

## Call for Tenders VT/2013/036

### Answers to questions sent on the Call for Tenders VT/2013/036

**Q1. The technical part (chapter 6.2) states that the experts' unit price should cover also travel and subsistence costs. Does this mean that the travel costs are not reimbursed against receipts but are an integral part of the total cost of the bid?**

YES, travel costs are not reimbursed against receipts and have to be included in fees.

**Q2. Is the final draft guide to be in 'print-ready' (including cover pages) or will the contracting authority do the final layout and design?**

The final draft guide should be submitted as a clean Word file, and also (separately) all photos as high resolution files, and Excel files for graphs and tables (see pp. 11-12 of the technical specifications) so that the Commission services can do the final layout (following the Commission house style).

**Q3. Could you please specify the conflict of interests (page 16 of tender specifications) which precludes a candidate from participating in the tender?**

Situation of conflict of interest arises where the impartial and objective performance of the contract is compromised for reasons involving economic interest, political or national affinity, family or emotional ties, or any other shared interest

**Q4. Will there be an opportunity to negotiated terms that are mutually agreeable to the parties?**

- a. If there will be an opportunity to negotiate the terms, should the request be so stated in the response to the RFP?
  - i. If so, how would the Commission like to see the request to negotiate the terms, with specificity (e.g., markup of the terms with suggested language) or simply expressing generic desire to negotiate specific terms? Will the negotiations need to take place in advance of a response to the RFP or is it anticipated to occur after the contract is awarded?

NO, there will be no opportunity to negotiate the Terms.

**Q5. With regard to supplemental insurance set out on Page 10 - Article II.3.5 what does the Commission mean by "supplementary insurance as reasonably required by standard practice in the industry"? Please provide examples?**

According to article II.3.5 General conditions, insurance against risks and damages relating to the performance of the contract is required when:

1. It is required by the relevant applicable legislation;

2. It is a standard practice in the industry.

As professional knowing the conditions of carrying out his service and knowing standards of the market he competes on, the tenderer can judge if a supplementary insurance is needed.

Furthermore, only the tenderer knows his proposed methods of implementation of the contract. In consequence he is in the best position to judge the circumstances and the risks connected with the implementation and assess whether a supplementary insurance is required.

**Q6. With regard to the Performance guarantees set out on Page 19 - Article II.15.5, is this to be in the form of a Performance Bond, Letter of Credit, Bank Guarantee, or something else? Please explain**

NO performance guarantee is requested in this Call for Tender.

**Q7. Should the guide address magnetic fields from the point of view of non-ionizing radiation? Is it mandatory also to deal with ionizing radiation?**

This guide will be prepared to assist with the implementation of the directive 2013/35/EU on EMF (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:179:0001:0021:EN:PDF>) which concerns static electric, static magnetic and time-varying electric, magnetic and electromagnetic fields with frequencies up to 300 GHz. In particular the guide will have to focus on:

- a) determination of exposure taking into account appropriate European or international standards, including:
- calculation methods for limit value exposure assessment,
  - spatial averaging of external electric and magnetic fields,
  - guidance for dealing with measurements and calculations uncertainties;
- b) guidance on demonstrating compliance in special types of non-uniform exposure in specific situations, based on well-established dosimetry;
- c) description of the "weighted peak method" for the low frequency fields and of the "multifrequency fields summation" for high frequency fields;
- d) conduct of the risk assessment and, wherever possible, provision of simplified techniques, considering in particular the needs of SMEs;
- e) measures aimed at avoiding or reducing risks, including specific prevention measures depending on the level of exposure and the workplace characteristics;
- f) establishment of documented working procedures as well as specific information and training measures for workers exposed to EMF during MRI related activities falling under Article 10 (2);
- g) evaluation for exposure in the range of 100 kHz and 10 MHz where both thermal and nonthermal effects have to be considered;
- h) guidance on medical examination/surveillance to be provided by the employer in accordance to Article 8(3)." (Technical specifications p. 4-5)

**Q8. Should the guide be drafted in English or can it be prepared in French?**

According to the technical specifications of this call, the draft guide has to be submitted in English with a brief summary in English, French and German (p.11).

**Q9. In the Declaration of Honour the potential tenderer must declare that is not in the following situation:**

***"...is not in compliance with all its obligations relating to the payment of social security contributions and the payment of taxes in accordance with the legal provisions of the country in which it is established, with those of the country of the contracting authority and those of the country where the contract is to be performed..."***

**Could you clarify to what kind of legal disputes the article is referring to?**

There is no ex ante evaluation during the tender submission period.

The potential tenderer should be ready to provide the requested documents before being awarded the contract.

See <http://portal.empl.cec/BudgetFinance/Appels%20doffres%20ouverts/annex-art.%20106%20EN.pdf>

**Q10. Regarding the Selection criteria and a) Economic and financial capacity. Due to the national tax laws of two of the members of the grouping, the documents listed in section [11. Selection criteria – a) economic and financial capacity] will lead to app. 3000 printed pages (for one copy of documents).**

**Is it possible to include Economic and financial capacity documents in electronic format (e.g. cd format)**

Answer.

Documents provided under a secure and non modifiable format may be accepted if the document would be impossible to print.

However, if those documents have already been provided for the purposes of another procurement procedure, the tenderer may indicate the reference of the already provided documentary evidence and the related procedure.