

QUESTIONS FROM TENDERER & ANSWERS
Call for tender n° SANCO/2009/B1/010 concerning
"Consumer market studies"
LAST UPDATED 01/07/2009

1. Posted on: 28/05/2009

Q: Would a participation of a member of the European Consumer Consultative Group¹ in the tendering process be in line with the requirements concerning potential conflict of interests set out in 14.3.a) of the specifications and Annex 4?

A: Yes, participation of a member of the European Consumer Consultative Group in the tendering process would be in line with the requirements concerning potential conflict of interests set out in 14.3.a) of the specifications and Annex 4.

2. Posted on: 05/06/2009

Q: Could you please confirm that the value of the framework contract is between 4 000000 and 10 000000 EUR?

A: The value of the framework contract is foreseen to account for between 4 000000 and 10 000000 EUR over a period of four years. The precise amount will however be stated each year and will be subject to the precise budget allocation.

3. Posted on: 15/06/2009

Q: We would like (as a potential tenderer) to attend the information meeting for potential tenderers (16.06.2009 between 10:30 and 14:00, location: DG SANCO, F101 01/089). Am I still on time to sign in?

A: We regret to inform you that the deadline for registration for the information meeting has expired on 09.06.2009. Therefore we will not be able to accept your application for this event. However, attending the information meeting does not in any way constitute a requirement regarding potential tendering. Moreover, a detailed report from the meeting, compiling all questions asked and answers given on the meeting, will be published on our website under the link:

http://ec.europa.eu/consumers/tenders/information/tenders/cont_notices_en.htm

4. Posted on: 16/06/2009

Q: Is it necessary to address in the tenders all deliverables/tasks described by the Commission in the technical specifications or could a tenderer address only the areas in which he/she has most experience?

A: Yes, it is necessary for the tenderer to elaborate on all four tasks described. The evaluation carried out on the basis of the award criteria will include all five qualitative award criteria. Please refer to the Section 16 a) of the technical specifications: "Tenders which score less

¹ http://ec.europa.eu/consumers/cons_org/associations/committ/index_en.htm

than 50% in the points awarded to each criterion, and will be able to cover less than 15 EU Member States with their market analysis (criterion 1), will be excluded. The overall assessment, i.e. the sum of points for all 5 criteria, should not be lower than 70 points out of 100 to allow a tenderer undergo further evaluation – the financial comparison of the tenders."

5. Posted on: 16/06/2009

Q: Could you specify what is meant by experts forming the group of experts described in the specifications? What work the experts would deliver for specific markets?

A: *The procedure for this framework contract is a two-stage procedure, thus at the first stage (tendering for the framework contract itself) the tenderers are asked to present a generic methodology of composing a group of experts. On the second stage, for a specific consumer market, a group of specialised experts would have to be composed. The experts will have to have at least 10 years of professional experience of which at least 5 must be relevant to the consumer market chosen by the Commission under a specific contract. For further details please refer to Section 5.1.2 and the Explanatory Note for the Table of Unit Prices provided in Section 17 of the technical specifications.*

6. Posted on: 16/06/2009

Q: Should a defined group of experts be presented for the hypothetical study on the retail electricity market used for illustration of the methodology?

A: *It is to be decided by the tenderer. Please refer to the technical specifications (Box 1, Section 16 a).*

7. Posted on: 16/06/2009

Q: Should a tender provide methodologies of identifying groups of experts or a list of experts for over 50 consumer markets listed in the specifications?

A: *The tenderers should describe in their bids a generic methodology that they would use to compose a group of experts, which could be applied to any specific market chosen by the Commission for the specific study.*

8. Posted on: 16/06/2009

Q: Referring to the Main Task 1 (Carrying out of in-depth consumers' opinion surveys and analysis of results), what is the role of the footnote 9) in Section 5.2.1 of the technical specifications referring to the sample size of 1000 respondents in the consumer satisfaction survey?

A: *The sample size quoted in the footnote is an example only. However, the Commission will need statistically robust results. There is experience within the Commission regarding sample*

sizes, though it should be the tenderer's role to elaborate on this point of the technical specifications.

9. Posted on: 16/06/2009

Q: Referring to the Main Task 3 (Collection of prices for defined products/services), at what stage of the tendering procedure would the list of comparable products have to be produced?

A: *While tendering for the framework contract, the tenderer should propose a methodology of selection of representative products in general as well as methodology and criteria of assessing comparability of products in general. For details please refer to Section 5.2.2 of the technical specifications.*

At the stage of a specific contract, the Commission may ask the contractors to propose a draft list of products or the general methodology of selection of products/services.

10. Posted on: 16/06/2009

Q: Referring to the Main Task 3 (Collection of prices for defined products/services), what is meant by coverage of different sales channels?

A: *The price data provided in the course of the collection of prices should be, if possible, sufficient for indicating prices in the dimension of sales channels. Due to the fact that sales channels differ significantly across the consumer markets, it would be evaluated by the Commission for the specific contracts.*

11. Posted on: 16/06/2009

Q: Referring to the Main Task 4 (Mystery Shopping study carried out in a defined market), would the mystery shoppers involved in the task need a specific experience in the market chosen or in the field surveyed?

A: *In the technical specifications, the Commission does not foresee any specific requirement regarding mystery shoppers' experience. However, the Commission will evaluate the description of how mystery shoppers would be recruited to ensure the best possible level of objectivity of their findings and ensure that the mystery shoppers are representative of the target population for the study. For details please refer to Section 5.2.3 of the technical specifications.*

12. Posted on: 16/06/2009

Q: Referring to the Main Task 4 (Mystery Shopping study carried out in a defined market), what would be meant by the requirement that mystery shoppers are representatives of the target population for the study? Should they be participants of the target population?

A: It will depend on the characteristics of the market chosen for to be studied. It should be the tenderers' role at the stage of tendering for the framework contract to propose a generic methodology of building a sample.

13. Posted on: 16/06/2009

Q: The budget foreseen for the fieldwork phase can move substantially based on the markets or Member States chosen for the analysis. What prices should the tenderers propose?

A: The procedure consists of two stages: at the first stage the tenderers should indicate the average unit prices, and on the second stage the Commission will set out in the terms of reference, the specific requirements, addressing the characteristics of the market chosen.

14. Posted on: 16/06/2009

Q: The unit prices vary significantly across the EU. It will be difficult to give comparable and competitive prices for the EU. What would be the country coverage most likely to be chosen?

A: It is true that it could be a complex task to propose average unit prices for the EU. However, the Commission intends to include the highest number of Members States (and, if needed, also Norway and Iceland) in the market studies. The Commission's intention is to conduct market studies in the whole European Union, if feasible. A Member State cannot be discriminated and excluded basing on the costs of a survey to be conducted. Please refer to the Section 5.1.3 of the specifications, where the Commission asks tenderers to provide a list of countries they would be able to cover with the market study. Please also take a note of the fact that under the Qualitative Award criterion 1) the Commission will evaluate the number of countries the tenderers would be able to include in their studies.

15. Posted on: 16/06/2009

Q: The prices would also differ according to the methodology proposed for a specific study. Some markets may require bigger sample.

A: The unit prices indicated for the evaluation of the framework contract are fixed and will be applied for the specific contracts. The element that will be able to be adjusted is the amount of units needed to deliver a specific market study. The Commission's intention is not to discriminate between Member States and therefore its services would not limit the country coverage to chosen EU countries.

16. Posted on: 16/06/2009

Q: Should the generic methodology proposed in the first stage, in tenders for the framework contract, be flexible?

A: Yes, at the first stage the generic methodology proposed should be flexible. It should be specified in a further detail on the second stage of the procurement process, when contractors awarded for the framework contract would prepare offers for specific terms of reference.

17. Posted on: 16/06/2009

Q: Referring to the Main Task 4 (Mystery Shopping study carried out in a defined market), the technical specifications mention in-store visits and web-visits as the tools envisaged for conducting the mystery shopping survey. Does the Commission exclude the possibility that the mystery shoppers would collect information on a market by telephone?

A: For the conduct of the mystery shopping visits, in addition to in-store visits and web visits, the Commission does not exclude a possibility that mystery shoppers carry out their evaluations via telephone visits.

18. Posted on: 16/06/2009

Q: Would the Commission emphasise in a specific way on any of the three options of data gathering tools (Main Tasks 2, 3 and 4)?

A: No, there is no special emphasis on any of the options. The Commission's attitude is reflected in the maximum number of points foreseen for each Qualitative Award criterion regarding the Main Tasks 2, 3 and 4 (Section 16 a) of the technical specifications). They are equally important.

19. Posted on: 16/06/2009

Q: Referring to the Main Task 3 (Collection of prices for defined products/services), would the collection of prices for the specific consumer market complement the ongoing work of the National Statistical Institutes?

A: In the process of carrying out a specific study, the contractor should use the information available on the market or delivered by the Commission. According to the knowledge of the contracting authority, number of sectors for which the National Statistical Institutes provide good price data of comparable products is limited.

20. Posted on: 16/06/2009

Q: In reference to subcontracting – should tenderers provide precise information on the proportion of the work that they would intend to subcontract?

A: In the technical specifications, the Commission asks for indication of the proportion of the contract which the service provider may intend to subcontract. In case when tenderers have already identified the potential subcontractors, they should provide a list of them. Once the contract has been signed, Article II.13 of the standard framework service contract (Annex

7 to the technical specifications) shall govern the subcontracting. For details please refer to Sections 6.1, 15.3.2 of the technical specifications and Annex 7.

21. Posted on: 16/06/2009

Q: Would travel costs of personnel carrying out the fieldwork in the countries included in a market study be reimbursed?

A: *No, the Commission does not foresee reimbursement of any separate costs associated with travelling of all categories of personnel and of external experts that would occur during carrying out of a market study (including the fieldwork phase). These costs should be included in the proposed fees for given categories of staff or for the external experts. Please refer to the Explanatory Note for the Table of Unit Prices provided in Section 17 of the technical specifications and to Annex 5.*

22. Posted on: 16/06/2009

Q: What is the number of copies of the tender documents that the tenderers should provide the Commission with?

A: *Tenderers interested in bidding should submit a tender in triplicate: one set of original documents with relevant required signatures and two copies. Please refer to point 2 of the General Invitation to Tender.*

23. Posted on: 16/06/2009

Q: What is the exact deadline to submit the tenders by post? Could you clarify the issue of the change in deadline for submission of tenders?

A: *The Commission would like to confirm that the change of deadline (moved from 03.07.2009 to 06.07.2009) published in a corrigendum to the contract notice under the link: http://ec.europa.eu/consumers/tenders/information/tenders/cont_notices_en.htm applies both to posting and to hand delivery. Therefore:*

- *by post or by courier not later than 06/07/2009, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip*
- *by hand, not later than 16:00 on 06/07/2009. In this case, a receipt must be obtained as proof of submission, signed and dated by the official in the Commission's central mail department who took delivery.*

For details, please refer to point 3 of the General Invitation to Tender, and to the Corrigendum 3 published on DG Health and Consumers website under the link: http://ec.europa.eu/consumers/tenders/information/tenders/cont_notices_en.htm

24. Posted on: 16/06/2009

Q: The minimum number of successful contractors, which would be awarded and with whom the Commission would sign the framework contracts is three. What procedure would the Commission apply in case when after the evaluation process, there are only two successful operators that could be awarded?

A: *According to the Implementing Rules of the Financial Regulation (Article 117), a framework contract to be concluded with several economic operators shall be concluded with at least three operators. In a case of insufficient number of successful tenderers, the Commission would consult the Financial Regulation and the Implementing Rules.*

For details please refer to the Implementing Rules of the Financial Regulation (available under the link:

<http://eur-lex.europa.eu/LexUriServ/site/en/consleg/2002/R/02002R2342-20070501-en.pdf>).

25. Posted on: 23/06/2009

Q: Regarding the Invitation to tender SANCO/2009/B1/010 concerning Multiple Framework Contracts with reopened competition for the provision of Consumer Market Studies, we would like to know if it is possible to quote for one single country, as a field provider or adhoc study provider for one country only? And is it possible, for one local market, to submit costs for some of the studies but not all of them?

A: *Regarding your first question, please take note that the number of EU countries that the tenderer would be able to cover with market studies is one of the award criteria, which will be evaluated in the process of awarding of the contract. For each qualitative award criterion there is a threshold and the tenderers whose result obtained would fall below the threshold, would not be able to undergo the evaluation of the financial proposal and thus be excluded from the procedure. For the criterion 1) - Number of countries and consumer markets covered by **all** tasks in the studies - the threshold is 15 Member States. For details please refer to Section 16 a) of the technical specifications.*

Regarding your second question, please take note that the contractor will have to be able to provide all tasks - deliverables listed in the technical specifications. It is a requirement and should be referred to by the tenderer in his bid. For details please see Sections 5.1.3 and 5.2 of the technical specifications.

We would like to remind, however, that subcontracting and consortia are allowed for this procedure (Section 6).

26. Posted on: 24/06/2009

Q: Regarding Task 2, the ITT specifies that the methodology and model already developed by the Commission will be adapted to the specific market. Can you please advise what the draft questions are in customer satisfaction survey model and to what extent (i). these questions can be adapted, and (ii). how much scope there is for additional questions to be added to the survey?

A: *(i and ii) Attached on the website (under the link: http://ec.europa.eu/consumers/tenders/information/tenders/cont_notices_en.htm) is the generic questionnaire from the latest survey. These questions serve as examples and the*

Commission does not limit itself to these; they may be adapted and questions may be added or deleted. It will be the contractor's role to suggest a list of questions to be included in a questionnaire - for the Commission to approve.

The reports from the Consumer Satisfaction survey published in June 2009 are available under the link: http://ec.europa.eu/consumers/strategy/cons_satisfaction_en.htm

Information regarding the previous Consumer Satisfaction survey, together with reports, is available under: http://ec.europa.eu/consumers/strategy/facts_studies_en.htm

27. Posted on: 24/06/2009

Q: Regarding Task 2, the ITT specifies that Structural Equation Modelling and regression analysis are to be conducted by the agency. Does the Commission have any specific requirements, e.g. (i). in terms of what specific question/questions are to be the dependent variable; (ii). whether these analyses are to be carried out separately for all countries? Or does the Commission wish to be guided primarily by the agency's recommendation of how this analysis should be carried out?

A: *The Commission requirements are that the contractor should be able to conduct such analysis and do so upon the request of the Commission. (i) the dependent variables have been defined as the overall satisfaction measure (general question on satisfaction with the retailer) - but the Commission does not exclude other solutions if they are appropriate and relevant and the Commission would indeed be interested in the tenderers' suggestions. (ii) so far the SEM-model has been used only for EU-wide analysis (generally and for specific markets) - but if other appropriate and relevant analysis is possible the Commission would be interested in such feedback from tenderers.*

28. Posted on: 26/06/2009

Q: Concerning selection criterion 15.3.2-e: "a description of the technical equipment, such as IT equipment, to be employed by the firm for performing a service contract". Could you please clarify how specific this information should be? Should we only describe the general type of technical equipment or should we go into technical details? And should we elaborate on the differences between countries?

A: *The information given will have to enable the Commission to evaluate, whether the tenderer's IT tools are capable of processing (in the time of a specific study) the amount of data the contractor would gather in the course of the study. Please describe tenderer's technical equipment to the level of detail you find appropriate.*

29. Posted on: 26/06/2009

Q: Concerning selection criterion 15.3.2-e: "a description of the measures employed to ensure the quality of services, and a description of the firm's study and research facilities". Could you please clarify how specific this information should be? Should we only describe the general quality procedures and types of facilities or should we go into more details? And should we elaborate on the differences between countries?

A: The tenderer is asked to provide the Commission with information that would enable the Commission to assess whether the operator is capable of providing the services required under the deliverables described in the technical specifications, and whether high quality of services would be assured. Please describe tenderer's facilities to the appropriate level of detail.

30. Posted on: 30/06/2009

Q: We would like to ask, whether the Commission will conduct market studies into the sector covering the following products:

- optical equipment
- spectacles, spectacle frames, spectacle lenses
- ready-to-wear spectacles
- contact lenses
- sunglasses?

A: The Commission does not currently plan to carry out research into the sector mentioned. However, please note that the purpose of the framework contract is to have the possibility to choose a market and carry out a consumer market study in a flexible way.