevant documentation, subject to prior approval by the EIB.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
28	09/12/2021 20:29	20/12/2021 17:36	Blended Learning Approach / Overall scope of the course.	In regards to the entire learning intervention, how long do you envisage them to be? do you recommend them to be very short? Or, for example, are we looking at a 6 week learning intervention with 2 live sessions per week for example? and how large do you think the cohorts would be? groups of 15 people or more? or less? Are you planning to have the courses run parallelly to cover entire target groups (per Lot) in a certain time frame? Could you shed some light on this please. thank you.	<b>20/12/2021</b> At EIB the timing of an average learning experience is about 4-6 weeks in cohorts of max 15 participants. In the implementation of the framework agreement, the successful tenderers will, for each assignment, propose the design of a learning experience based on the EIB's Assignment Terms of Reference.
29	10/12/2021 17:17	20/12/2021 17:39	Leadership and management experience	Will everyone participating on these programmes be people managers?	<b>20/12/2021</b> The participation in the programmes will be focused on the current people managers and in some instances also on the aspiring people managers.
30	10/12/2021 17:14	20/12/2021 17:42	Learning Management System (LMS)	For any online resources proposed for programmes within the standard services, does EIB have a preference as to where these are held? i.e should they be housed on the provider's LMS or EIB's LMS?	<b>20/12/2021</b> For off-the-shelf learning offers, the EIB can use it on the platform of the provider or integrate it into the SAP Success Factors. The EIB is flexible to consider both and the decision will depend on the easiness and timing of the integration. For the stand-alone e-learning modules, please see point 3.5

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#	Submission date	Publication date	Question subject	Question	Answer
31	10/12/2021 17:15	20/12/2021 17:43	Learning Management System (LMS)	Following on from the previous question, if the preference is to use EIB's LMS for online resources, what process will be in place to facilitate the transfer of those online resources to the EIB LMS?	<b>20/12/2021</b> For off-the-shelf learning offeres, the EIB can use it on the platform of the provider or integrate it into the SAP Success Factors. The EIB is flexible to consider both and the decision will depend on the easiness and timing of the integration. For the stand-alone elearning modules, please see point 3.5
32	15/12/2021 18:12	20/12/2021 17:45	3.2. Target groups	Is it intended that all leaders go through the programme simultaneously (for example should all 259 Heads of Unit go through the programme together or would it be preferred to deliver in smaller training cohorts that are cascaded throughout the 3 year term)?	<b>20/12/2021</b> In the leadership learning experience we assume that one learning cohort is max 15 participants to allow for exchange of insights and experience sharing. We also envisage blended learning experiences where some learning modules are delivered to a bigger group which then splits into cohorts of max 15 for further learning.
33	15/12/2021 18:05	04/01/2022 20:46	1.3. Brief description of the required services	You have written, "the learning experiences under this call of tender will replace existing programmes". Would you like the new programme to focus on new topics or build upon existing training materials and topics?	<b>04/01/2022</b> At EIB the timing of an average learning experience is about 4-6 weeks in cohorts of max 15 participants. In the implementation of the framework agreement, the successful tenderers will, for each assignment, propose the design of a learning experience based on the EIB's Assignment Terms of Reference.



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#	Submission date	Publication date	Question subject	Question	Answer
34	15/12/2021 18:23	04/01/2022 20:55	3.4.2.2. Delivery of instructor-led (virtual) sessions and workshops	You stated that for virtual sessions the provider should take care of invitations etc. Does that mean that for the on-site sessions you will take care of this?	<b>04/01/2022</b> The invitation for instructor-led virtual or on-site session will be sent by EIB via the LMS tool. The service provider may send any additional information (welcome mails, additional resources, links to additional digital tools etc) if this is helpful for the participants.
35	15/12/2021 18:25	04/01/2022 20:57	3.4.2.2. Delivery of instructor-led (virtual) sessions and workshops	You stated that "For virtual session and workshop set-up, the service provider shall take care of sending the digital invitation to participants.". Will it be possible for the provider therefore get access to your LMS in order to distribute the invitation links or should this be done through email?	<b>04/01/2022</b> The invitation for instructor-led virtual or on-site session will be sent by EIB via the LMS tool. The service provider may send any additional information (welcome mails, additional resources, links to additional digital tools etc) if this is helpful for the participants.
36	15/12/2021 18:25	04/01/2022 21:00	5.1 Project Manager	Do we understand correctly that a Project Manager should cover both the organisational and the pedagogical aspects or rather two separate Project Managers, one that focuses primarily on Organisational aspects, and another that focuses on Pedagogical aspects?	<b>04/01/2022</b> In the Selection Criteria (point 1.7 of Annex A), the requirement defines that the tenderer must have at least two Project Managers who meet all the profile requirements as described. There is no specification on how the project manager duties will be covered during the implementation.

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#	Submission date	Publication date	Question subject	Question	Answer
37	15/12/2021 18:27	04/01/2022 21:07	Pricing Sheet, Part 2	We would like to include the use of 180 or 360 degree feedback tools. Should it be included under Rate G1 even if it is not priced on an hourly basis, but rather a user based pricing model for these kind of tools?	<b>04/01/2022</b> In case the assessment tool is an integral part of the learning experience, the price should be included in the design daily rate (Rate A). In case the assessment tool is a follow up tool then it will be considered as supplementary service. In this case, the cost of a tool will be reimbursed to the service provider against invoices and/or other relevant documentation, subject to prior approval by the EIB. And any additional administrative effort will be covered according to rate G1( Annex B Pricing Form Part 2).
38	21/12/2021 15:25	04/01/2022 21:14	3.4.2.2. Delivery of instructor-led (virtual) sessions and workshops	In order to best serve the needs of the leaders, we would be interested to know what the current working setting looks like. Are you planning a remote, hybrid or face-to-face working setting?	<b>04/01/2022</b> The EIB work setting is dynamically adjusted to the changing Covid sanitary requirements in Luxembourg. At the current moment, the work setting varies between remote and hybrid. The learning sessions are done exclusively in the remote (virtual) instructor-led mode. And the face-to-face learning is postponed until further notice.

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39	22/12/2021 12:12	04/01/2022 21:16	Timeframe of the project referenced to be provided for Requirement 1	In the TOR it states “past 3 (three) years and prior to the deadline for submission of tenders” (which would be 17/01/2022) under “Requirement 1” and “within the period 17/11/2018 – 17/11/2021” in the table under (iii). What is the timeframe for the end date of the projects?	<b>04/01/2022</b> Please note that the time frame indicated under Requirement 1 for the project reference is 17/11/2018 - 17/11/2021, which is therefore, before for the deadline for submitting an offer.
40	23/12/2021 18:31	04/01/2022 21:19	Question regarding culture and change initiatives within EIB	What else is going on in the organization, any other culture and change initiatives we should be aware of?	<b>04/01/2022</b> The key initiative that has the biggest impact on the leadership development at the EIB is the introduction of the Leadership Qualities described in Annex A point 2. For the purpose of this tender, other initiatives or talent practices will be not taken into account.
41	23/12/2021 18:32	04/01/2022 21:21	In addition to the Leadership Qualities	Are there any further guiding principles, frameworks; i.e. leadership and talent profiles you have identified and aligned with the leadership qualities? • Beyond what you have already shared such as the Leadership Qualities - what else do you have in this space? • How would you envisage the guiding principles to be applied to the development journey?	<b>04/01/2022</b> The key initiative that has the biggest impact on the leadership development at the EIB is the introduction of the Leadership Qualities described in Annex A point 2. For the purpose of this tender, other initiatives or talent practices will be not taken into account.

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42	23/12/2021 18:34	04/01/2022 21:23	Use of Subcontractors	We have an organisational model which has some element of subcontracting to the educational trust which provides our faculty facilitators - is there a value or % attached to the amount of the work that can be subcontracted that we would need to adhere to?	<b>04/01/2022</b> Please note that the use of subcontractors is authorised and there is no limitation on the value or percentage of services subcontracted.
43	29/12/2021 00:07	04/01/2022 21:35	Time-limit for asking questions for clarification	According to point VII.2) ("Other additional information"), the time-limit for questions from economic operators remains unchanged (3 January), while the time-limit for publishing answers to these questions has been postponed in keeping with the new deadline. In the worst case, therefore, an economic operator would ask a question on January 3rd, but only receive the answer to that question on January 25th, i.e. 6 days to the new deadline. Could you please kindly also consider postponing the deadline for asking questions for clarification, to enable economic operators to still ask questions closer to the deadline.	<b>04/01/2022</b> Please note that the deadline for submitting offers has been extended to grant more time to the Tenderers for the preparation of their tenders, after the publication of the answers. No other extension of the deadline for submitting offers is envisaged.

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44	23/12/2021 18:37	04/01/2022 21:36	Regarding the Contract	Now that our contract and legal team has reviewed the contract, we recognise that we would require some ammendments which we would like to discuss and have written into the agreement if successful in the tender. Do we need to highlight these alongside our submission, prior to submission via questions or can these be done at the point of contracting?	<b>04/01/2022</b> In accordance with article 4.6 of the General Administrative Submission Clauses, by submitting a tender, tenderers accept all Terms and Conditions of the procurement documents, including the EIB Model contract and waive their own terms of business. Consequently, tenderers are not allowed to negotiate the contractual provisions.
45	27/12/2021 14:04	04/01/2022 21:38	Can 2,000 words also describe a virtual instructor-led 2-day course?	Hello and Merry Christmas, On page 16 it reads ... " 2. Quality of the proposal for an instructor-led face to face or virtual learning course as part of the blended learning approach 36 points Tenderers must submit a document in A4 format of no more than 2,000 words describing a 2-day instructor-led course within their overall programme design." Just to double check, although the text only mentions ILT, the heading also mentions VILT. So, am I right in thinking the 2000 word description CAN DESCRIBE a virtual instructor led training? Thanks for your patience.	<b>04/01/2022</b> Correct, the proposal needs to be submitted for the face-to-face ILT or VILT. Both will be correct.

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#	Submission date	Publication date	Question subject	Question	Answer
46	29/12/2021 20:45	04/01/2022 21:40	Liability	<p>The tender documents do not provide any liability limiting language for the benefit of the Service Provider. As liability limitations are standard market practice, we would like to propose to agree on a liability limitation: Article 15 of "Annex C - General Terms and Conditions for framework agreements for the provision of services to the European Investment Bank" is changed as follows: "Service Provider's total liability (including interest) for all claims relating to the Services or a Contract is limited to three (3) times the amount of fees payable under the relevant Contract for the Services giving rise to the claim or one (1) million Euros, whichever is lower. Nothing in the Contract will limit a party's liability for (i) death or bodily injury caused by that person's negligence, (ii) that person's fraud, or (iii) anything else that may not by law be limited or excluded." Do you agree?</p>	<p><b>04/01/2022</b> In accordance with article 4.6 of the General Administrative Submission Clauses, by submitting a tender, tenderers accept all Terms and Conditions of the procurement documents, including the EIB Model contract and waive their own terms of business. Consequently, tenderers are not allowed to negotiate any of the contractual provisions.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
47	29/12/2021 20:59	04/01/2022 21:43	Online assessment tools	As part of the service to be delivered, online assessment tools (e.g. 180 and 360 degree assessments) are to be provided. Does the EIB have a tool in use for this purpose that can be made available to the service provider?	<b>04/01/2022</b> We expect that the future service provider will use either their own or the third party's assessment tool. The Bank will not be able to provide access to the online assessment tool that we have at our disposal.
48	29/12/2021 21:01	04/01/2022 21:45	Annex II, T&Cs	"With regard to the 48-hour-notification timeline in Annex II to the General Terms & Conditions we point out that such short notification timelines are not customary in the market and difficult to flow down to possible subcontractors. As the bidder itself is subject to the strict data breach notification obligations of the GDPR, its incident procedures fully meet the requirements statutory by EU data protection law. Is it therefore possible to amend Annex II as follows: ""The Service Provider shall notify relevant personal data breaches to the controller without undue delay after the Service Provider becomes aware of the breach."	<b>04/01/2022</b> In accordance with article 4.6 of the General Administrative Submission Clauses, by submitting a tender, tenderers accept all Terms and Conditions of the procurement documents, including the EIB Model contract and waive their own terms of business. Consequently, tenderers are not allowed to negotiate the contractual provisions.

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#	Submission date	Publication date	Question subject	Question	Answer
49	29/12/2021 20:58	04/01/2022 21:46	Data Protection	<p>Article 6.1 (a) i. of the General Terms &amp; Conditions states that the Service Provider must provide "recent extracts from the judicial record" or "a recent equivalent document issued by a judicial or administrative authority" of its employees upon request by the EIB. The collection of data on criminal convictions pursuant to Article 10 GDPR requires a legal basis, which does not exist in all member states of the European Union, at least not for the employer. We assume that the Bank will take into account the different legal standards in the European Union and therefore ask whether there is a corresponding process at the EIB for collecting and verifying the documents that can be carried out without the service provider collecting the data?</p>	<p><b>04/01/2022</b> Please note that the extracts from the judicial record must be provided by the successful tenderers. Please also note that the employer may ask to its employees to provide a judicial record. Considering the sensitivity of such data, the employers are not always in capacity to request this record directly to the national authorities, and they may have to ask their employees to request the criminal record.</p>



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#	Submission date	Publication date	Question subject	Question	Answer
50	03/01/2022 12:31	21/01/2022 11:05	Data protection	<p>We would like to point out that the services described in the tender documents, at least not in their entirety, do not fulfill the criteria for commissioned data processing in terms of Art. 28 GDPR/Art. 29 Regulation (EU) 2018/1725. The required services are the development, implementation, and evaluation of a leadership development program for employees of the EIB. These services are consulting services based on specialized expert knowledge and content-wise shall be provided independently and free from instructions. Accordingly, the main objective of the services is not the processing of personal data, but the provision of professional expert services of another nature. To the extent the services require the use of personal data, the processing occurs only on occasion of providing the services but is not the focus and main purpose. Do you concur with this assessment and may we assume accordingly that the contractual provisions for a data processing on behalf in terms of Art. 28 GDPR/ Art. 29 Regulation (EU) 2018/1725 shall only apply if and to the extent that services and activities fulfill the</p>	<p><b>21/01/2022</b> The fact that the scope of the services requested under the CFT-1643 does not, possibly, necessitate extensive processing of personal data does not affect the application of the respective EU DPR/GDPR provisions. The fact that, in providing the services, the Service Provider exercises its professional judgment (e.g. when establishing the constituent elements of its offer) is also not affecting the fact that EIB, as data controller, has initiated the processing personal data and has issued instructions as to how personal data must be processed in the context of the contract execution by the future provider. Those instructions are, in principle, depicted in Article 8 of the draft service contract published with the CFT-1643 as well as the Annex II of its General Terms and Conditions and need to be complied with.</p>

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#	Submission date	Publication date	Question subject	Question	Answer
				services and activities fulfill the characteristics of commissioned data processing according to EU data protection law and the data protection authorities' criteria for data processing on behalf?	
51	29/12/2021 20:57	21/01/2022 11:09	Data Protection	Art. 8.2 (b) iv. of the Multiple-Operator Framework Agreement states that the service provider may not change the localisation of data processing without the prior written authorisation of the Bank. Can we assume that an authorisation is only required if the place of data processing is to be changed to a location outside the EU/EEA?	<b>21/01/2022</b> A prior written authorization is required if the location is to be changed to a location outside the EU/EEA or to any country which has not been recognized by the European Commission as providing adequate protection to personal data. Transmission of personal data to countries covered by adequacy decisions issued by the EC are assimilated to intra-EU transmissions of data. Please find in the link the list of Countries covered by such decisions: Adequacy decisions   European Commission (europa.eu)

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#	Submission date	Publication date	Question subject	Question	Answer
52	29/12/2021 20:47	21/01/2022 11:18	Pre-existing materials	EIB is requesting extensive usage rights and copyrights regarding the deliverables. It is planned to use certain pre-existing materials in delivering the Services. Please confirm that any of Service Provider's pre-existing materials are not subject to Article 16 of "Annex C - General Terms and Conditions for framework agreements for the provision of services to the European Investment Bank" or Article 11.1 of the "Multiple-operator framework agreement" and Service Provider will own all Service Provider's pre-existing materials but EIB will have a non-exclusive, non-transferable licence to use Service Provider's pre-existing materials included in the deliverables for its own internal purposes.	<b>21/01/2022</b> We confirm (a) that the Service Provider's pre-existing materials are excluded from these provisions, as specified in Art. 11.2 of the "Multiple-operator framework agreement" and (b) that the Service Provider shall grant to the Bank, free of additional charge, a non-exclusive, non-transferable and irrevocable right to use the delivered outcome for its ordinary business purposes. The provisions of Art. 11.3 of the "Multiple-operator framework agreement" shall further apply to the extent applicable. Moreover, note the following a typo in Art. 11.1 of the "Multiple-operator framework agreement" which shall read "[...]in line with the first paragraph of §15 16 of Appendix B".

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#	Submission date	Publication date	Question subject	Question	Answer
53	29/12/2021 21:00	21/01/2022 11:20	Annex D - Declaration on Mandatory Minimum Requirements	Annex D - Declaration on Mandatory Minimum Requirements states that the service provider must include one of the online webinar tools listed here. Can we assume that the WebEx variants specifically named here not only comply with the EIB Group IT-Security requirements, but also with the requirements that have been specified in Art. 8.2 of the Multiple-Operator Framework Agreement?"	<b>21/01/2022</b> We confirm that the Webex variants are compliant.

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#	Submission date	Publication date	Question subject	Question	Answer
54	23/12/2021 19:41	21/01/2022 11:28	Pricing Form Clarification Questions	<p>Hello, We have some questions regarding Annex B - the Pricing Form. 1. Where it outlines an "all-inclusive lump sum for travel and accommodation for rate B in case of on-site delivery" is this per faculty/facilitator, per day? Or for the whole project? Without knowing the exact number of days to be delivered onsite vs. virtual it would be hard to estimate for the whole project at this stage. 2. We would often recommend to use a minimum of 2 facilitators for maximum impact, particularly at senior levels - is the daily rate (column c) per facilitator or should we enter a total cost, however many are present? 3. Our supply of assessments, diagnostics, psychometrics, e-learning licenses is ordered through our bureau service at a per item cost rather than an hourly rate and would depend on the final tools use. Where can we capture these costs on the sheet? Are these agreed aside from this pricing agreement? 4. Finally, is G1, G2, G3 and G4 for the</p>	<p><b>21/01/2022</b> 1. This lump sum is per delivery day and per facilitator, as mentioned under section 4.3 Rate C. 2. As mentioned under section 4.3 Rate B, by default the EIB requires one facilitator. See footnote 4. 3. In case the assessment tool is an integral part of the learning experience, the price should be included in the design daily rate (Rate A). In case the assessment tool is a follow up tool then it will be considered as supplementary service. In this case, the cost of a tool will be reimbursed to the service provider against invoices and/or other relevant documentation, subject to prior approval by the EIB. And any additional administrative effort will be covered according to rate G1( Annex B Pricing Form Part 2). 4. Please refer to section 3.11. The provision of these services will be paid at the maximum hourly rate, whereas costs to be paid to third parties will be reimbursed against invoices and/or relevant documentation, subject to prior approval by EIB.</p>

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### Call for tenders questions summary

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#	Submission date	Publication date	Question subject	Question	Answer
				G2, G3 and G4 for the administration, procurement and management aspect of the supply of tools, e-learning content, support aids and booking of specific people rather than the items/products/speaker costs themselves? Thank you.	

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