



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR ENERGY  
Directorate A – General Policy

## **Invitation to tender N. ENER/A2/360-2010 (Open procedure)**

Concerning  
**A FRAMEWORK CONTRACT FOR  
IMPACT ASSESSMENTS AND EVALUATIONS (ex-ante, intermediate and ex-post)**

**Call for tenders published on OJ S 2010/S 66-098339**

### **FAQ**

Time-limit for receipt of tenders: 11/06/2010

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.

Version of 2 June 2010

### **Question 1**

"Recently, several people contacted me about the new AND the current framework contract for impact assessments and evaluations ('ex ante', intermediate and 'ex post') in the field of energy. As the director for the ECORYS consortium of the current framework contract I was not informed by DG ENER that the current framework contract will not be renewed by the end of the year?

Could you inform me about the status of the current framework contract and if it will not be renewed, what is the reason for it? "

### **Answer 1**

"The current Framework Contract for Impact Assessments and evaluations TREN/A2/143-2007 is automatically renewed according to art. 2 of the amendment n°1 and it has been renewed till beginning of 2011.

Further to the setting up of the new Commission in February 2010 and the split of the Directorate General for Transport and Energy (DG TREN) into 2 separated Directorates General, Energy DG and Mobility and Transport DG, the Commission has decided to launch 2 separate new framework contracts: one in the field of Transport and one in the field of Energy in order to replace the previous common one as it expires beginning of 2011.

However, the two framework contracts, the current one TREN/A2/143-2007 and the new one N° ENER/A2/360 - 2010, are independent of each other.

Once the new framework contract (ENER/A2/360 - 2010) enters into force the Commission may decide to only use the new framework contract and not to renew anymore the current one."

## Question 2 a

In the call for tenders no. ENER/A2/360-2010 entitled "A Framework Contract for Impact Assessments and Evaluations (ex-ante, intermediate and ex-post)" it is stated in sections III.2.2 (page 13) and IV.2.2 (page 19) of the specifications that "a certificate of satisfactory execution of works carried out in the past is required.

Could you please inform us whether for project references related to EU institutions, providing the name of the head of the unit (or policy officer) would be acceptable?

Otherwise, could you indicate how to obtain such certificates from the Commission, for example for DG ENER, whether we need to contact the administrative and contract departments or policy officers for individual projects?

## Answer 2 a

1 - For all experience listed in the bid there is the obligation to provide a certificate of satisfactory execution of works whoever was the client (so even for studies committed by DG MOVE OR DG ENER).

2 - Such a certificate shall be provided for all the references/projects that the tenderer intends to present in the proposal, otherwise they will not be taken into account in the experience. So the list of past experience, without the corresponding certificate of good performance is not considered a valid evidence of the required experience.

3 - The head of Unit responsible for the evaluation may decide or not to deliver the document after acceptance of the final Report

4 - In the absence of the certificate a copy of a contract and invoices can replace it.

5 - Such a certificate is not required for subcontractor.

## Question 2b

In reference to question 2, does it mean that only the Company who is the leader of the Consortium for the present call for tenders has to provide certificates?

Further, for past projects, do you need certificates when the Company was leader or also Subcontractor?

What about ongoing projects? What evidence is required?

## Answer 2b

Please note the following:

1. You have to provide certificates only if you are the leader of the project.
2. You do not have to provide certificates for past projects in which you participated as subcontractor.
3. Usually, certificates of satisfactory execution are provided for completed works. If you can obtain certificates for on-going contracts you are free to submit them as well indicating that the project is still ongoing.

### Question 2c

In reference to question 2, does it mean that only the Company who is the leader of the Consortium for the present call for tenders has to provide certificates?

### Answer 2c

Our answer is YES

### Question 2d

You have to provide certificates only if you are the leader **of the project**. => referring to the question, do I understand correctly that actually, "leader of the **tender**" ?

### Answer 2d

Our answer is YES

### Question 3

Subcontractors that are legal persons must produce a document containing a list of the professional qualifications of its staff.

- a) Could you please specify what do you mean with "list of the professional qualifications"?
- b) Is the "list of the professional qualifications" referred to all subcontractors' staff or only to the staff they propose for the tender?

### Answer 3

a) The list of the qualifications to be provided refers to Education (relevant diplomas) relevant experience in the sector at national and international level, relevant publications, specific technical skills...etc.

b) The tenderer (leader of the project) has to declare what are the professional qualifications of each member of the team who will have a role in the performance of the tasks referred to in the tender. The professional qualification of the staff that is subcontracted for the project must be included.

## Questions 4.1, .2, .3 and Answers 4.1, .2, .3

1. Is it necessary to state the name of subcontractors with whom you collaborate? The answer is YES
2. Is it necessary to state them in the initial offer for the framework contract with all the relevant information? The answer is YES
3. Is it possible to offer as a consortium of tenderers? The answer is YES. Your attention is also drawn to the point II.5 of the specifications and Article II.13 of the draft contract."

## Question 5

One question concerning § IV.3 of the Tender Specifications.

According to section a.1, tenderers must prove **by three examples** that they have a suitable approach and adequate knowledge to manage any kind of analysis required under this Framework Contract. Can these examples refer to concrete projects carried out?

## Answer 5

Yes, one way to prove that you have a suitable approach and adequate knowledge to manage analysis as required under the present Framework Contract can be the presentation of past projects which were considered successful in terms of results. We also draw your attention to some guidelines for carrying out evaluations; they are available (as mentioned on page 3 of the Tender Specifications) on the following website:

[http://ec.europa.eu/dgs/secretariat\\_general/evaluation/docs/eval\\_activities\\_en.pdf](http://ec.europa.eu/dgs/secretariat_general/evaluation/docs/eval_activities_en.pdf)

## Question 6a

Clarification question on the tender specifications:

The specifications request "a certificate of satisfactory execution of works carried out in the past".

Is it possible to meet this requirement by asking a few of our clients to sign a statement saying we have executed the study to a satisfactory standard?

Would this be acceptable?

## Answer 6a

As far as the "certificate of satisfactory execution of works carried out in the past" is concerned, please note the following:

This requirement in the Task Specifications means indeed the signed statement from your clients saying that you have executed the study to a satisfactory standard. So such a statement is acceptable. However, this statement or an alternative proof shall be provided for all works listed in the bid as described in the reply no. 2 of this FAQ document.

### **Question 6 b**

Can an email from the various clients confirming that we carried out the works satisfactorily would be sufficient or do you require a hand-signed statement?

### **Answer 6 b**

No, an email is not sufficient, but a hand-signed statement is required.

### **Question 7**

Questions which refer to the respective replies related to calls Move/A3/350-2010 and ENER/A2/ENER/360/2010.

1. As the replies published on each web site and that relate to similar types of questions are not exactly similar, can we assume that the replies formulated for the MOVE call are also valid for the ENER call and vice-versa? For example: your answer 2b, 3 on ENER regarding on-going contract.
2. For these on-going contracts, when a completion certificate cannot be obtained yet, can it acceptably be replaced by the copy of the contract and the (advance payment) invoice?

### **Answer 7**

As the 2 calls for tenders are separate, the related frequently asked questions are to be separated as well.

1. However, the applicable rules concerning the tender procedure are the same for both calls for tenders, therefore, as far as the procedure is concerned, what is valid for MOVE is in principle valid for ENER, too.
2. For ongoing contracts, the copy of the contract and the advance payment invoice are accepted.

### **Question 8**

Regarding the unit rates of pay, the rates would vary slightly for different experts according to their experience and qualifications.

Therefore, in the form should we indicate the rate of pay as an average?

### **Answer 8**

Our answer is yes; your proposal is acceptable.

Related to this subject, we also would like to draw your attention to the following paragraph of the tender specifications:

"Tenderers shall specify one single price per person-day whatever the type of service and qualification is requested. The price per person-day shall be valid for any services

offered under a Specific Contract. This price must be a flat rate and include all administrative costs, with the exception of travel expenses which will be reimbursed, where appropriate, in accordance with the special provisions of Annex IV of the Framework Contract".

Therefore,It is at your discretion how you determine this single price per person-day.