

FAQ

SUPPLY OF MARKET DATA ON ONLINE CONTENT, SERVICES AND APPLICATIONS AVAILABLE ON FIXED AND MOBILE BROADBAND PLATFORMS negotiated procedure with minimum 3 candidates.

Q1. The call for tenders includes the statement, “Only the candidates invited by the contracting authority to participate in the procedure for awarding this low value contract will be admissible.” Can you please clarify this statement? Does this mean that candidates must have been invited in order to submit an admissible expression of interest?

A1: As a clarification, we have not published a call for tenders, we have published an information notice. This contract will be awarded using a negotiated procedure with a minimum of three candidates, as per the Financial Regulation (EU, Euratom) No 966/2012 of the European Parliament and the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, as well the Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union.

According to the above regulations, any candidate can submit an expression of interest, and at least three candidates will be invited to submit tenders.

The European Commission will send invitations to tender (along with the tender specifications) to all the candidates that have submitted an expression of interest via the means specified in the published information notice, and that satisfy the required pre-selection criteria.

The European Commission may also send invitations to tender to candidates that have not formally expressed their interest, but that, due to prior knowledge or experience and who satisfy the required pre-selection criteria announced for the call for tender, are considered as potential suppliers of the requested services.

Q2. The call for tenders also notes that, “Interested economic operators can express their interest to participate[...].” What is meant by “economic operators” in this context? A2. Each received tender will be evaluated as a whole.

According to the regulations cited above, "economic operators" can be understood as all natural and legal persons from one of the EU Member States and all natural and legal persons in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the Plurilateral Agreement on Government Procurement concluded within the WTO applies, participation is also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down. Operators in third countries which have signed a bilateral

or multilateral agreement with the Union in the field of public procurement are allowed to take part in the tendering procedure on the conditions laid down in that agreement. Please refer to further information on DG BUDGs note on access to the market:

http://intracomm.ec.testa.eu/budg/imp/procurement/_doc/_pdf/third-countries-en.pdf