

CLARIFICATION No 3

Reference: Open call for tenders No EEA/ACC/13/003

Title: Framework contract for the provision of Expert assistance in the areas of air, climate change, noise and in relation to certain economic sectors – 3 lots

Question 1

Do the EEA [have] a conflict of interest for partners of the ETC-ACM being also part of the consortium on this framework?

Answer 1

Provided it satisfy the eligibility criterion and the exclusion and selection criteria referred to in section 4.1, 10.1 and 10.2 of the tender specifications respectively, any organisation can apply to the above mentioned call for tenderers.

Pursuant to section 10.2.3 of the tender specifications, tenderers will be assessed in terms of their technical and professional capacity to carry out the tasks requested under the framework service contracts, in particular with regard to the human resources available to them.

Tenderers shall also pay attention to the provisions on exclusion criteria specified under section 10.1 of the tender specifications and annex 2 thereof, i.e. declaration on exclusion criteria, in particular point (g)), whereby tenderers shall declare on their honour that they have no conflict of interest in connection with the framework contract.

In addition, tenderers shall bear in mind that the EEA reserves the right to reject a tenderer where it is established that he has conflicting professional interest which may negatively affect the performance of the contract, as stated in the second paragraph of section 10.2.3 of the tender specifications.

Question 2

How will this framework interact with the work of the ETC-ACM over the next 48 months?

Answer 2

In accordance with the contractual provisions set in framework partnership agreements concluded between the Agency and leaders of European Topic Centres, the Agency and the consortia shall agree jointly on annual work programmes. These documents include detailed objectives and priorities for actions to be implemented through specific agreements.

The services to be provided under framework contracts on expert assistance in thematic areas are meant to complement and cover activities which would not be covered by specific agreements under annual work programmes agreed jointly between the Agency and partners of European Topic Centres. Under each legal instrument (framework partnership agreement and framework service contract), the contractors are bound by contractual provisions on the prevention of conflict of interests. The Agency will seek, every year, to avoid any overlapping between the activities carried out by the European Topic Centres and the contractors.

Question 3

Will the TERM report writing and analysis (previously done under a separate framework contract) be included under this framework?

Answer 3

With reference to section 6 and 8 of the tender specifications, the tasks and deliverables will be specified in each specific contract and is depending on the requirements of the specific contract(s). It is not possible to specify the tasks at this point in time.

Question 4

Do the EEA foresee the need to IT solutions to be delivered as part of this framework or is the work related purely to data analysis and policy advice?

Answer 4

Please refer to section 6 of the tender specifications (subject of the contract).

Question 5

a) Price intramural:

Will the DSA included as per Annex 8? (So the daily fee for extramural + a top-up of the DSA and travel expenses?)

b) To be able to make a good financial offer, for what kind of time period is it envisaged that staff will be stationed at the EEA (one week or one month or longer)?

Answer 5

a) *Please refer to sections 7, 9 and 10.3.2 of the tender specifications where it is stated that tenderers shall quote all-inclusive daily rates in EUR for each of the required profiles as defined in annex 6 to the tender specifications.*

The reimbursement of travel expenses, annex 8 to the tender specifications, only applies in the event where travel to other locations (i.e. other than Copenhagen) or shorter visit to the Agency would be required. Please refer to section 7 of the tender specifications.

b) *With reference to section 6 and 8 of the tender specifications, the tasks and deliverables will be specified in each specific contract(s) and will depend on the requirements of the specific contract(s). It is entirely up to the tenderers to decide on the range of services they can offer for the prices quoted.*

“An extended period of time” as referred to in the table under section 10.3.2 of the tender specifications means a period ranging from 2 to 6 weeks; whereas “a shorter visit to the EEA” as referred to in section 7 to the tender specifications means a period of up to 3 days. Tenderers shall note that this information is merely indicative and may be revised in line with the requirements of a particular specific contract.

Question 6

With reference to the technical proposal:

- a) Are Annexes 9 and 10 required for each main area or each sub-area of expertise (so for only main bullets or for all the sub-bullets based on Annex 5)? For example in Lot-2, there are 3 main areas, but $5 + 5 + 1 + 1 = 12$ sub-areas. Therefore, for each lot, do we need to provide Annex 9 and 10 in 3 x 2 A4 pages, or 12 x 2 A4 pages?
- b) Do we also need to complete 2 A4 pages per thematic area (as most of these are cross-cutting over the main areas and sub-areas elaborated under the required expertise)?

Answer 6

- a) *Annexes 9 and 10 of the tender specifications should be filled in per area of expertise and thematic areas (max 2 A4 pages for each area of expertise and thematic area).*

Therefore, with reference to section 6.1 of the tender specifications, Annexes 9 and 10 shall both cover 11 areas of expertise and 3 thematic areas, i.e. a total of 14 areas for each annex for lot 1; with reference to section 6.2 of the tender specifications, Annexes 9 and 10 shall both cover 12 areas of expertise and 6 thematic areas, i.e. a total of 18 areas for each annex for lot 2; and with reference to section 6.3 of the tender specifications, Annexes 9 and 10 shall both cover 8 areas of expertise and 1 thematic area, i.e. a total of 9 areas for each annex for lot 3.

Tenderers shall note that annex 5 is meant for the assessment of the tenders' compliance with the selection criterion specified under section 10.2.3 of the tender specifications, whereas annexes 9 and 10 are meant for the assessment of the tenders against the technical merit award criteria No 1 and 2 as specified under section 10.3.1 of the tender specifications. Only tenders which will pass the exclusion and selection stages will be further assessed on the basis of the award criteria. For that purpose, tenderers are required to submit a technical offer providing all information requested under section 6 and 10.3.1, i.e. the reasoned summary statements required under award criterion No 1 (annex 9), the summary statements required under award criterion No 2 (annex 10), in accordance with the instructions above. In addition, tenderers shall provide statements in relation to technical merit award criterion No 3 on coordination and networking.

- b) *Yes, as a maximum two pages shall be completed for each thematic area.*

Question 7

With reference to section 10.2.3 of the tender specifications – technical & professional capacity:

In section 6.4 it is mentioned that the evidence on the professional & technical capacity only needs to be supplied once, if tenderers apply for more than 1 lot, and can be presented in sub sections in function of the different lots. Will this be evaluated by different persons? We ask this because some CVs will be presented for multiple lots. Therefore, for your convenience, should we present the technical & professional section only once, or would you prefer to receive the evidence per lot (this means that CVs will be duplicated)?

Answer 7

Please refer to section 6.4 where it is stated that owing to the variety of profiles and services required, tenderers may choose presenting the evidence related to their technical and professional capacity as they see fit, i.e. in one or more sub-sections for each lot for which they want to submit an offer, provided they make it clear to which lot the work experience refers.

Tenderers shall however bear in mind the environmental considerations highlighted in section 12 of the tender specifications and in particular the recommendation to limit attachments to what is required in the tender specifications.

Question 8

In the Specifications there seems to be a discrepancy between the scope of work as outlined in Section 6.1 and the award criteria as listed in Section 10.3.1.1. Can you confirm that the award criteria are as listed in Section 10.3.1.1?

Answer 8

While section 6 of the tender specifications is meant to provide tenderers with an understanding of the purposes and scope of the framework contract(s), section 10.3.1 of the tender specifications is meant exclusively for the purposes of the evaluation of the tenders in terms of their quality and technical merits. Hence, the tenders will be assessed against the award criteria as listed under section 10.3.1 of the tender specifications.

As stated in the last paragraph of section 6 of the tender specifications, the list of activities to be fulfilled by the contractor for each lot covers the main areas of expertise required, but is not exhaustive.

Please refer also to question/answer No 6 above.

Question 9

Will the framework contract build upon a cascade model, or will it be re-opened competition (in case the EEA concludes a framework contract with more than one company or consortium)?

Answer 9

Please refer to sections II.1.3 and II.1.4 of contract notice No 2013/S 217-376832 where it is stated that the call for tenders involves the establishment of a framework contract with a single operator.

As specified in the last paragraph of section 6.4 of the tender specifications, tenders will be evaluated separately, lot by lot, as to their merits, and a framework contract will be awarded for each lot (maximum one contract per lot). If several lots are awarded to the same tenderer, a single framework contract covering those lots will be signed.

Question 10

Could you elaborate on the intentions behind the requirements for division of staff in the above mentioned tender that specifically addresses junior vs. senior?

It would be fruitful to know whether these requirements was mentioned to address the costs of the proposal assuming the junior employ meant would be at a lower cost, if it is a minimum requirements where applicants can to choose to “over perform” with an entire senior team or if there is some other reasons for this.

It seems price (30 points) is already a selection criteria – hence is raises questions on why it is further broken down in to assumptions about labour on costs. But this is just if that really is the intention behind the 4 senior and 2 junior requirements.

Answer 10

The future framework contract(s) require(s) expert assistance from junior and senior consultants for EEA's activities related to monitoring, data, information and assessments in the areas described in section 6 of the tender specifications. Depending on the requirements of each specific contract in terms of the tasks to be performed and the deliverables to be submitted, junior or senior expertise or a combination of both might be required.

The reference to both profiles under section 10.2.3 of the tender specifications, first bullet point, (i), is meant to assess the professional and technical capacity of the tenderers to deliver the requested services. This selection criterion seeks to ensure that only economic operators who fulfill a set of minimum criteria in terms of having sufficient and adequate human resources are let through to the detailed evaluation under the award criteria which aims at assessing the quality and financial value of the tender. Hence tenderers are requested under this selection criterion to give evidence of their technical and professional capacity through the provision of a minimum number of CVs, whereas under the award criteria tenderers are requested to demonstrate that their tender offers the best value for money.

Question 11

Under section 4.3 Subcontracting (page 4/22) of the tender specifications, it is stated that tenderers must state what part of the work they intend to subcontract, and to what extent (for instance % of the total contract value).

However, as this is a framework agreement, the potential subcontracting depends on the service requests (in terms of required expertise and skills) that will be launched under each of the specific lots.

Therefore, it is very hard to assess the amount of subcontracting at this stage. Could you clarify how we should specify this in our technical offer, in order to comply with your requirement?

Answer 11

The information on potential subcontracting is optional, and applies only in the event where it would be known already at the stage of the submission of the tender. The second paragraph under section 4.3 of the tender specifications provides indeed that tenderers shall indicate what part of the work, if any, they intend to subcontract and if subcontracting is not envisaged, tenderers shall clearly state so in the tender submission form (annex 1).

With reference to the selection criteria specified in sections 10.2 of the tender specifications, tenderers may, for the purpose of demonstrating their economic and financial capacity and/or their technical and professional capacity rely on the capacities of other entities, e.g. subcontractors.

Question 12

With reference to Annex 6 – Price quotation:

- (a) There are fields for senior and junior consultants only. How should pricing for managerial staff be accounted for?
- (b) What should be considered as “an extended period of time” for the pricing of senior and junior consultants working intramural at EEA's premises?

Answer 12

(a) *Tenderers are requested to quote prices only for the four profiles listed under section 9, 3rd bullet point, and 10.3.2 of the tender specifications.*

The reference to managerial staff under section 10.2.3, first bullet point, (i) in relation to the selection criteria is only meant to assess the technical and professional capacity of tenderers to deliver the requested services. Please refer to answer 10 above.

(b) *“An extended period of time” as referred to in the table under section 10.3.2 of the tender specifications means a period ranging from 2 to 6 weeks. Tenderers shall note that this information is merely indicative and may be revised in line with the requirements of a particular specific contract.*

Question 13

For all partners (but not subcontractors) involved, we understand that in addition to qualification/experience of the consultants (shown via CVs and past contracts) and administrative documents (legal, financial exclusion criteria), the following also needs to be provided: quality control and customer service information. However, an environmental policy should be provided for both partners and subcontractors. Is this correct?

Answer 13

Please refer to the last bullet point of section 10.2.3 of the tender specifications. The requirement to provide a description of their environmental policy applies to the tenderers and not to the subcontractors. Although the selection criteria for the technical and professional capacity of the tenderer will be assessed in relation to the combined capacities of the services providers, the particular selection criterion on environmental policy applies to each individual tenderer. Therefore, in the event where the tender is submitted by a consortium, each member of the consortium shall provide the required information in relation to the environmental policy.

However, tenderers shall note that EEA reserves the right to request them at a later stage to provide documentation in relation to selection criteria for any proposed subcontractors, as specified in the penultimate paragraph of section 4.3 of the tender specifications.

Question 14

In relation to the reasoned summary statements (annexes 9 and 10 to the tender specifications), we understand that for each annex (annex 9 on monitoring, data and indicator related tasks, and annex 10 on assessments tasks), one statement should be provided for each area of expertise (for lot 1, a total of 11 per annex) and one should be provided for each thematic area (for lot 1, a total of 3 per annex), resulting on a total of 28 documents. Is this correct?

Answer 14

Yes, your understanding is correct. Please refer to question/answer No 6 above.

Question 15

In relation to the reasoned summary statements, we understand these should demonstrate the tenderer's knowledge and understanding of the various tasks. What types of information are expected here? Should these statements include proposed methodological elements?

Answer 15

Please refer to section 6 of the tender specifications which describe the required minimum level of services to be provided. It is entirely up to the tenderers to decide on the range of services that they can offer for the price quoted, bearing in mind that their tender will be assessed in terms of their understanding and appreciation of the scope of and the level of services to be provided, in pursuance with the detailed award criteria specified under section 10.3.1 of the tender specifications.

Question 16

- (a) In annex 1, it is written under section 3 (Envelope No 3): "The financial offer providing all information requested under sections 9 and 10.3.2, drawn up in accordance with the template in annex 5". Is the reference to 'annex 5' correct or should this be 'annex 6'?
- (b) Academic degree of staff (annex 5): should tenderers apply the formal degrees of the national systems? Or should the equivalent of the Anglo-Saxon bachelor/master system be used instead?

Answer 16

- (a) The reference should read 'Annex 6', i.e. price quotation. For clarity sake an updated annex 1 to the tender specifications – Tender submission form is now available for download on the EEA website: <http://www.eea.europa.eu/about-us/tenders/eea-acc-13-003-expert>
- (b) Tenderers may choose specifying the academic degree of the staff responsible for providing the services as they see fit; for the purposes of a smooth evaluation of their tenders, it would be appreciated if tenderers would also indicate the equivalent in the Anglo-Saxon educational system.

Question 17

With reference to annex 5 – Cross table of tenderers' qualifications and expertise, Lot 3 – Expert assistance in the area of environmental noise assessment:

In the table it is stated that "proof of minimum 10 years of expertise (across all persons responsible for providing the required services) in 8 areas of expertise are to be documented. Consequently, one should document in point 1: 10 years of experience in development of scenarios and projections for the scale of noise pollution from all relevant sources in Europe to 2020 and beyond. As the END data is reported from 2007 and forward, we see it very unlikely that any noise experts in EU can document 10 years of experience within this field. Can experience with other data than END data be included as relevant experience?

Answer 17

As stated in section 10.2.3 of the tender specifications, first bullet (ii), the requirement for a minimum of 10 years of experience is to be demonstrated across all persons responsible for providing the required services. Hence the assessment will be made on the basis of the aggregated amount of years of experience of all persons responsible for providing the service, i.e. the sum of the experience of each individual person shall be of a minimum of 10 years.

Please refer as well to clarification No 2 to the tender specifications, available on the EEA website: <http://www.eea.europa.eu/about-us/tenders/eea-acc-13-003-expert>