

**Questions and answers
on
Invitation to tender n° TREN/D3/454-2009**

Technical assistance to the stakeholder representation of consumer organisations and environmental NGOs in preparatory work for implementing measures

Version 15/03/2010

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: What level of stakeholder organisations should be contacted? (EU level, member state level, regional level)?

Reply: The Consultation forum works with EU-level stakeholder representations. Therefore, this is the level of stakeholder organisations that should be contacted.

Question 2 : Is a stakeholder list already available?

Reply : No, such a list is not available. The list of members of the Consultation Forum is available at following address : http://ec.europa.eu/enterprise/policies/sustainable-business/sustainable-product-policy/ecodesign/consultation-forum/files/official_list_of_member_organisations_en.pdf.

Question 3 : Is there an existing specific list of products that should be considered in this respect?

Reply : The Ecodesign Working Plan and the list of ongoing Preparatory Studies are available at following website : http://ec.europa.eu/energy/efficiency/ecodesign/eco_design_en.htm.

Question 4 : In the explanation of task 1, the need for an "appropriate level of product-specific expertise" is indicated. Could you please clarify what is meant by "appropriate"?

Reply : The tenderer has to demonstrate the ability to understand the technical aspects of work on Ecodesign regarding the product groups referred to in Question 3. Section IV.2.2.b) of the Tender Specifications gives some guidance on what basis this ability will be assessed.

Question 5 : With respect to co-ordinating the input of the sectoral organisations: is this meant to be understood as a pro-active approach (i.e. asking for input) or as a reactive approach (i.e. acting upon their request)?

Reply : The tender indicates that the winner of the contract will have to play an active role in the Ecodesign process. This will include e.g. co-ordinating the position of NGOs and producing papers summarising the NGOs views on particular issues. It will essentially require a reactive approach regarding specific product groups' studies and a pro-active approach regarding general position papers on horizontal issues such as mentioned in the tender specifications under point I.2., tasks 3 and 4.

Question 6 : Would it be possible that two organisations head the project jointly or is there a need to name only one organization as project leader?

Reply : No, two organisations cannot head the project jointly. Two (or more) organisations/companies can realise the work jointly (i.e. forming groupings/consortia), but one of them has to be designated as a project leader. The project leader has to be authorised to submit the bid on behalf of the grouping/consortium. If awarded, the contract will be signed by that leader who, vis à vis the Commission will be the only contracting party responsible for the performance of the contract.

Question 7 : Does the possibility exist to extend the deadline by a few days?

Reply : No, this possibility does not exist. Offers received after the deadline specified in the invitation to tender under point 2 will entail rejection of the bid at the opening session.

Question 8 : Is the 500 man-days indication a strict limit for the tenders, or may tenderers suggest a different number of man-days?

Reply : The 500 man-days are an estimate of the amount of work involved. It has the purpose of pointing to the tenderers the size/volume of the contract they are competing for.

Question 9 : It is indicated in IV.3. that the contract will be awarded "on the basis of the economically most advantageous tender". Does this mean that the tenders will be assessed on the best overall 'value-for-money' or on the cheapest offer to provide 500 man-days?

Reply : The economically most advantageous tender means that the contract will be awarded to the tender which offers the best ratio quality/price (but not to the tender which offers the cheapest price).

Question 10 : The Lots C and E are treated fairly in the call for tender (same indication of man-days). However, it is assumed that consumer organisations will only work on consumer-related products under EuP. Environmental NGOs are expected to cover all product groups, which will double the number of product groups to assess (if commercial and industrial products are included). In practise, this means that the workload under Lot E might be substantially higher than in Lot C. How is that taken into account? Wouldn't it be fair for the Lot E tenders to be based on slightly more than 500 man-days?

Reply : We expect that the contractor in charge of Lot C will have to devote significant time to address labelling measures in addition to ecodesign.