

FREQUENTLY ASKED QUESTIONS

INVITATION TO TENDER No. TREN/F1/289-2009

"Framework contract to provide support for the further development of EU air transport policy in relations with third countries and within the internal air transport market"

Time-limit for receipt of tenders: 02 Jun 2009

1. *Do the EU want support in understanding the detail of the terms in the current bilateral arrangements, or support to understand the consequences of these terms on movements and traffic between the EU and third country(ies)?.....and then presumably to consider the impact of alternative arrangements ?*

We have the current bilaterals and understanding on those. However, this you need also to have. The better the current status is assessed the better also the impact assessment will be when it comes to possible new alternative arrangements.

2. *Is it necessary to provide competence in all areas detailed in the section 1.2 a), namely to provide specialist legal advice on (the implementation of) Community Acts and (harmonisation of third countries with) Community Law in relation to third country(ies)?*

The tender specifications on the selection criteria set out the following:

"The tenderer must be able to display a proven track record in the field and be able to demonstrate a capacity for carrying out studies and impact assessments, conducting research and detailed socio-economic, legal and technical analyses at short notice and to tight deadlines in the areas identified in section 1.2 above. In areas where in-house expertise is not permanently available, companies must be able to demonstrate a capacity to recruit or sub-contract additional experts with a proven track record."

3. *To what extent are the social dimension and labour related factors, in and outside of the EU, and the impact of changes resulting from different air services agreements, fundamental to the requirements of the EU. For example, must the proposal include credentials in these fields to be eligible for consideration?*

This is not a question of eligibility but of fulfilling the selection criteria. Please see answer above.

4. *Comme le champ de l'appel d'offre couvre l'analyse du secteur d'un point de vue "socio-économique" mais aussi d'un point de vue "réglementaire" et juridique, et qu'il s'agit à ce stade d'un "contrat cadre" et non d'un contrat à ce stade pour une étude précise donnée, les offres doivent elles grouper d'emblée la capacité de couvrir tant les aspects socio-économiques que les aspects juridiques, le cas échéant sous forme de consortium ? Autrement dit les offres ne couvrant que l'un ou l'autre des aspects seraient elles nécessairement inéligibles dans le cadre du présent appel d'offre ?*

Voir la deuxième partie des 'réponses aux questions fréquentes' (FAQ).

Dans la mesure où l'expertise sur ces différents aspects ne serait pas disponible sur une base permanente voir le point II.3 (Legal form to be taken by the grouping of service providers to whom the contract is awarded (if applicable)) et II.5 (sub-contracting) de cahier des charges.

5. *Could you kindly indicate whether it is possible to consult a list with the work that has been issued so far within the 2006 framework contract (TREN/F4/43-2006)?*

Please find here the list of contracts which have been so far completed under the framework contract TREN/F4/43-2006:

- International Aviation Policy: Towards improving the framework for pursuing competitive opportunity for the EU air transport industry (€ 176.737)
- Study on the Economic Benefits of Opening Aviation Markets between the EU and Brazil (€ 164.000)
- Study on the economic benefits of further opening of the aviation markets between the EU and the Swiss Federation (€ 111.000)
- Study on the economic benefits of a Common Aviation Agreement between the EU and Georgia / South Caucasus region (€ 89.110)
- Study on the economic benefits of a Euro-Mediterranean Aviation Agreement between the EU and Tunisia (€ 88.200)
- Study on Consumer Protection Against Aviation Bankruptcy (€ 117.500)

6. *Au point II.1.5), il est fait référence aux "pays tiers" sans autre précision. Pouvez-vous nous donner une indication à ce stade des pays tiers susceptibles d'être concernés par l'appel d'offres.*

La DG TREN n'a pas limité le champ géographique d'application pour les services à fournir dans le cadre du présent contrat-cadre. Nous recherchons donc une expertise globale nous permettant de lancer des bons de commande relatifs, potentiellement, à tous les pays tiers d'intérêt pour la Commission européenne au cours des prochaines années.

7. *Section IV.2.1 (on page 19) of the call for tenders stipulates that "subcontractors whose tasks represent less than 20% of the contract [...] are not obliged to provide evidence of their economic and financial capacity". Section III.2.1 on page 13 contains a similar statement. However, in our opinion it is difficult to determine the actual share of each subcontractor in advance due the nature of the tender (multiple framework contract with reopened competition) and the, thus, unclear scope and content of the services actually provided for the Commission. In our opinion this leads to the requirement that all tendering partners and/or subcontractors are required to provide evidence of their economic and financial capacity. Would you agree?*

Yes, unless you have assurance that a subcontractor will stay below the 20% threshold.

8. *Faut-il bien comprendre le projet comme la conclusion d'un contrat cadre permettant à la Commission de sélectionner jusqu'à 3 contractants. Une fois que ces contractants seront sélectionnés, la Commission leur proposera des projets spécifiques, pour un budget de 200 000€ maximum. Les contractants seront libres de décider s'ils estiment être en mesure de répondre à l'offre?*

Non, veuillez-vous point I.4 du cahier des charges.

9. *Que se passera-t-il dans l'hypothèse où, pour un projet spécifique, la Commission ne reçoit d'offres d'aucun des contractants sélectionnés.*

Dans ce cas la Commission peut proposer ce projet spécifique avec des modifications dans le cahier des charges de ce projet spécifique - ou bien peut évaluer autres moyens de l'exécuter.

10. *Bullet point under "Assistance in the socio-economic field" notes the following: "Analysis of the benefits and merits for EU and third countries' industry cooperation with identification of key future opportunities and impediments/restrictions, such as cooperation in the aerospace industry or in developing new technology for providing ATC services."*

Does this mean that we would need aerospace industry experts, i.e., people familiar with the costs and benefits of aerospace and ATC equipment manufacturing processes?

You will not need people familiar with aerospace manufacturing processes, but it would be helpful if you are familiar with [SESAR](#).

11. *Bullet point under "Assistance in the socio-economic field" notes the following: "Statistical data to support findings using various data such as fares (for example IATA Fare Tracker), schedules (OAG) and traffic flows by origin and destination (O&D from MIDT)."*
Does this simply mean that an understanding of the use, strengths and weaknesses of the various databases such as OAG, IATA and MIDT is required?

The tender specifications on the award criteria set out the following:

III.2.2: "The award criteria as set out in chapter IV.3 define those parts of the technical proposal to which the tenderers should pay particular attention."

In this case the statistical data you have access to and understanding of how it can be used can be related to the award criteria 3:

"Quality of information sources and data (access, credibility, coverage, level of details) necessary to perform the work of wide geographical scope"

12. *La date limite pour le dépôt des offres est fixé au 31 mai qui est un dimanche, faut-il comprendre que cette date est reportée au lundi 1 juin?*

En fait la date sera bien fixée au 02 Juin 2009. La modification sera publiée dès que possible.

13. *Quelles sont les obligations supplémentaires qui s'imposent au "leader" d'un consortium, notamment en termes de responsabilité?*

Veillez-voir point II.3 du cahier des charges.

14. *Do you favour a "consortium" or a "sub-contracting" mode, in order to enable to cover all the specifications from the tender.*

No preference.

15. *You mention in the tender to specify "one single price per person-day" whatever the type of service and qualification is requested. In the case of a consortium, do you wish to have only ONE price covering both underlying companies, or do you wish a one single price per person-day for each company of the consortium (for ex. the consulting firm for the socio-economical aspects: xx €/day, the law firm for the legal aspects: xx€/day).*

One price only also in the case of consortium.