

**Questions & Answers
On**

Invitation to tender N° ENER/C2/59-1/2010

**Concerto Premium
JO S 66-098331**

Updated: 08/06/2010

Before submitting any written question to the Commission, the tenderers should consult this frequently asked questions section relating to the invitation to tender. Questions and answers are published here with full respect to the anonymity of the enquiring tenderers.

Question 1: In case of a consortium do you need 1 common invoice from all the partners or do you accept separate invoices from each partner?

Answer 1: The process will be 1 invoice issued by the coordinator representing the consortium and in accordance with the contractual obligations.

Question 2: Please specify what is meant by the Award Criteria No. 3: ‘Access to information of the tenderer (to be explained, justified and properly supported) in the respective areas of the tender’ (Page 28 of the Tender Specification)

Answer 2: The third criteria of the evaluation of the tenders, refers to demonstrate how will be the access to the various sources of information necessary to perform and manage well the contract (once it is signed). We mean access to relevant info from the municipalities and/or projects, access to previous existing contract (CONCERTO +), CORDIS and whatever other sources necessary to execute the contract as specified.

Question 3: The involvement of organisations and/or experts of running CONCERTO projects as sub-contractor of an applying beneficiary?

Answer 3: The fact that a subcontractor would evaluate the same projects in which they have worked is considered a conflict of interest.

Question 4: A company wants to participate as a sub-contractor in a proposal for Concerto premium. Its mother company based in a different Member State is a partner (not the co-ordinator) in a running Concerto project, is this considered by the Commission as a “conflict of interest”?

Answer 4: This case is considered as a conflict of interest.

Question 5: What do you understand by specific databases (in plural) on page 28 of the Specification?

Answer 5: It is understood in wide perspective all the sources of information necessary to accomplish the work and to guarantee the good execution of the tasks foreseen to be done during the execution of the contract.

Question 6: We only have limited access to Technical Monitoring Database (TMD), how could we get full access to TMD?

Answer 6: Having full access to the database has the sole purpose to introduce data, this access is given to the Coordinators of the CONCERTO projects. It is understood giving full access to the tenderers will not allow them to provide additional information relevant for the preparation and/or evaluation of their proposals. There will be a three months overlap before the previous contract expires during which a proper hand over of source code, the current content of the database (i.e. the data from the communities) and all accompanying information will be transferred to the successful bidder.

Question 7: We suppose costs for the 2 Concerto forums are not included in the bid?

Answer 7: Not correct, the costs associated are included.

Question 8: What is expected in function of travelling, thus visiting the Concerto sites?

Answer 8: Any necessary site visit can be foreseen and budgeted, depending on the better criteria of the tenderer.

Question 9: Concerning Annex 1, which answer do you need for the “description of statutory social security cover and non-statutory cover”? We pay the normal social security, but no non-statutory cover. Is it ok if I put “statutory social security paid but no non-statutory cover”?

Answer 9: As stated in the footnote 14, the non-statutory cover is only for natural persons.

Question 10: Concerning Annex 3:

- **VAT: generally our company has to pay 20% VAT, but not in the Concerto-project. Does this refer to the status of the company in general or to the Concerto-project? Do I put 0% or 20% in the field “VAT”?**
- **Which document is meant by “VAT registration document” under (1)? Is it the confirmation of our UID-Number?**

Answer 10: The legal entity form refers to the status of the company. For the VAT document, please look at the explanation in the footnote 1 of the document. It refers to the VAT registration number of the company.

Question 11: Annex 5: Do we need to fill in the missing data in the draft service contract or is it only an example?

Answer 11: It is only an example.

Question 12: Can you please specify in more detail the requested differences in the content between:

Deliverables on Monitoring, technical & financial analysis

- **Technical and Financial Interim Reports (due every 6 months)**

And specific difference to:

- **Integrated Report on main conclusions (due in Months 12,24,36)**

Answer 12: Please see 1.3.1 of the tender specifications (formal contract requirements) and 1.3.4 of the tender specifications (specific deliverable)

Question 13: Can you please specify in more detail the requested differences in the content between:

Deliverables on Policy Recommendations

- **Publication on policy recommendations ('reference study') (due in Month 36)**

And specific difference to:

- **Integrated Report of policy contributions and recommendations (due in Months 24 and 36)**

Answer13: Please see mainly bullets 1, 2 and 3 of 1.2.2.2 and bullets 4 and 5 of 1.2.2.2 of the tender specifications

Question 14:

a. Our organisation is taking part in one of the Concerto project, the Lapua project in Finland. This project has just started. Is this a problem for our CONCERTO premium tender?

b. Are we legally competent?

c. If not, can we make the tender and say that we will withdraw from the Lapua project if we win the bid?

Answer 14:

a. This case is considered as a conflict of interest

b. No

c. No, because this may endanger the Lapua and wider CONCERTO projects

Question 15: Concerto I Projects will be finished in 2010 or 2011; is it allowed within the framework of the contract to finance individual technical experts from the communities in order to ensure the technical monitoring data will still be supplied?

Answer 15: The idea to extend the monitoring with the Concerto sites can be considered. But such a 'monitoring contract' with experts from the community can be envisaged only when the Concerto 1 contract with the Commission is finished.

Question 16: Up to what extent (Costs) is it allowed to allow for 'unspecified' subcontracts within the tender? i.e. where the name of the subcontractor is not yet known; we would, for example, foresee 40 hours / year for a number of technical experts from the Concerto I communities to attend the workshops as well as to continue to feed in monitoring data from the communities into the Technical Monitoring Database.

Answer 16: See Article II.3 of the tender.

Question 17: where do you need the signature for our tender? Should it be on the last page of the document or on a separate form?

Answer 17: You have to sign in the last page of the document.

Question 18: A company and/or expert(s) who is a partner in one or more running CONCERTO projects is to be a sub-contractor of an applying beneficiary. The sub-

contractor's task will be the evaluation of all Concerto projects except the ones where he is involved. Is this considered by the Commission as a "conflict of interest"?

Answer 18: Yes, it is considered as a conflict of interest.

Question 19: A company and/or expert(s) who is a partner in one or more running CONCERTO projects is to be a sub-contractor of an applying beneficiary. The sub-contractor's task will be the "financial analysis" (chapter I.2.1 of the tender document). Is this considered by the Commission as a "conflict of interest"?

Answer 19: Yes, it is considered as a conflict of interest.

Question 20: A company and/or expert(s) who is a partner in one or more running CONCERTO projects is to be a sub-contractor of an applying beneficiary. The sub-contractor's task will be "Input towards smart cities" (chapter I.2.1.1 of the tender document). Is this considered by the Commission as a "conflict of interest"?

Answer 20: Yes, it is considered as a conflict of interest.

Question 21: A company and/or expert(s) who is a partner in one or more running CONCERTO projects is to be a sub-contractor of an applying beneficiary. The sub-contractor's task will be "Dissemination of results" (chapter I.2.2.1 of the tender document). Is this considered by the Commission as a "conflict of interest"?

Answer 21: Yes, it is considered as a conflict of interest.

Question 22: A company and/or expert(s) who is a partner in one or more running CONCERTO projects is to be a sub-contractor of an applying beneficiary. The sub-contractor's task will be "Policy recommendations" (chapter I.2.2.2 of the tender document). Is this considered by the Commission as a "conflict of interest"?

Answer 22: Yes, it is considered as a conflict of interest.

Question 23: Company A and B have the same mother company M. Company A is legally independent from company B, i.e. B has no shares in A nor control over A. Company A is situated in member state I, company B and M in member state II. Company B is a partner (not the co-ordinator) in a running Concerto project. Company B does not want to participate in any Concerto Premium proposal, neither as a partner nor as sub-contractor. Company A wants to participate as a sub-contractor in a proposal for Concerto premium. Is this considered by the Commission as a "conflict of interest"?

Answer 23: Yes, it is considered as a conflict of interest.

Question 24: On page 2, point 6: tenders must be signed by the tenderer or his duly authorized representative....; the question is:

What paper should be signed on this request? - The tender proposals (administrative proposal, technical proposal, financial proposal) each on the first page? - By whom? By

each partner? Or - is the signed Annex 1 the document that needs to be signed for this request?

Answer 24: Sign only in the last page of the document of the submitted tender.

Question 25: Annex 2: - does this Annex need to be signed by each partner or only by the coordinator?

Answer 25: Every participating organization should sign this accompanying form.

Question 26: Annex 3: It says: In case of a grouping, this form must only be provided by the person heading the project. What does grouping mean in this case? Consortium? - Does this Annex need to be signed by each partner or only by the coordinator?

Answer 26: Only the person heading the project as authorized person signs, but it is required to submit a mandate always that more than one organization participates throughout the tender. The mandate must appoint the authorized person and has to be signed by all the organizations involved. Grouping can be understood as a consortium.

Question 27: In the Tender Dossier on page 28 and the article IV.3 the item a) is in relation with the Technical offer evaluation and the item b) is in relation with the best ratio quality/price. Please clarify if the item b) above means that the technical offer has the same weight factor as the financial offer. If not, please clarify what are the weighing factors of technical offer and of the financial offer.

Answer 27: We take the total sum of the technical points referred in IV.3.a) and divide this by the price given in IV.3.b). There are no distinctions between technical vs financial criteria, nevertheless the financial offer is somehow taking into account the above mentioned calculation.

Question 28: According to the "Contract Notice item II.2.1" the total value of the contract has been estimated at 6.250 man-days. Please clarify if there is an estimate of the budget ceiling for this project.

Answer 28: Yes, there is. The 6.250 man-days is the estimation of the budget ceiling for this project.

Question 29: The tender dossier recommends presenting the CVs "preferably" on a common European format for CV published in OJ L79 of 22 March 2002, P66. Please clarify if the CV can be presented in the format used for EuropeAid projects which contains almost the same information and data.

Answer 29: Yes, as far as the CV contains the main information relevant to this tender.

Question 30: Organisation A and B (e.g. universities) are owned by the same public body (e.g. a federal state). Organisation B is a partner or the co-ordinator or a sub-contractor in a running Concerto project. Organisation B does not want to participate in any Concerto Premium proposal, neither as a partner nor as the co-ordinator or as sub-contractor. Organisation A is neither a partner, nor the co-ordinator, nor a sub-contractor in a running Concerto project. Organisation A wants to participate as a

partner, or co-ordinator or sub-contractor in a proposal for Concerto premium. Is this considered by the Commission as a “conflict of interest”?

Answer 30: Public universities are independent bodies therefore there is not a conflict of interest.

Question 31: With regard to the financial proposal is there a specific template or format to be used?

Answer 31: No, there is no template.

Question 32: If there is no specific template/format, we understand that the “*other categories of costs – page 23 bullet 3*” will include costs for travels and per diem for travels out of operations base, specific deliverable costs i.e. for DVD production, printing of brochures/ posters, organization for the CONCERTO fora, etc? Please clarify.

Answer 32: Yes, it is correct. But be aware that according to Point III.2.3 of the tender specifications, prices must be fixed amounts and include all expenses, such as travel expenses and daily allowances.

Question 33: With regard to the qualifications of expert staff, can you please confirm if the categorization below is considered correct:

Category of personnel

Category I

He/she must have at least 15 years professional experience of which at least 7 must be connected with the professional sector concerned and the type of tasks to be performed.

Category II

He/she must have at least 10 years professional experience of which at least 4 must be connected with the professional sector concerned and the type of tasks to be performed.

Category III

He/she must have at least 5 years professional experience of which at least 2 must be connected with the professional sector concerned and the type of tasks to be performed.

Category IV

Junior expert, newcomer to the profession but holding a university degree or equivalent training related to the professional sector concerned and the type of tasks to be performed.

Answer 33: Please make sure you respect the guidelines of IV 2.2. of the tender document.

Question 34: Following the previous question, can Administrative or Translation staff be included as part of the man-days?

Answer 34: As long as it is justified for your Work Programme forecast and its execution, the answer is yes.

Question 35 a: For the experts forming the tenderer team in addition to the CV of each expert, shall they sign a Statement of Availability and Exclusivity?

Answer 35a: It is your responsibility to ensure that members of your consortium are working for the mentioned contract

Question 35b: Shall we include copies of diplomas and work certificates in the tender package for each expert member of the project team?

Answer 35b: See point IV.2.2 of the tender document.

Question 36: It is mentioned in the Technical Specifications, page 23, III.2.3. : “Bids involving more than one service provider (consortium) must specify amounts indicated above for each provider”. Could you please clarify whether:

- a. this applies also to a sub-contractor with much less than 20% of the contract?**
- b. this is flexible and can be changed during project implementation without any contract amendment?**

Answer 36:

a. No, but pay attention to Article II.13 (page 14) of the draft service contract.

b. Yes, it is your responsibility to ensure that you provide the services specified by the tenderer to the Commission and according to Article II.13 (page 14) of the draft service contract, the contractor shall NOT subcontract without prior authorisation from the Commission.

Question 37: In relation with the above question what supporting documentation and in what format will this need, to support the contractor’s invoice?

Answer 37: According to the draft service contract, please pay attention to Articles I.4& II.4.

Question 38: Article 1.5 Place of Performance, are the Brussels trips needed for meetings foreseen as reimbursements or should they be included in the fee rates?

Answer 38: According to point III.2.3 of the tender specifications, prices must be fixed amounts and include all expenses, such as travel expenses and daily allowances.