

Questions and Answers

Call reference: EAC/03/2015

Title: Pilot Project on Crowdfunding for the Cultural and Creative Sectors: Kick-Starting the Cultural Economy

Version: 10 of 28/08/2015

Question 1:	A company based in Mumbai, India is interested in participating in the tender EAC/03/2015 and wants to get more information about it.
Answer	As per tendering specifications (chapter 1- see footnote: http://www.wto.org/english/tratop_E/gproc_e/gp_gpa_e.htm), the GPA applies to this call for tenders without restrictions. Nevertheless India is not part of the GPA: https://www.wto.org/english/tratop_e/gproc_e/gp_app_agree_e.htm But an Indian company may become subcontractor. Please find all related documents here http://ec.europa.eu/dgs/education_culture/calls/index_en.htm . Please note that the download of the documents is free of charge.
Question 2:	I would like to know if there is an application form for the project proposal description as I can't find any (I have found the documents to be provided and relevant Annexes, but no e-form).
Answer	The Call for tenders does not include a template application form. Tenderers should draft at tender document addressing tender specifications requirements and provide relevant annexes as requested.

Question 3:	<p>In section 2.5 of the tender specifications (Deliverable 4) it is said that: "The conference will take place in Brussels and gather approximately 200 representatives of the cultural and creative sectors (...) The travel costs of the participants as well as all the costs of the conference will be covered by the contract."</p> <p>Could you please indicate the travel costs of how many participants are included in the contract? By participants, do you mean speakers or the total 200 representatives that are expected to participate in the conference?</p>
Answer	<p>The contract should cover the travel costs of all speakers at the conference to be organised in Brussels (and not all 200 participants)</p> <p>See answer Nr 13</p>
Question 4:	<p>Could a consortium include 2 partners from the UK? If not, are we able to sub-contract?</p>
Answer	<p>The participation in the call is open to all natural and legal persons within the scope of the Treaties, including by a group of economic operators (consortia) - see the tender specifications, point 1.1. and 1.3. It is not excluded to have two members of the consortium from one country, provided that the European dimension for the tendering bid is ensured.</p> <p>Subcontracting is permitted in the tender - see point 1.4. of the tender specifications.</p>
Question 5:	<p>As regarding the technical and professional capacity criteria, I did not find a particular section where to insert these information within the Annexes available. Should I insert this information in a separate document where I describe the technical capabilities of my company?</p>
Answer	<p>There is no specific annexe for technical and professional capacity criteria. Yes, please submit in a separate document.</p>

<p>Question 6:</p>	<p>Our question relates to what contents is the European Commission expecting on tenders' Part D. Specifically, the tender specifications document requests at page 4 that "tenders must be presented as follows: PART D Evaluation of the tenderers on basis of award criteria (see section 4.4)". At section 4.4 (pages 17-18) the specifications present the award criteria, describing the 3 main categories: Relevance and quality of the methodology, Management of the project/organisation of the work and Quality control measures.</p> <p>Considering this, is it expected that tenderers present in Part D a self-assessment of the technical proposal contents in accordance to the awarding criteria? For example, for the criteria "Relevance and quality of the methodology" is it expected that the tenderers present a summary of the technical options (that will be detailed presented in PART E) and also present a self-assessment against the award criteria described in the specifications and suggest a score for the criteria?</p> <p>Or, otherwise, should we consider that Part D of the tender will correspond to an assessment and analysis performed by the European Commission services and thus, tenderers do not need to deliver this Part with the tender package contents?</p>
<p>Answer</p>	<p>With reference to section 1.5 page 4 of the Tender Specifications, the tenderer is expected, in part D of the tender, to succinctly explain how his/her offer, described in detail in Part E, responds to the award criteria described in part 4.4 of the tender specifications. Please note that scoring remains a competence of the evaluation committee only.</p>
<p>Question 7:</p>	<p>Our question relates to the European Commission's expectations as to Deliverable 4, Conference:</p> <p>a) Information on coverage of conference participants' accommodation costs by the contract for services</p> <p>b) Expected duration of the aforementioned Conference</p>
<p>Answer</p>	<p>a) According to the tendering specifications (paragraph 2.5 and paragraph 4.6.), "the travel costs of the participants" have to be understood in a broader way in order to cover all the costs of the participants in the conference. These include the following types of costs: travel costs, accommodation costs and subsistence.</p> <p>b) The contracting authority is giving the tenderers the opportunity to propose their own concept for the conference, including its duration.</p> <p>See more explanations in the answer Nr 13</p>

Question 8:	When is the exact start of the contract? Could you provide the estimated time?
Answer	<p>The estimated period for the start of the contract is November/December 2015.</p> <p>The contracting authority may, until the contract is signed, either abandon or cancel the procurement procedure without this entitling the tenderers to any compensation.</p>
Question 9:	We are a company from Latvia and our official language is Latvian. When we translate our evidence documents (documents regarding the information about economic operators), do we need them to be notary approved, if so, then which documents exactly?
Answer	<p>There is no requirement to have translated documents notary approved. The signature and stamp of a sworn translator will suffice.</p> <p>As a matter of consistency and coherence, all supporting evidence required within the tendering specifications should be translated.</p>
Question :10	<p>a) About financial capacity: A University based in London will be the "single point of the contract". Should the University and other members of the joint tender (four more) submit the Annex 3 to demonstrate the financial capacity?</p> <p>b) About documents to support the legal capacity of the participants: Should all organisations of the joint tender send all documents regarding to their legal capacity (statutes, legal representative, VAT and/or registration number ...)?</p> <p>c) Regarding to the annexes 1, 2, 3 and 4(price): Should all tenderers sign these annexes?</p>
Answer	<p>a) Yes, each member (leader included) has to fill in Annex 3 Economic and Financial Capacity.</p> <p>Moreover, all the members of the consortium (leader included) have to send, in addition to annex 3, the financial documents for the last 2 closed financial years and a statement of turnover (as mentioned in the tender specs and in the methodology attached to the call).</p> <p>b) Regarding Proof of legal capacity (registration documents of the tenderer), a declaration that there are no conflicts of interest and documents on the selection criteria must be supplied by each member of the consortia submitting a joint tender.</p> <p>See relevant information stipulated in Annex 1: "5. <i>Details of other members of the group in case of consortium/joint offer</i></p> <p>Your member should go to http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm, choose the language and legal status as appropriate, download the Legal Entity form, complete it and attach it</p>

	<p>to this form.</p> <p>Please note that your member must also attach proof of legal status, VAT number and/or photocopy of ID card/passport as detailed in the form downloaded and filled in.</p> <p>c) Annexes should be filled in as follows:</p> <p>Annex 1 - Information concerning the Tenderer: signed by the legal representative of the leader of the group.</p> <p>Annex 2 - Declaration of honour on exclusions criteria and absence of conflict of interest: each member of the consortia submitting a joint tender must submit an individual signed declaration that there are no conflicts of interest.</p> <p>Annex 3 - Economic and financial capacity: each member of the consortia submitting a joint tender must submit an individual signed Annex 3 and the relevant supporting documents on the selection criteria.</p> <p>Annex 4- Price: Tenderers should be asked to submit their financial offer as a global price. It is signed by the legal representative of the leader of the group.</p>
<p>Question: 11</p>	<p>1. As the conference is related to gathering information to feed an EC requested study – will the EC be open to providing facilities in the EC buildings (such as Centre Borschette) to stage the conference, or should we budget for absolutely everything at an external venue?</p> <p>2. Do they consider that a half-day intensive conference to present the findings and discuss with stakeholders is sufficient – or should we count on organizing a full-day conference (we have already done stake holder conferences for EC studies that last ½ day. It keeps catering costs to a minimum and keeps people concentrated)</p> <p>3. Should we budget for interpreting facilities and interpreters and if so how many languages are acceptable? Or is it acceptable to work in English only?</p> <p>4. The tender consists of a technical (part E) and a financial (part F) offer. To which section do part (A) to (D) belong?</p>
<p>Answer</p>	<p>1. The EC cannot guarantee the availability of meeting/conference rooms in its buildings. The tenderer is therefore requested to budget for the use of an external venue for the conference.</p> <p>2-3. The contracting authority is giving the tenderers the opportunity to propose their own concept for the conference, including its duration and any other facilities for which appropriate budgeting should be</p>

	<p>calculated.</p> <p>4. Part (A) Identification of the Tenderer relates to requirements stated in section 1.6 Identification of the tenderer: legal capacity and status of the Tender Specifications.</p> <p>Part (B) Evidence for exclusion criteria (see section 4.2) it is a declaration on their honour (see Annex 2), duly signed and dated by an authorised representative, stating that they are not in one of the situations of exclusion listed in the Annex 2.</p> <p>Part (C) Evidence for selection criteria (see section 4.3) relates to the economic, financial, technical and professional capacity to carry out the work subject to this call for tender.</p> <p>Part (D) Evaluation of the tenderers on basis of award criteria relates to section 4.4 Award criteria where tenderers are requested to address in their tender the criteria which will be assessed by the Evaluation Committee.</p> <p>With reference to section 1.5 page 4 of the Tender Specifications, the tenderer is expected, in part D of the tender, to succinctly explain how his/her offer, described in detail in Part E, responds to the award criteria described in part 4.4 of the tender specifications. Please note that scoring remains a competence of the evaluation committee only.</p> <p>If your question concerns two sealed envelopes (Technical tender and Financial tender), please be aware that the envelope "Financial" contains <u>only</u> the annex 4 Price. All the other parts/annexes are in the envelope "Technical".</p>
Question: 12	<p>Please clarify the rate to be used by University, is the standard H2020 (100% direct cost and 25% indirect cost) apply here? If not, please kindly provide specific requirement.</p>
Answer	<p>Price information should be quoted as per Annex 4 Price (estimated price breakdown)</p> <p>http://ec.europa.eu/culture/calls/general/0315/annex4_en.pdf</p> <p>Please note furthermore that the present procedure is one of public procurement and not a grant.</p>
Question: 13	<p>In section 2.5 of the Tender Specifications it is presented that: "The conference will take place in Brussels and gather approximately 200 representatives of the cultural and creative sectors (...) The travel costs of the participants as well as all the costs of the conference will be covered by the contract."</p> <p>Within the document Responses to questions from potential applicants published on 12/08/2015 - the contracting authority has confirmed in the Answer no. 3 that "The contract should cover the travel costs of all speakers at the conference to be organised in Brussels (and not all 200 participants).</p>

	<p>But, within the same document on the Answer no. 7 is written that "the information on coverage of conference participants' accommodation costs by the contract for services" is "according to the tendering specifications (paragraph 2.5 and paragraph 4.5.), "the travel costs of the participants" have to be understood in a broader way in order to cover all the costs of the participants in the conference. These include the following types of costs: travel costs, accommodation costs and subsistence."</p> <p>In order to have a common understanding, we would kindly ask you to clarify if we have to cover only the travel costs only for speakers and not for the total 200 representatives that are expected to participate in the conference?</p>
Answer	<p>Following the questions nr 3 and 7 and the answers provided by the contracting authority on the topic of Deliverable 4 (conference), it is clarified that, In Light of the tendering specifications (section 2.5 and 4.6) and of the intention of the contracting authority, the costs of the participants to be covered by the contractor are costs related to travel, accommodation and subsistence for ALL participants (including speakers) to the conference, and not only the speakers.</p> <p>As stated in section 2.5, the conference will gather approximately 200 representatives of the cultural and creative sectors, investors, crowd funding platforms and EU policy makers at national and regional levels involved in crowd funding.</p> <p>Given this clarification, the deadline for submitting an offer for this tender procedure is extended from 24/08/2015 (16:00) to 07/09/2015 (16:00).</p>
Question: 14	<p>1 - Do all documents that each tender of the consortium has to sign and stamp, need to be sent in the tender as original, or can we send scanned copies of the documents?</p> <p>2 - Considering the statement of turnover, that is an extra evidence required, to Annex 3 as well as statement of accounts and income for the 2 previous years - what precisely do you mean by statement of turnover, is it a declaration from the company stating the expected turnover for the year 2015, for example?</p> <p>3 - Considering the evidences of balance sheet and income statement that each consortium member should send, is it enough to send a balance sheet and income statement signed by the accountant of each?</p>
Answer	<p>1 - In view of the clarifications published, in case a tenderer decides to resubmit a new offer by the extended deadline (07/09/2015, 16h00 CET), it may submit also corrigenda to certain parts of its offer. In this respect the tenderer has to clearly specify which parts of the tender</p>

	<p>are being formally replaced. This new offer has to comply with the formal requirements published in point 3. of the invitation to tender.</p> <p>2 - The following statutory evidence should be provided:</p> <ul style="list-style-type: none"> - Annex 3 " Economic and financial capacity analysis form" filled in with the relevant statutory accounting figures, in order to calculate the financial ratios - for economic operators required under national law to keep a complete set of accounts: the balance sheet, profit and loss account and annexes of the last two years for which accounts have been closed; - for economic operators required under national law to keep a simplified set of accounts: the statement of expenditure and revenue and the annex showing assets and liabilities for the last two financial years for which accounts have been closed; - in all cases (i.e. for complete or simplified set of accounts), a statement of overall turnover and turnover concerning the supplies or services covered by the contract, provided over the last two financial years for which accounts have been closed. <p>The statement of turnover is mandatory. It is a declaration from the company of the turnover of the last two years for which accounts have been closed. So, it is not about the expected/estimated turnover of the current year. The statement of turnover should specify the amount of supplies or services provided by the entity and covered by the contract subject to the current procurement procedure.</p> <p>3 - It is sufficient to send the balance sheet and income statement (together with the financial statements' notes) of the last two years for which accounts have been closed of each consortium member, signed by the accountant of each.</p>
<p>Question: 15</p>	<p>In the light of the tender clarifications that we have just been made aware of, we would like to ask a clarification in relation to the submission of revised offer.</p> <p>We would like to submit a revised Annex 4 and technical offer. We would explain this in a cover letter. All other parts of our already submitted bid would remain unchanged.</p> <p>Can you please confirm that is acceptable for your services to submit only these revised parts of our bid?</p>
<p>Answer</p>	<p>In view of the clarifications published, in case a tenderer decides to resubmit a new offer by the extended deadline (07/09/2015, 16h00 CET), it may submit also corrigenda only to certain parts of its offer. In this respect the tenderer has to clearly specify which parts of the tender are being formally replaced. This new offer has to comply with the formal requirements published in the invitation to tender.</p> <p>The other option the tenderers have, is to submit an entirely complete new bid.</p>
<p>Question: 16</p>	<p>1 - The conference takes place towards the end of the contract and the final list of participants is subject to an agreement</p>

	<p>with the European Commission. If the contractor has to pay all participant costs of travel, it is impossible to know these costs in advance, resulting in difficulties to make a firm budget. Is the contractor allowed to set a cap per person on the participant costs for travels? *Subsistence and accommodation costs also have to be paid, but can be calculated in advance.</p> <p>2 - Is the contractor allowed to make a small contribution to participants to help offset these new costs?</p> <p>3 - May the conference take place online or partly online, or must 200 people gather in Brussels?</p>
<p>Answer</p>	<p>1 - As per Annex 4 to the tendering specifications, the price breakdown per categories of costs represents an estimate. Only the total amount of the financial bid represents a fixed binding amount. The methodology (modalities) for the payment of travel, subsistence and accommodation costs to the participants to the conference is (are) to be proposed by the tenderer.</p> <p>2 - The contracting authority is not sure of having understood the question. Therefore you are kindly asked to provide supplementary information to your query. We can only underline that the tenderers are entirely free to propose their own concept (methodology) of organising the conference and the reimbursement of the participants.</p> <p>3 - According to the tasks defined in tendering specifications, the conference is foreseen to be a physical meeting. The contracting authority is however giving the tenderers the opportunity to propose their own concept of other aspects for the conference, including its location.</p>
<p>Question: 17</p>	<p>1 - Could you please share with us the reasons why the deadline was postponed?</p> <p>2 - Do the specifications remain the same (untouched) or was there any change in the Terms of Reference?</p> <p>3 - What are the implications of this new submission deadline for our own tender? In particular, should we re-submit again or is our proposal already filed in the EC register?</p>
<p>Answer</p>	<p>1 - The deadline was extended due to some clarification needed regarding answer 3 and answer 7 given by the European Commission in the Questions & Answers document published here: http://ec.europa.eu/culture/calls/general/0315_en.htm. The answers both related to section 2.5 of the tender specifications (Deliverable 4). The detail of the clarification given is laid out in answer to Question 13 of the Questions & Answers document also published here: http://ec.europa.eu/culture/calls/general/0315_en.htm. Answer to question 13 is reproduced below as follows:</p> <p><i>Following the questions nr 3 and 7 and the answers provided by the contracting authority on the topic of Deliverable 4 (conference), it is clarified that, In Light of the tendering specifications (section 2.5 and 4.6) and of the intention of the contracting authority, the costs of the participants to be covered by the contractor are costs related to travel, accommodation and subsistence for ALL participants (including speakers) to the conference, and not only the speakers. As stated in</i></p>

	<p><i>section 2.5, the conference will gather approximately 200 representatives of the cultural and creative sectors, investors, crowdfunding platforms and EU policy makers at national and regional levels involved in crowd funding. Given this clarification, the deadline for submitting an offer for this tender procedure is extended from 24/08/2015 (16:00) to 07/09/2015 (16:00).</i></p> <p>2 - New versions of the Invitation to tender, Tender specifications and annex 4 were uploaded in order to reflect the clarification mentioned above under Q1, and only this modification.</p> <p>3 - In view of the clarifications published, in case a tenderer decides to resubmit a new offer by the extended deadline (07/09/2015, 16h00 CET), it may submit also corrigenda only to certain parts of its offer. In this respect the tenderer has to clearly specify which parts of the tender are being formally replaced. This new offer has to comply with the formal requirements published in the invitation to tender. The other option the tenderers have, is to submit an entirely complete new offer. In case a tenderer decides to resubmit its offer, only the latest offer submitted according to the updated invitation to tender will be taken into consideration for the evaluation purposes.</p>
Question: 18	<p>Could you please confirm that only the clarifications from the “Questions and Answers” document are to be considered and that no other modification of the specifications/Terms of Reference were made that we should take into account?</p>
Answer	<p>The new versions of the Invitation to tender, Tender specifications and annex 4 uploaded on 21/08 were updated only to reflect the clarification brought in answer to question 13 which is reproduced below for ease of reference:</p> <p><i>Following the questions nr 3 and 7 and the answers provided by the contracting authority on the topic of Deliverable 4 (conference), it is clarified that, In Light of the tendering specifications (section 2.5 and 4.6) and of the intention of the contracting authority, the costs of the participants to be covered by the contractor are costs related to travel, accommodation and subsistence for ALL participants (including speakers) to the conference, and not only the speakers. As stated in section 2.5, the conference will gather approximately 200 representatives of the cultural and creative sectors, investors, crowdfunding platforms and EU policy makers at national and regional levels involved in crowd funding. Given this clarification, the deadline for submitting an offer for this tender procedure is extended from 24/08/2015 (16:00) to 07/09/2015 (16:00).</i></p>