

**QUESTIONS FROM TENDERERS & ANSWERS**  
**Call for tender n° SANCO/2009/B1/011 concerning**  
**"Consumer decision-making in retail investment services: a behavioural**  
**economics perspective"**  
**LAST UPDATED 02/10/2009**

1. Posted on: 07/09/2009

**Q:** The tender specifications stipulate in paragraph (20) that "*The samples of participants should include recent or prospective customers of retail investment products, as well as consumers from EU countries with both advanced and less advanced financial markets. The tests should foresee a sample size which will deliver results of sufficient accuracy, and should also rely on reasonable assumptions based on past behavioural experiment results*" Does this requirement refer to all EU citizens? What is the minimum number of countries required for the testing phase of this experiment?

**A:** *As the products covered in this study are addressed to normal retail consumers, the testing sample should reflect the diverse socio-demographic characteristics of EU consumers. The tender specifications require that both advanced and less advanced EU countries should be covered in the study, without setting a minimum. Nevertheless, the sample should have the necessary size and representativeness in order to deliver results of sufficient accuracy for the diverse landscape of EU's retail investment services market. Prospective contractors should describe in their tender how they will select the sample and how they will ensure that these samples are representative both for the EU customer base for retail investment products as well as for the different levels of market developments in the EU."*

2. Posted on: 07/09/2009

**Q:** Is there a specific requirement regarding the execution of the behavioural experiments, whether they should be conducted face-to-face or online?

**A:** *The prospective contractors are invited to present in their tenders the type of experiments they envisage for this contract along with an explanation of their effectiveness. The tenderers should make sure that their proposed experiment methodology can meet the requirement of the tender: experiments conducted in the form of randomised control trials, in a single blind approach and meeting the incentive compatibility condition. These experiments should be capable of testing the main behavioural traits, external factors and the marketing selling practices which are identified in part 3.1. of the tender. For example, if face-to-face advice is identified as having an important influence on consumers' decisions in retail investment products then experiments should be able to take this into account.*

3. Posted on: 07/09/2009

**Q:** Paragraph (7) of the tender specifications says that "*The objective of the study is to obtain experimental (and if possible field) evidence...*". Is the field data mandatory? If the field data is coming from a financial institution would this be interpreted as a conflict of interest?

**A:** *The field data is not mandatory but it is desirable and it would be taken into account in the evaluation of the award criteria on "Methodology and the preparatory phase". All tenderers are required to declare that they have no conflict of interest in connection with the contract.*

4. Posted on: 07/09/2009

**Q:** The tender specifications refer to the term "long-term preference" as being the benchmark for good consumer decision making. What is the meaning of this text? Also, can you provide further documents which refer to the term "choice architecture" which you describe in the tender specifications?

**A:** *The tenderers are invited to present their own understanding of this notion as an integral part of the bid. One prominent recent book defines this as the decisions consumers would make "if they had paid full attention and possessed complete information, unlimited cognitive abilities, and complete self-control" - Nudge, Richard Thaler and Cass Sunstein, 2008, page 5. This book also discusses the influence of "choice architecture" on consumers' decisions.*

5. Posted on: 07/09/2009

**Q:** Can you provide further clarifications on the requirements for technical and professional capacity set out in the selection criteria?

**A:** *The selection criteria refer to the minimum conditions that a tenderer (or a consortium) must meet in order to be able to bid for this tender. The condition set out in paragraph (82) a), on "relevant experience ... in the area of consumer surveys in at least 6 EU27 countries...", refers to all consortium members together. The condition of paragraph (82) b), on having "one member with knowledge and work experience in retail investment services or marketing of at least 3 years", refers to people who have worked in the field of retail investment services whether as practitioners, analysts or researchers. The requirement regarding having "at least one economist who has published at least one behavioural economics papers in an international referred journal..." also includes the situation in which an economist who fulfils these criteria are part of the core team for the duration of this project.*

6. Posted on: 07/09/2009

**Q:** Can the results of this study be published in further papers or academic works?

**A:** *The European Commission has complete ownership and copyright over the contents and results of this tender. Once the European Commission has*

*published the final report of this study, the contractor is free and indeed encouraged to include the published information in his own works provided that he quotes the source of the data.*

7. Posted on: 28/09/2009

**Q:** Can you provide further details on how to fill in the annexes of the tender? More specific is the statute (mentioned in Annex 1) required for all members of a consortium and what is the equivalent document for a university? Is Annex 2 required for all members of a consortium? Who should complete Annex 3? Should individuals fill in Annex 4?

**A:** *Annex 1 ("Tender submission form") should be submitted by all members of a consortium. Universities are not required to provide a statute. Annex 2 ("Financial identification") should be provided only by the leader of the consortium if the leader is mandated by the others to represent them. Annex 3 ("Natural person") should be filled in only if the tenderer is a natural person. The employees of the tenderer and individual subcontractors are not required to fill in Annex 3. In accordance with section 4 paragraph (26) of the tender specifications, Annex 4 ("Declaration of honour with respect to the Exclusion Criteria and absence of conflict of interest") should be filled in by all subcontractors participating in the tender, including both legal and natural persons.*

8. Posted on: 28/09/2009

**Q:** Can you provide further clarifications regarding the requirements of the tender specifications? Are all consortium members required to provide the documents listed in section 15.2. paragraph (80)? What documents are needed for section 15.3. paragraph (84)? Should the requirements of section 15.3. paragraph (84) point f) be detailed for each consortium member? Is a university considered a "contracting authority" as described in section 15.3. paragraph (85)?

**A:** *In accordance with section 15.4 paragraph (87) each member of the consortium must provide the documents requested in section 15.2. paragraph (80) (proof of economic and financial capacity). CVs are sufficient for the requirements of section 15.3. paragraph (84) point a) (educational and professional qualifications...). The requirements of section 15.3. paragraph (84) point f) should be provided for each member of the consortium (...average annual manpower...). Referring to section 15.3. paragraph (85), universities who have been created and are financed by public authorities are considered to be public authorities.*

9. Posted on: 28/09/2009

**Q:** What services should be listed in response to section 15.3. paragraph (84) point b)? The "competent authority", mentioned in section 15.3. paragraph (85),

refers to the client for each project or to the authorised representative of the contractor?

*A: In response to the requirements of section 15.3. paragraph (84) point b) the tenderer should provide the list of principal services provided in the past three years which are related to the field of the study. The competent authority which should issue the certificates refers to the clients of the services performed by the tenderer.*

10. Posted on: 30/09/2009

**Q:** Considering that in the case of a consortium all members should submit Annex 1 how is it possible to identify who is the "person authorised to sign the contract"?

*A: The "Person Authorised to Sign the Contract", as stated in section 3 of Annex 1 ("Tender submission form"), is the individual authorized to engage the liability of each company which fills in the "Tender Submission Form".  
The contract has to be signed by all members of the group, or by one of the members, which has been duly authorised by the other members, when the tenderers have not formed a legal entity.*

11. Posted on: 01/10/2009

**Q:** The tender specifications stipulate in section 15.4 paragraph (86) that groups of service providers must specify the role of each member of the group. What are the organizational possibilities for groups of services providers?

*A: Joint offers and subcontracting are possibilities which allow multiple service providers to participate in a tender.*

*A joint offer is submitted by a group of tenderers which, if awarded the contract, have an equal standing towards the contracting authority in executing the service contract. In the case of joint offers the contract has to be signed by all members of the group who are jointly liable for the execution of the tender. A single member of the group can also sign the contract on his own if it has been duly authorised by the other members (power of attorney, etc.). The group members can create a consortium in the form of a legal entity.*

*Subcontracting is the situation where a contract has been or is to be established between the Commission and a contractor who, in order to carry out the contract, enters into legal commitments with other legal entities. In that situation only one company is tenderer and the Commission has no direct legal commitment with its subcontractor(s).*

12. Posted on: 02/10/2009

**Q:** Are Canadian participants eligible as consortium members bidding in the current tender?

*A: The Multilateral Agreement on Government Procurement concluded within the World Trade Organization grants access to the procurement procedures of*

*the Commission to nationals of states having ratified this Agreement. Canada is among the states which have ratified this Agreement. Canadian nationals can participate in this tender.*

13. Posted on: 02/10/2009

**Q:** Since Annex 1 (“*Tender submission form*”) has to be completed by each consortium member, and since this Annex suggests including the name of the consortium in section 1, where should the names of the group members appear?

**A:** *Annex 1 should be submitted, by all companies participating in a joint offer, and should contain their individual details. If the group members have created a consortium in the form of a legal entity, an additional Annex 1 should be completed with the details of the consortium.*