

FL-TRAD19
Translation of European Union documents
 Information updates

Here is the latest information relating to the open call for tenders, provided by the
 External Translation Unit

Communication
<p>Please note that Q&A 272 was modified on 4 September. Please note that Q&A 203 was modified on 14 August. Please note that Q&A 221 and 247 were modified on 23 July. Please note that Q&A 5 was modified on 29 May.</p>
<p>306. Is a bank guarantee needed? I find a mention in the FWC but don't seem to see it in the specifications and related documents. No, no bank guarantee is needed. Chapter II.21.5 of the Framework Contract foresees the possibility of requesting a bank guarantee which is not applied here.</p>
<p>305. Could you please explain the meaning of the following sentence (specifications, page 22): Revision or review assignments count as 50% of the number of standard pages of source text? Should we consider this revision or review assignment as a separate project (e.g. you will have your own translation and you would send the text to us just for revision/review)? Yes. As it is written in the specifications, we should offer you the final price for the high-quality translation ready for publication. There is no column for adding the price for revision/review. What exactly does "assignments count as 50% of the number of standard pages of source text" mean? Example: a text has 10 (standard) pages, the requested service is revision/review for which we would then pay the equivalent of 5 translation pages (50% of the number of standard pages of source text).</p>
<p>304. According to Art. 10 para. 2 of the tender specifications and Annex 1.3, tenderers must indicate the name and position of the person empowered to represent them and authorized to sign the FWC and include appropriate evidence. Is a company printout (register excerpt) which states that the indicated person is a director of the company sufficient? For private companies and public entities only: provide a legible photocopy of the statutes or the notice of appointment of the legal representative authorised to deal with third parties and in legal proceedings (see section 10 of the tender specifications).(Annex 1, paragraph 1.3).</p>
<p>303. Our subcontractors are mainly one-man micro-companies (legal persons). When filling in Annex 7.3., do they mark themselves as SUBCONTRACTORS and then also mark themselves as OTHER: Employee of (their one-man micro-company's name)? Or is it enough that they mark themselves as subcontractors only, as they are the owners of the micro-company, there are no other employees? It is enough to register as a subcontractor; the category 'employee' is reserved for internal staff.</p>
<p>302. Could you please clarify if we need to fill in Annex 7.1 and 7.2 for each lot we are going to tender for? Yes. Please also see Q&A n° 98.</p>
<p>301. In case we notice a mistake after sending our tender to you, is it possible to send it again (within the deadline) and is there any special procedure in that case or do you simply consider the second submitted tender as the correct one? The name of the sender should be visible on the outside of the envelope. If you should need to send a corrected tender it should be clearly marked "this tender replaces the previous one".</p>
<p>300. In Annex 3 in Financial and economic overview, does the first column (N* (* most</p>

recent figures available)) mean last figures in 2019 (we have data from 30.06.2019) or last completely closed financial year (which would mean 2018)?

Annex 3 refers to the financial year (see Annex 3, 6.2).

299. One of our most experienced translators is a EN-ES sworn translator awarded by the Spanish Ministry of Foreign Affairs with more than 20 years of experience working with us, but she does not have any university degree, though she has covered courses on legal translation in a private institute where sworn translators are usually trained (Estudio Sempere). Is this translator eligible if the tenderer provides a certification of experience together with the sworn translator documentation?

See Q&A 104. The final decision on what is considered equivalent is taken by the evaluation committee.

298. Annex 7.3:

Should copies of degrees as well as proof of experience be attached here for both employees and subcontractors?

Annex 7.3 is a declaration on honour which has to be filled in by employees and subcontractors. Copies of diploma(s) need to be attached; evidence of experience can be requested at any time but does not have to be attached at this stage.

We can provide the official labour contracts with our in-house employees and the NDAs contracts. We understand that it is enough if we provide the labour contracts as a proof of experience together with the certificates of the company stating their experience in terms of translated and revised pages and their domains. Can you confirm?

Yes, we confirm (see also Q&A 144).

297. Our head office is in Cyprus and will tender for TRAD19. We would like to include the in-house translators of our branch in Greece. In Annex 7.3, should we mention them as "employees", "other: employees of company's branch" or something else?

As they are the employees of your branch and therefore also employees of your company, you can subsume them under 'employee'.

296. For certain language combinations we have asked our trusted freelance translators (with the requisite qualifications and experience) to fulfil the Quality Coordinator role. While they are happy to do this in principle, the question has been raised as to whether putting their name forward as QC will have any bearing on their future involvement in projects for the EC or other EU institutions? While they have no reason to suspect that our work wouldn't meet the highest quality standards, would a 'black mark' be put against their name if a job were to be graded anything less than 'good', therefore hindering their future work as a translator? According to the specs, "The contractor's quality coordinator will have overall responsibility for ensuring that all delivered assignments correspond to the quality requirements..." however presumably any contract would be between the EC and us, the tenderer, and therefore it is the tenderer who assumes the overall responsibility?

There is no link whatsoever between the quality work under this and any other framework contract. The overall contractual responsibility lies with the tenderer. The reference to the responsibility of the quality coordinator is about the linguistic responsibility.

295. Can you please advise whether it is OK to add in our team:

- a natural person who is not a registered sole trader right now, thus she cannot issue invoices at present, but in case we win the contract, she will be able to have a regular financial activity;

Yes, as she would not be issuing invoices to us; it is only the contractor, or group leader in the case of a joint tender who issues invoices.

- a translator who is on maternity leave right now but she is back in business in 2020?

A person on maternity leave can of course be included as subcontractor/member of a joint tender (unless this creates problems according to national legislation).

294. Is there a possibility to have an increase in the rate of for example 25% in case of urgent jobs?

No.

293. Are members of our agency's team who are self-employed considered to be subcontractors? They are treated as in-house staff regarding the access to all information.

<p>They are subcontractors (see also Q&A 196).</p>
<p>292. We are two agencies planning to submit a joint tender. We both have a team of both in-house staff and subcontractors. Please confirm that this scenario is acceptable. Yes (see also Q&A 123). Also please confirm the following regarding documentation: We need to submit the documentation for all of the subcontractors as stated in the tender option for subcontracting. Correct.</p>
<p>291. We are going to participate in one lot with 27 translators and there will be 27 declarations on honour. The question is where we should mark the test-taker and his email for the code to access the platform? Please note that only ONE name per test is required and this one should not be marked in Annex 5B but put in Annex 8.1. Please also see Q&A no. 103.</p>
<p>290. In what order should we attach any extra documentation? Annexes 5a, 5b, 6, 7.3 and 8 are repeated if a tenderer is bidding for more than one lot. For Annex 5b we have to submit a prospective or existing contract, and for 7.3 a degree of the subcontractor (linguistic resource). Let's say that we bid for lots 11; 12; 13; 14; 15. Do we submit the documentation in order that for lot 11 we put 5a, 5b, 6, 7.3 and 8 together; therefore all the relevant linguist documentation is going to be in one place Or Do we submit the documentation where all 5a, 5b 6 etc. annexes of all lots (11; 12; 13; 14; 15) are together? Meaning all 5a's, 5b's, 6's etc. are together and not separated? The order should be by lot and inside each lot by annex, i.e. option 1. For Annex 1.3 (legal status), should we attach this evidence right after the annex, at the end of all the annexes or add separate PDF files for each document in the USB sticks? The tender specifications do not foresee any specific order but we would welcome the extra documentation directly attached to the relevant annex.</p>
<p>289. With regards to Annex 6, how should our different subcontractors fill them in? Could you please answer yes or no to the examples below? I know that these things have been asked before and for instance answer 282 is related, but I still would like to be sure. Case 1: Subcontractor is a sole trader (one-person micro-company) and has a VAT ID Subcontractor fills in Annex 6 as a legal person. Case 2: Subcontractor is co-owner of a co-operative with a VAT ID Subcontractor fills in Annex 6 as a legal person Case 3: Subcontractor works and invoices via a co-operative but is not an owner of it Subcontractor fills in Annex 6 as a natural person. Case 1: Yes Case 2: Yes Case 3: Yes, under the condition that he/she is not registered as a one-person micro-company. Please also see Q&A n° 184 and the introduction to Annex 6.</p>
<p>288. May we number our all documents which we are planning to submit for TRAD19 call for tenders by hand? Yes.</p>
<p>287. Can the email address of the quality coordinator be a general one (for example, quality.coordinator@company.eu) or a nominal one (for example, john.smith@company.eu). A general one like in your example is acceptable. The Specifications only require an e-mail per test taker. Please see also Q&A 162.</p>
<p>286. The quality coordinator for one of the lots is the employee of our subcontractor. We are going to provide the contract with our subcontractor, as well as the letter of intent and Annex 6 signed by subcontractor, Annex 7.3 will be signed by the quality</p>

coordinator and her diplomas attached to the tender. The question is: should we submit a prospective contract signed by the quality coordinator or the contract between our subcontractor and her as its employee?

If you provide an existing contract with your subcontractor you do not need to provide a prospective contract as well. Please see point 12.2, first bullet point of the tender specifications.

285. Some subcontractors have their own Limited Companies. Our potential subcontractors are registered as translators in these Limited Companies. Can we, the agency, sign contracts with such Limited Companies? The names mentioned on the contracts will be of the Limited Companies and not their own.

Yes. You may provide in the tender any extra information that you consider relevant. The evaluation committee will get back to you on this if necessary. Please see also Q&A 103.

284. About Q&A 258: please clarify if at any moment of the tendering stage or later DGT requires evidence of the agreed prices with subcontractors or wages of employees/in-house staff.

According to point 15.3 of the tender specifications, the contracting authority might request such information.

283. Do we need to state all names of all subcontractors and employees in the annexes, i.e. if a person is called "Peter Smith", but on his diploma it says "Peter John Smith" because he has a second name, does this need to be reflected in the Annexes? I understand that we have to submit proof of a surname change due to marriage or divorce, but regarding names it is hard to find out all second names.

The name on the degree and on the Annexes should coincide.

282. We are a bit confused about natural persons vs legal persons. Could you please clarify the definitions? In our country it is normal for freelancers to register as a company and get a registration number, but would it still be okay for them to register as a natural person?

A natural person is a human being that has capacity (i.e. ability) for rights and duties. It is distinguished from a juridical person created by law which may be private (i.e., business entity) or public (i.e., government) organisation. Therefore, you need to fill in the natural person legal entity if you run your own business without a separate legal personality (e.g. sole trader, self-employed, etc.). Otherwise you need to fill-in the private company form. See also Q&A 184.

281. According to the tender specifications, tenderers must sign a declaration on honour that the individuals named in Annex 8 took the tests alone and send it to DGT, within 10 days of the test. Should this be sent in original by the individuals that have taken the test or just by the legal representative of the tenderer?

By the legal representative of the tenderer.

280. Q&A 245 says "subcontractors who are natural persons should tick n/a". Please confirm that it would not lead to rejection if subcontractors answered "NO" instead.

It would not be a cause for rejection of the tender. However if you should be awarded a contract you might be asked to send a corrected file.

279. Regarding Q&A 183, if a tenderer submits tenders for different lots in different compositions (e.g. single tenderer for lot x and leader of a joint tender for lot y), what effect does that have on the case study test? Normally only one case study needs to be done for all lots. But if lots as described above need to be registered online separately, will one case study still be enough? In practice, should both lots be awarded, the project management would be done by the same person.

If someone submits tenders for different lots in different compositions (e.g. single tenderer for lot x and leader of a joint tender for lot y), these tenders will be considered as submitted by different tenderers. As explained in point 15 of the tender specifications, "the case study ... will be done only once for each tenderer". Therefore, one case study will have to be taken for each separate tenderer (in your example, one for the single tenderer for lot x and another one for the joint tender for lot y). This means that each case study will have to be taken by a different person.

278. For Annex 1, in case of a joint tender, only the leader of the group needs to fill in Annex 1, points 1.1-1.3. The other members don't need to, but will submit the legal entity form, an identity document, statutes in case of legal entities or proof of registration for natural persons and the power of attorney. Is this correct?

Yes.

277. Point 6.2 of Annexe 3 mentions "Turnover for the services covered by this contract". What is meant by "covered by this contract"? Is it the percentage of my turnover related to translation activities in general or the one related to a collaboration with the EU? Currently I work as translator but not for the EU. As regards the number of pages, do you mean the average number of translated pages in one year or the pages translated for or related to EU?

It means for translation services in general.

276. In what format will the tests for translation and revision be? Do we need Trados studio package? And LegisWrite?

For the tests no Trados Studio, nor Legiswrite will be necessary. The rest of the details will be communicated in due time.

275. The tender specifications say: "If a person is named as quality coordinator for more than one lot, he/she must take the revision test for one of those lots and the tenderer must designate other individuals to take the revision tests for the other lots. Those individuals must be listed in the tender as revisers." My question is: these "other individuals" who will do the revision test, because the named QC for this lot will do the revision test for another lot, must have the qualifications of the QC with regard to experience or only the qualifications of a translator?

This person needs to have the qualifications of a reviser required by point 14.3.1 of the tender specifications.

274. Considered we will submit a joint tender, we are all linguists with no administrative staff. The idea is that I (as leader) will be responsible for management and also be quality coordinator. In case we win the contract, administrative staff will be hired. That would mean that I need to do the case study myself during the test phase and I need to ask someone else to take the revision test. Is it a problem that I (as quality coordinator) will not take a revision test?

Point 14.3.2 of the tender specifications says that the quality coordinator must take the revision test for the lot. In your case, another person should sit the case study.

273. In Q&A 251, you reply suggesting a declaration from our subcontractors. Do you mean a declaration similar to Annex 5a – Letter of intent? If not, what have you in mind, please?

Q&A 251 refers only to a situation where the contracts have been replaced by an electronic process and data we need are not directly visible. The declaration is a provisional document and must refer to the work relationship between the tenderer and the subcontractor. Please note that in case of award of a FWC, full contracts would have to be submitted to the contracting authority in order to complete the file, as required by the tender specifications. See also Q&A 115.

272. In your reply to Question 209, concerning scenarios post Brexit, we too may be able to bid/supply through a subsidiary. Will time be made available to make the appropriate arrangements to set this up with the correct legal personality?

Any offer must be submitted by the deadline. For requests for assignment of an already signed contract, we always give reasonable time for the preparation, for the submission of evidence and for the execution of the assignment.

271. You say that tests will take place in October or November. We can't reasonably expect our subcontractors not to enter into any personal or work commitments over that period. Will it be possible, if they have other commitments on the test days, to replace them? Giving you advance notice, of course.

The date of the tests will be published around mid-September. Replacement test takers announced in the tender will be possible until a certain date, that we will publish as soon as we know. Please beware that last-minute changes are out of the question, for technical reasons. See also Q&A 176 and 127.

270. Will the translators and revisers sitting the tests be expected to use DGT or Interinstitutional Style Guides?

If yes, there will be a link. As we have said several times, all details will be shared in due time.

269. Could you please confirm that in the event of a joint tender of natural persons, the declaration on honor on minimum capacity (Annex 7.1) and the Declaration on honor on minimum technical capacity (Annex 7.2) have to be signed by the group leader only?

Yes.

268. We are a translation company and we are building up the team of translators. One of the selected linguists doesn't have a copy of her university degree because it got lost in an emergency situation. Can she provide a self-declaration instead?

She may provide it at the tendering stage, but in case your company is awarded she will have to submit a duplicata or another official proof.

267. Is the FWC for services only an example of a future contract or should we fill in and sign it?

It is a model only. Only successful contractors will receive a personalized copy to sign.

266. Point I.5.1 of the FWC Maximum amount of FWC and maximum prices says: "The maximum amount covering all purchases under this FWC is EUR [x,xx] million ... However, the contracting authority is not bound to purchase for that amount." What does this mean?

It means that the contracting authority gives that figure as an indication only, not as a guarantee of revenue for the contractor/s.

265. The framework contract refers to insurance. Can you explain what kind of insurance we need to have? Is it required for this tender?

As provided in Article II.6.2 of the FWC, such insurance is only needed if it is required under the applicable national law. No specific insurance is required for this call for tenders.

264. Could you please confirm that in-house staff (translators and revisers) are not obliged to fill in Annex 6 (Declaration on honour on exclusion criteria), that this Annex should only be filled by Freelance translators / revisers and the Company?

We confirm.

263. Could you please advise on this practical issue: if a company is submitting its bid for two lots, should it submit all documents (Annexes) twice (in other words: should we replicate all documents twice) or should we submit only one batch of documents, which would contain Annexes that are the same for all lots (not lot-specific) plus annexes, which are different (lot specific) for each lot?

The second assumption is right.

262. Is it possible that a company submits one tender involving subcontracting, and another tender as a joint tender for the same lot? If so, can we apply with the same subcontractors and submit the same subcontractor annexes (6 and 7.3) in both tenders?

That is not permitted.

261. One of our subcontractors, based in Switzerland, asks about Annex 6: "I am a translator with a one-person company (individual company with only myself as employee) based in Switzerland: should I fill in Annex 6 as a natural person or as a legal person? If I have to fill it in as a legal person then I need to enter my VAT number, please note in Switzerland we do not need a VAT number so I do not have one. I only have the registration number to the Chamber of Commerce of Ticino, as required by law. What should I indicate under VAT REGISTRATION NUMBER?"

You may leave it blank or add an explanation. The evaluation committee will get back to you if necessary.

260. We are going to submit an offer for more than one lot. Is it possible to submit an offer for one lot first (for example EN>HU) and later but still before the deadline submit another offer for another lot (for example EN>FR)?

No. Please include all lots tendered for in one single bid.

259. We are a privately owned company that is going to submit an offer. My company owns 100% of another company's shares (our subsidiary). This subsidiary employs translators and revisers. In order to build sufficient capacity can we consider our subsidiary's employees as our employees or should we consider them as subcontractors or should we consider our subsidiary as subcontractor?

The employees of the subsidiary cannot be considered as employees of the parent company. It is for the tenderer to decide on his/her subcontracting arrangements. Options are: 1) direct contracts with the translators as individuals; 2) a contract with the subsidiary; 3) joint tender.

258. As you clearly state in the tender specifications and in the Q&As, we need to include an existing or prospective contract with our subcontractors. Is it OK with you, if the agreed rates with our subcontractors are blanked/crossed out on the template?

This is acceptable at the tendering stage.

257. Courier companies require a contact telephone number. What contact telephone number can we provide to the courier company when we send in our offer?

If this is required by your courier company, you may give +32 2 299 00 52.

256. My company is planning to participate in TRAD19 in a Fair Trade spirit by offering translators fair rates for their work. However, we see that the prices in the latest contracts awarded by the Translation Centre for certain languages are less than 1/3 of the average price 15 years ago! This presents me with a dilemma: Do I continue with my Fair Trade offer or should I follow the trend to improve our chances of winning a contract?

The Translation Centre is an independent body organising its own calls for tenders in a way they judge appropriate for their purposes. We are the only institution setting the weighting for the award at 70% for quality and 30% for price, for many years now. When fixing the price tenderers should take into account all costs relating to the performance of the framework contract (for example handling and delivery of assignments, access to terminology and document databases, delivery of translation memories of files in a specific format, if requested) but also administrative costs, taxes, social security contributions, insurance etc.

While the Financial Regulation does not allow for fixing a minimum price, it gives us the possibility to challenge abnormally low prices offered by a tenderer. And having had our experience with such offers we are determined to do it, if necessary.

255. Would an official document from the national tax authorities stating that the translator is running his business full-time as a freelancer since 2015 be acceptable as evidence of experience?

That document could be taken into account together with other pieces of evidence giving information about the language combination/s and the field. See point 14.3 of the tenderer specifications. All evidence will be evaluated globally.

254. Our balance sheet for 2018 will not be ready before the deadline of this tender. Is it ok to provide data relating to the previous years?

Annex 3 clearly says "most recent figures available".

253. Should degrees be translated?

Any document drafted in one of the EU official languages needs no translation. Point 9 of the tender specifications says: "Documents and certificates that are not in an official EU language must be accompanied by a translation into an official EU language". A certified translation is not required by the specifications.

252. With regard to the first bullet point of 12.2 of the tender specifications ("tenderer's existing or prospective contracts with the subcontractors"): Can we submit a very lean personalized contract for each individual subcontractor, referencing certain applicable general terms and conditions via a weblink/hyperlink (meaning that large parts of the subcontractor contract will be accessible via a weblink only and will not actually be attached to the subcontractor contracts submitted)?

This solution is acceptable for the tendering stage.

251. Where subcontractors are onboarded in an online (click through) process there is no individual/personalized contract document with the name of the subcontractor on it (subcontractors do not sign electronically, they accept by ticking a box). Will it (a) be sufficient to submit the contract text together with a print out of the date and time when the relevant subcontractor has electronically accepted the contract or do we (b) need to create an individual/personalized signed contract document with the name of the subcontractor on it?

We need to check the name of the subcontractor. A possible solution for the time being could be a declaration from the subcontractor.

250. In Annex 8.1.1. Name of the person taking the revision test, I intend to specify my name, as a quality control person and reviser. Is it correct to tick "other: contractor and tenderer"?

Tick "other" and specify "tenderer".

249. When I complete the annexes to the tender specification, 7.3 Declaration on honour on minimum experience, is it correct, if I tick these 4 possibilities: "quality coordinator", "translator", "reviser" and "reviewer" in my declaration as an individual tenderer?

<p>Yes, if you are going to have all those roles.</p>
<p>248. What is the deadline for submitting questions? The deadline for submission of questions is Friday 23 August.</p>
<p>247. We want to apply for TRAD19 tender by filling in the Electronic Tender Registration Form but we don't know how to do it. Do we have to use our current access to the ECAS Portal (how?) or do we need a different access for the tenders? The current ECAS access used to enter the "eXtra" portal for job offers, etc., cannot be used to access the call for tender portal. In order to apply for the TRAD19 call, you have to enter the Tender portal https://webgate.ec.europa.eu/dgt/tender/index/home.cfm and create a DGT file if you do not have one already. If you experience access problems please contact the portal manager at DGT-FL-Portal-manager@ec.europa.eu. You will receive a personalised answer for your particular case.</p>
<p>246. Is there a strict word maximum for the case study test? The tender specifications do not set a limit of words, but we expect factual and to the point descriptions.</p>
<p>245. In Part III of Annex 6, what is the meaning of "natural or legal person that assumes unlimited liability for the debts of the above-mentioned legal person"? The declaration on honour on exclusion criteria is a standard form for all sort of public contracts involving partnerships with different degrees of liability. In TRAD19, subcontractors who are natural persons should tick n/a.</p>
<p>244. Annex 5b point 2 requires tenderers to list all existing or prospective contracts. But what should be written there? There is a field to be completed. You may insert a comment about the contracts to be attached or leave it blank.</p>
<p>243. A subcontractor is required to provide a marriage certificate if her name is different on her Degree or Diploma. Please confirm what documentation would be required if a subcontractor was married when she did her Degree or Diploma and then later got a divorce and changed her name back to her maiden name. Proof of change of name is required. Please submit whatever official document that according to the relevant national legislation has probatory value.</p>
<p>242. Are source texts always monolingual, or will there be cases where source texts contain multiple languages? We sometimes have multilingual originals, normally in two languages, but not very often.</p>
<p>241. Is the Quality Coordinator allowed to translate under this contract at times or should the Quality Coordinator only check the quality delivered by the revisers? The Quality Coordinator may also translate.</p>
<p>240. Is it possible to designate more than one Quality Coordinator per lot or should there be only one? DGT needs one Quality Coordinator as contact point per lot. Please see also Q&A 128.</p>
<p>239. We plan to have only one quality coordinator for all submitted language pair bids. Please confirm that the minimum number of linguists per language pair is three: one translator, one reviser and one quality coordinator (we do not refer here to the case study that is done once for all lots). Not at all: For the linguistic tests you need two test takers: one translator for the translation test and one quality coordinator for the revision test. As explained in point 15 of the specifications, if the same quality coordinator is appointed for more than one lot, s/he must take at least one revision test for one of the lots and the tenderer must appoint other reviser/s to sit the other revision tests. These revisers replace the quality coordinator for the revision tests for the other lots. Please note that the quality coordinator must be a reviser and have the minimum requirements set in point 14.3.2 of the specifications for each and every lot for which s/he is responsible for. Indeed, as point 14.3 of the specifications say "The required translation and quality assurance experience must be for the language combination tendered for and should be in fields relevant to the subject of this call for tenders." See also Q&A 161.</p>
<p>238. Q&A 6 says cases studies may be delivered either in the target language or in EN. Do you have any preference?</p>

<p>For practical reasons, cases studies written in EN are welcome, but this is not required by the tenders specifications.</p>
<p>237. A translator is asking us if the certificate of his registration as a freelancer would be acceptable as evidence of his experience. No. Evidence of experience must contain indication of the volumes or years required in 14.3. Acceptable proof are, for example, invoices, letters, book-covers, among other. See also Q&A 134.</p>
<p>236. The box in Annex 7.3 says "Provide this evidence separately for each lot tendered for", but Q&A 201 says that there should be one set of Annexes per subcontractor. Please confirm that a subcontractor who is listed in several teams for several lots must fill in one single Annex 7.3 and indicate there all relevant lots. In order to facilitate the evaluation, which is done per lots, subcontractors who belong to several teams must submit all relevant Annexes and documents once except Annex 7.3, which is lot-specific.</p>
<p>235. What experience needs the person who will sit the case study test (degree, professional experience, etc.)? The specifications only foresee such requirements for the linguistic team members.</p>
<p>234. ANNEX 6: Please confirm that the natural person who is subcontractor must fill only Part I and Part IV because Part II is „Not applicable to natural persons" and Part III concerns „the above-mentioned legal person" i.e. it is actual only in case the subcontractor is legal person. Natural persons need to fill in Parts I, III and IV of Annex 6.</p>
<p>233. Do you really need the postal address of each subcontractor in the field <i>Address</i> or can it be an e-mail address? Unless otherwise specified, "Address" means postal address.</p>
<p>232. Annex 5a: if our subcontractor is a natural person, should the field <i>Legal representative of (name of the company / organisation)</i> be left blank, as freelance translators are not legal representatives of any company / organisation? Yes.</p>
<p>231. If a translator from a team is rejected by the evaluators of the tender, does it mean that the whole tender will be rejected or just this particular translator will be rejected? Only that particular translator would be rejected.</p>
<p>230. What language combinations are more "problematic" to outsource? It depends on a series of factors: size of the market, particular subject matter of a document, period of the year, etc.). For instance, we have experienced particular capacity problems with the EN-IT list. EN-GA can also be difficult, for its specific reasons.</p>
<p>229. Deliverables: why do you need both Word and corresponding .xliff files, isn't one enough, for eg. Xliff files? We do see your point and this might change in the future. For the time being we systematically request both Word and xliff (xliff exchange) because, while .xliff files might be the ones used by our in-house colleagues, our requesters expect an end-product/translation which is in Word format.</p>
<p>228. How can we deal with complex documents and specific formats? We outsource mainly Word documents; for non-editable graphics, we provide source files. The current standard outsourcing procedure is "xliff exchange". We hardly ever outsource .ppt. For EN we often have .pdf. For any other specific format, and in general, please follow specific instructions attached to assignments.</p>
<p>227. Can you confirm that the same translator can be listed for 2 different lots in the same tender? Of course this person would only take one test. We confirm.</p>
<p>226. What will be different about anonymity? Under OMNIBUS-15 the evaluators of the translations did not know who was the author of the translation and direct contacts between the Language Departments and contractors were not possible. Under TRAD19 this will no longer be the case.</p>
<p>225. About the legal entity form in Annex 1.5, section II: I am a freelancer but so far I have not provided services to the EU. Shall I tick the YES case or the NO case? And what</p>

supporting documents should I attach?

If you do not fulfil both conditions, tick the NO case.

Please attach a copy of your ID, a proof of registration in the chamber of commerce or other professional register and a proof of your VAT registration.

224. The case study will be done by a project manager who is an employee. Where should we write her/his email address for the test?

You may add her/his email on Annex 8.1.

223. What emails will be used to announce the date and instructions of the tests: The one of the tenderer or the ones of the test takers?

This part of the procedure will be organised in two steps: In the first step, tenderers will receive an email with the details of the test (date, procedure and technical specificities, confirmation of names, etc.). Later on, test takers will be contacted. We will inform you of the rest of the details in due time. See also Q&A 169.

222. Please confirm that we do not have to submit proof of translation/revision experience with the tender but only upon request.

We confirm.

221. I am a Maltese citizen who owns a translations company in the UK. Brexit makes us consider whether or not to create a new subsidiary of my company in Malta, and thus have a base in the EU, which involves significant costs. At this moment, my UK company is still based in the EU and it is therefore entitled to participate in this tender. So, for TRAD19, could you let me know if I must set up a new company subsidiary with a Maltese VAT number immediately, before I submit our tender bid in August 2019? Or can I save this cost now and submit our bid with a UK VAT number, and then create a Malta subsidiary (with the same company name) with a Maltese VAT number if Brexit happens and we should win a FWC?

As long as the UK remains a member of the EU your UK based company can submit a tender on the same conditions as any other EU based company, but should the UK leave the EU without a deal before the signature of the awarded contracts, your tender may be automatically excluded from the procedure. Please note that during the tendering procedure a tendering economic operator can not assign its tender to another economic operator no matter whether the former and the latter are based in the EU or not. However, after the award of the contract a contractor can assign its contract to another economic operator as long as this economic operator meets all the conditions of the call for tenders and of the applicable law. Thus, if your UK based company is awarded a contract you may assign that contract to your Maltese company provided that the above-mentioned conditions are met.

220. In the invitation letter it says: "The tender must be placed inside two closed envelopes addressed as indicated below." Could you clarify what should each of the 2 envelopes contain? Should all contents be in one inner envelope that is enclosed in another envelope?

Yes. The goal is to preserve the integrity of the offer until the opening committee.

219. We are fully aware of the fact that Annex 7.2 is to be signed by the tenderer. However, do you confirm that we can sign the declaration even if we acquire the technical experience only through our subcontractors, who, working with CAT tools, are able to meet all the requirements set in in point 14.2 of the Specifications and to deliver XLIFF formats, TMs and so on?

We confirm. The technical capacity is a selection criterion, which is assessed considering the technical capacity of the tenderer/members of the group/subcontractors globally.

218. What happens if an agency does not have a previous experience in the translation of the number of pages specified for each lot? If we participate, for example, in LOT 1, is it correct to assume that the minimum annual capacity (6000 pages/year) shall be referred to the translators and revisers that we are going to employ for performing the activities? In other words, do you confirm that this criterion doesn't apply to the past translation experiences of the company or of the team, but to the future capacity (of the agency and of the team, for the entire duration of the contract) in order to assure, in our example, the translation/revision of 6000 pages/year from the signature to the expiry of the contract?

There seems to be a misunderstanding: As stated in point 14.3.1 and 2 of the Tender

<p>specifications, the previous experience is required from each team member individually. As stated in point 14.1, the minimum capacity is required from the tenderer. This means that the team built up by the tenderer for the future execution of the TRAD19 FWC needs to have the indicated capacity.</p>
<p>217. How do you ensure that evaluation of the tests (revision, translation, and case study) will be conducted in an objective manner? Will the tests be anonymous at the stage of evaluation?</p> <p>Yes, the tests will be anonymised.</p>
<p>216. How much experience needs a Quality coordinator when the person has revision experience and not quality assurance experience?</p> <p>Q&A 107 states that revision experience is acceptable as quality assurance. Therefore, revision pages/years are counted in the same way as quality assurance pages/years.</p>
<p>215. Is it possible to tender as a single tenderer and at the same time be the subcontractor of another competing agency/agencies? Is it necessary to make a choice between these options?</p> <p>It is possible to bid as a single tenderer and at the same time be the subcontractor of another competing agency/agencies. Please see also Q&A 50.</p>
<p>214. Will it be possible for TRAD19 contractors to use the European Union automatic translation tool e-Translation? If yes, will subcontractors have access as well?</p> <p>We do provide more and more systematically output from the European Commission's machine translation tools (e-Translation) as language resources when publishing our assignments on the eXtra Portal. Resources thus provided by DGT will be at the disposal of our contractors, who can forward them to their team members (in-house staff or subcontractors). Please see also Q&A 147.</p>
<p>213. Who has to fill in the different parts of Annex 7 (7.1, 7.2, 7.3)? Do we need to fill in these first two parts as Language Service Provider?</p> <p>7.1: tenderer 7.2: tenderer 7.3: each member of the linguistic team (employee/subcontractor/other). See also Q&A 173, 144, 106, 99, 98, 75, 45.</p>
<p>212. How many pages or years of full time experience as reviser equal the quality assurance experience required in the Tender specifications?</p> <p>Q&A 107 states that REV experience is acceptable as QA, therefore, REV pages/years would be counted in the same way as QA pages/years.</p>
<p>211. If a member of the linguistic team is also the owner or a managing partner of a tendering company and therefore has no employment contract as such, how could experience be proven, if self-declarations are not acceptable?</p> <p>Upon request of such evidence, you may send the statutes of the company where the partners are mentioned or/and any other relevant proof. The committee will evaluate all evidence submitted globally.</p>
<p>210. Could you please confirm that ONLY the leader of the group must fill in/sign the form FINANCIAL IDENTIFICATION FORM in Annex 1.6 and that ONLY the leader of a grouping must fill in and sign the FINANCIAL OFFER in Annex 8.2 as the legal representative of the group?</p> <p>Yes.</p>
<p>209. Our company is based in the UK. However, we are concerned that Brexit could potentially affect the TRAD19 contract if we won. We have a subsidiary in another EU member state. Can we bid through this subsidiary? If yes, are there any requirements that it must comply with?</p> <p>The subsidiary can apply in its own name and we can sign with it if it has a legal personality.</p>
<p>208. About the quality penalty scheme set out in section 3.3 of the TS: 1) In a hypothetical situation where 1000 pages are completed and a task of 150 pages is considered insufficient, a penalty equating to 150 pages payment is applied, meaning that, in effect, the payment for the insufficient job is reduced by 100%. Is this understanding correct?</p> <p>No. Please note that the monthly assessment is not performed "per task" or "per job" as your question seems to suggest, but on the evaluated pages delivered that month. As point 3.3 of the</p>

Specifications explain, the penalty would apply to "the value of the assignments delivered in month n ", that is, the total volume of pages delivered that month.

Consider a hypothetical situation where a contractor fails to meet quality requirements in the following months:

Month n

Month $n+6$

Month $n+12$.

Obviously, month n carries a penalty of 15%, and month $n+6$ a penalty of 30%.

However, is the penalty for month $n+12$ 30% on the grounds that it occurs within 9 months of another failed month (i.e. month $n+6$), or is it 15% on the grounds that the 9-month period following month n would have expired with month $n+9$?

The first scenario is correct.

207. My company is planning to bid for several lots. I am anxious to ensure that all translators study the language guides for their respective language. However, when I looked at the guidelines for each language on the ec.europa.eu website, I found that they seemed to vary in scope from language to language. Should I be looking elsewhere to find consistent DGT guidelines for each EU language?

No, the Guidelines are language specific and are the work of each Language Department.

206. If a member of the linguistic team is also the owner or a managing partner of a tendering company and, therefore, has no employment contract as such, how could experience be proven if self-declarations are not acceptable?

Upon request of such evidence, you may submit the statutes of the company where the partners are mentioned and/or any other relevant proof. The committee will evaluate all evidence submitted globally.

205. How do you define internal staff? In my country there are several ways to employ someone, not only under an employment contract but also under civil law contract and those employed under the latter type of contract are considered internal staff.

While civil law contracts can have features of hybrid contracts what matters is that these are contracts governed by national law and if under national law they are qualified as employment contracts we will treat them as such.

204. In case of in-house translators, which Annex should include the list of in-house translators and their degrees?

A list of in-house linguists is not required by the Specifications. See also Q&A 173 and 144.

203. With regards to agency subcontractors' resources, to which Annex should we attach the copies of the degrees?

To Annex 7.3.

202. Could you kindly explain what is the difference between Annex 5a and Annex 5b and who should compete and sign each of them respectively?

Annex 5a –Subcontractor's letter of intent - clearly says "The tenderer must add the following form completed and duly signed by each subcontractor". See also Q&A 106.

Annex 5b lists all subcontractors and is to be completed by the tenderer.

201. Do translators who can work from multiple languages into English sign 1 set of annexes per lot or 1 set of annexes for multiple lots?

There should be one set per subcontractor.

200. What will the revision tests look like? Do we have to do annotated revision or merely corrections via track changes?

The details are not known yet. In due time, you will receive a detailed tutorial on how to proceed and what is expected of you.

199. What will happen to the documents which receive a "below standard" in the current system? Will they receive a "good" or an "insufficient"?

They will be graded as "insufficient".

198. What will you assess in the tests: the results or the methodology used?

The results.

197. If an assignment contains non-related documents, will there be still one evaluation mark for that assignment?

Yes, an assignment will get one evaluation mark, regardless of whether the documents therein are related or not.

<p>196. Is someone who is self-employed but works for only one company, full time and for several years considered an in-house staff?</p> <p>No. Self-employed persons who work for someone else are considered to be subcontractors. See also Q&A 52.</p>
<p>195. Professional capacity: What are the relevant fields for this call for tenders?</p> <p>All fields in which the European Commission has the right to initiate legislation. See also Q&A 86.</p>
<p>194. The deadline for submitting translation may be very short: how much time will the contractor have in order to deliver the translations?</p> <p>Deadlines vary and will be specified on each order form.</p>
<p>193. Is it envisaged that machine translated text will be sent to suppliers for post-editing? If so, will such texts be paid at the full price or at a reduced rate?</p> <p>Currently DGT has no need of post-editing services, although this might change in the future.</p>
<p>192. How will we get the request for translation, by email?</p> <p>The contractor will be informed by email about the publication of a new assignment. Additionally, the notification system can also send an sms or a fax, if such an option has been selected by the contractor on the Portal.</p>
<p>191. Who is liable within a joint tender?</p> <p>As explained in point 12.1 of the Specifications and point II.6.5 of the FWC, all members of the joint tender are jointly and severally liable to the contracting authority for the execution of the contract.</p>
<p>190. What is the liability of the contractor when after the TRA is delivered some damages appeared based on incorrect translations?</p> <p>Please see the FWC, in particular section II.6.3.</p>
<p>189. Do you request any kind of liability insurance in case of joint tenders?</p> <p>No.</p>
<p>188. Will only the contractor or also his subcontractors/members of a group get access to the portal?</p> <p>We grant one access per contractor and it is up to the contractor to decide with whom s/he shares her/his access rights. The actions made on the eXtra portal by third parties, in case the contractor provide his/her password, remain under the full responsibility of the contractor and are deemed to be have been done by her/him.</p>
<p>187. In case the contractor has any question concerning the original, who should they turn to?</p> <p>In such cases the Quality coordinator should contact the respective language department who, in turn, would contact the author DG if necessary.</p>
<p>186. Is there any policy for quality assurance also for originals?</p> <p>DGT has an editing service which tries to edit as many legal documents as possible. Furthermore, the editing unit has started a clear writing initiative, to help colleagues in other Commission departments to improve their drafting skills.</p>
<p>185. What would happen if all five contracts had to be terminated before the end of the FWC?</p> <p>This is a rather hypothetical scenario. We are confident that the result of the procedure is such that we would be able to continue working with at least one of them.</p>
<p>184. I intend to apply as a company with several subcontractors in the role of translators and/or revisers. Predominantly they are freelancers, but some of them are registered as legal persons - micro translation companies. Do they have to fill in the annexes as natural persons or as legal persons?</p> <p>As legal persons.</p>
<p>183. Is it possible that a company submits one tender involving subcontracting for lot xx, and another tender as a joint tender for lot yy? Would we need to register for the call for tenders twice, is it even possible? Can one company participate with two different types of tenders?</p> <p>Yes, a tenderer may submit one tender as a single tenderer for one or more lots, and another tender as a joint tender for another lot/s. In that case, registration has to be done twice.</p>
<p>182. Could you confirm that the aim of TRAD19 is to have the first placed agency accept almost all orders, and to offer the lower ranked contractors orders only in justified</p>

<p>particular cases? In the case of very large language combinations, would it not be more appropriate to allocate the volume to 2-3 agencies? Otherwise, it seems that only large companies can benefit from this tender, which cannot be the EU's view. In the language direction EN-DE, an agency would have to be able to handle up to 130 pages a day, which only one to two agencies in Europe could manage, and the question is whether such volumes would still produce of good quality.</p> <p>In this context, what are 'repeated refusals'?</p> <p>We confirm that TRAD19 sets a cascade system explained in point 1 of the Specifications and I.4.2 of the FWC. Given our growing needs, we are looking for one preferential partner, which could be a single tenderer if it has enough capacity, or a joint tender (for example, of several agencies, in order to enlarge the capacity). Subcontracting is also possible. Please see point 12 of the Specifications "Cooperation with other entities" and Q&A 78.</p> <p>Indeed, tenderers should be able to build a team large enough to ensure quality.</p> <p>As DGT's interest is to keep its partners, situations of repeated refusals would be analysed on a case by case basis.</p>
<p>181. Is it mandatory to attend the opening of tenders in Brussels in September?</p> <p>Not at all, but you may. See point 8 of the Invitation to tender.</p>
<p>180. We are preparing teams with experience in fields such as environment, law, food safety, pharmacy, economics, etc. Is this the right approach?</p> <p>Tenderers should build a team that can deal with almost every request, no matter the subject.</p>
<p>179. Regarding, Annex 8, section 8.1.3, if the person taking the case study is an employee, should the contract of that person be included in the tender or should only the contracts of subcontractors be included in the tender?</p> <p>Contracts with employees are not required by the Specifications, but should be submitted upon request. See also Q&A 144.</p>
<p>178. On the list of subcontractors (Annex 5b), should we indicate their role (translator, reviser, reviewer, Quality coordinator)?</p> <p>Annex 5b says to list the names. You may add the function if you wish.</p>
<p>177. How does the monthly performance assessment influence the invoicing?</p> <p>Invoices can be sent in as soon as you get the green light from DGT to do so. Contractors may also send in monthly invoices if they prefer. In case of penalty after the assessment of the monthly performance, a debit note will be issued.</p>
<p>176. What is the online platform and can we have a look at it before the tests start?</p> <p>The online platform for the tests will be provided by EPSO (European Personnel Selection Office). Tenderers will be informed about all details well in advance before the date of the tests. The platform as such will only be accessible on the day of the tests and only for those who received a login to sit the tests.</p>
<p>175. Can an NDA (Non Disclosure Agreement) replace the contract with the subcontractor in the application stage?</p> <p>No, as standard NDAs would not cover all requirements stated in the Specifications..</p>
<p>174. Can we employ or subcontract a person who is currently working at the institutions?</p> <p>As long as the person is remunerated by the EU institutions s/he cannot work for a contractor. In case of CCP (leave on personal grounds), proof of the CCP status plus the permission to work as a contractor must be provided before the signature of the FWC. Please note that if that person is designated in the tender as one of the test takers, the permission needs to cover specifically the test.</p>
<p>173. You mention that one subcontractor may have more than one role. In such cases, should we create and submit different Annexes 7.3 indicating each role for the same person? Is this applicable for employees as well? For example, should we submit two annexes for an in-house vendor/employee who will act as a translator and a reviser?</p> <p>If the person has different roles you may tick more than one box on the same Annex 7.3.</p>
<p>172. Why can't we submit our tender electronically? The Commission already has e-Submission.</p> <p>DGT has tested it but it is still not fully operational for our purposes, given the high number of lots</p>

<p>and tenders we deal with. We hope it will be ready for our next call for tenders.</p>
<p>171. In joint tenders, can the Quality coordinator be the group leader? Yes.</p>
<p>170. You are changing the paradigm. What was wrong with the system of dynamic ranking? It worked well for us. While the system of dynamic ranking has advantages, it also has an important shortcoming: there is no obligation to take any jobs. Sometimes we publish translation jobs several times and no one takes them, especially in cases of large volumes or difficult texts, where the risk to fall down in the ranking is real. In such cases, our Language Departments have a problem.</p>
<p>169. Will you provide credentials for testers? Yes, each test-taker will get a code to access the platform.</p>
<p>168. Do personal translations during the studies count as translation experience? Not unless evidence of it can be provided.</p>
<p>167. Is there a need for a copy of the marriage certificate if the diploma is in the maiden name? Yes, please. This is necessary to check the qualifications of the team.</p>
<p>166. Will there be any further CFT until 2024? In principle no, but it depends on the results of TRAD19.</p>
<p>165. In reference to question 22, we are preparing teams with translation and quality assurance experience in fields that are relevant to the EU such as environment, law, food safety, pharmacy, economics, etc. Is this the correct approach? It is up to the tenderer to prepare for the tender in the way they think best, knowing that the tests will be of a general nature. Please see Q&A 86.</p>
<p>164. How will revision experience be counted in terms of pages? Would pages count as 1/2 or 1/3 of translation pages? How would hourly tasks be counted? The KIAPI rules implemented in the Commission say that 1 page of translation equals the efforts of 2.5 pages of quality control, i.e. the factor is 0.4. For the purpose of this procedure, we will consider that 1 page TRA equals about 1 hour.</p>
<p>163. Do you need to know who has done each of the jobs? How? Signed and scanned IPR? Indeed, we need the confirmation that the intellectual property rights have been properly transferred to the Commission. Contractors do this by means of click-through electronic declarations on the eXtra Portal where they indicate the name(s) of the creator(s). Original statements must be kept for seven years and submitted to the contracting authority upon request (see FWC Statements A, B, C, D).</p>
<p>162. Annex 7.3: May the e-mail address of the QC and/or the person sitting the translation test be an address of the tenderer? No. Annex 7.3 requires the e-mail addresses of the test takers.</p>
<p>161. Does the quality coordinator have to take care of the administrative issues with the subcontractors too? No, the quality coordinator's role is linguistic. Please see also Q&A 128.</p>
<p>160. Do you expect the number of English originals to decrease if/when Brexit happens? No, English is and will remain one of the main working languages of the Commission and is an official language of two other Member States, so no major changes are expected there.</p>
<p>159. What do you think will motivate numbers 3-4-5 to sign the contract? It can happen that contracts with the first and second ranked are terminated. In that case, the others would take a step forward.</p>
<p>158. You mentioned that the outsourcing volume will increase. Do you have any idea about the scope of this increase? Could you give any percentages? No. Due to the fluctuating demand, it is very difficult to make any predictions.</p>
<p>157. In case we get a document that we would be able to deliver only after the deadline, could we ask for an extension of the deadline? In principle, direct communication would allow to negotiate the deadline since there is no risk of distorting the competition. However, you have to bear in mind that it is not DGT who sets the deadline but the requesting DG and there will be cases where it won't be possible to extend it.</p>
<p>156. In case there are different versions of a document to be translated, could we be</p>

<p>informed in time?</p> <p>You will be informed as soon as DGT is informed by the requester DG about potential versions.</p>
<p>155. As regards the revision test, will we be asked to comment on what we changed?</p> <p>Tenderers will be informed in due time about how the tests will be organised. For each test, test-takers will receive precise instructions describing what is expected of them.</p>
<p>154. Is there any estimated time for the translation, revision and case study tests?</p> <p>Maximum 4 hours per test. It is a fixed timespan, i.e. the platform will be accessible at a certain point in time and will be closed at a certain point in time for all test takers.</p>
<p>153. Until when is the external partner liable for the quality of the product?</p> <p>Until the product is accepted by DGT.</p>
<p>152. Why do we have to give the names of all subcontractors?</p> <p>We need to evaluate the capacity of the tenderer and to check the qualifications of its team members and their minimum experience (the last one upon request). Also, we need to supervise that the IPR have been properly transferred.</p>
<p>151. Do the number of outsourced pages mentioned in the presentation refer to pages after pre-processing?</p> <p>Yes.</p>
<p>150. When will on-site visits be organized with the first and second ranked successful tenderer?</p> <p>After the publication of the results, presumably March 2020.</p>
<p>149. Is it OK to provide you with electronically signed contracts between the tenderer and the subcontractors or does it have to be a scanned copy of blue ink signature?</p> <p>Electronically signed contracts between the tenderer and the subcontractors are acceptable.</p>
<p>148. Point 15.3 states that "where the source text is on paper or in a non-processable format and the order form specifies that any graphics must be reproduced in full..." Does it mean that suppliers will have to do graphic work as well?</p> <p>You must always follow the instructions set in the order form. Please note that as a general rule, we only ask our contractors to translate the text contained in the graph. However, if you are requested in the order form to reproduce the graph, you would have to copy/paste graphs or other images into your translation.</p>
<p>147. Point 14.2 states that tenderers have to be able to use output from the European Commission's machine translation tools. What format will this output be in, and what do suppliers have to do with it? Should we assume that suppliers will have to do MT post-editing too?</p> <p>MT output is in .tmx format. Please note that MT is provided as a help only and will always need human intervention. According to point 3.1 of the Specifications, the suppliers have to deliver an assignment that can be used as it stands upon delivery. It is up to the contractor to organise work so as to obtain a result that meets our quality requirements.</p>
<p>146. Do the certificate of incorporation and the bank certificate have to be new?</p> <p>As stated in Annex 6 point VI, "Documents must have been issued no more than a year before the date of the contracting authority's request and must still be valid at that date."</p>
<p>145. In Annex 3, in the table "Financial and economic overview" what should be written next to "Total balance sheet" and "profit and loss"? The space to enter something is there but it's not clear what is expected there.</p> <p>Next to "Total balance sheet" please indicate the total assets/liabilities. For the "Profit and loss" concept, please indicate the profit or loss for the year next to "Net results" on the bottom line.</p>
<p>144. Are translators working as in-house staff for an agency considered as subcontractors? What evidence do you need from them?</p> <p>No, in-house staff employed by the tenderer are not subcontractors. The tender must contain from them Annex 7.3 (declaration on honour on minimum experience) and a copy of the university degree.</p>
<p>143. I am a freelancer who according to the national legislation does not need to issue invoices. Is it absolutely necessary that I can issue e-invoices?</p> <p>Yes. Contractors need to issue invoices in order to get paid.</p>
<p>142. Are there any trends observed as regards the most frequent domains of translation requests?</p>

<p>This depends on the political priorities of the Commission and the developments in the world.</p>
<p>141. Do you need to know who has done each of the jobs? How? Signed and scanned IPR?</p> <p>Indeed, IPR forms, necessary to transfer properly the IPRs to the Commission, state the names of the creators of the translations. See also Q&A 114.</p>
<p>140. How often will we get urgent requests?</p> <p>We cannot possibly foresee this. Since there will be a one to one communication with the Language Departments, contractors will be able to better prepare for urgent requests. The most urgent ones are usually translated in-house.</p>
<p>139. Do we have to include any urgency fees into our price?</p> <p>No. When establishing your price, you must consider all possible costs that may occur during the execution of the contract. See also Q&A 29.</p>
<p>138. Will translation memories and glossaries be provided during the execution of the contract?</p> <p>Yes. The range and type of supporting documents is dependent on the language department and will be presented in detail during the kick-off meetings with the first and second contractor.</p>
<p>137. Is the number of translators in the linguistic team a selective criterion, i.e. does it make a difference if someone provides 10 or 20 names?</p> <p>The Specifications do not set the number of names as selection criteria. However, the size of the team has to be sufficient and consistent with the required capacity. See also Q&A 25.</p>
<p>136. Is an attorney acceptable as the legal representative of the company?</p> <p>Yes, as long as this attorney has been legally appointed. Please see Annex 1, point 1.3.</p>
<p>135. I have translated a rather large number of EU pages with a few agencies and when they asked me to participate in EU tenders they told me that they can't use their own past reference letters as a proof. This is understandable because, in principle, anyone can declare whatever he/she wants but with this I can't prove either that I have translated a large part of the pages I have actually translated. So, I am wondering if even past reference letters from the applying agency are unacceptable as a proof of the number of translated pages.</p> <p>There seems to be a misunderstanding: Declarations of experience by an agency for a third person (for example, a subcontractor or employee) are acceptable proof. It is self-declarations that are not acceptable (for example, a translator's declaration about her/his own experience).</p>
<p>134. I would like to ask you about the number of pages needed for freelancers: if I participate with a translation agency with which I have already worked on EU projects, can the past reference letters reporting the number of pages from that very same translation agency be used to prove my experience with EU translation projects?</p> <p>Yes. Reference letters are acceptable proof.</p>
<p>133. I am contacting you regarding the TRAD19 information meeting (held on 21 May) recording available on YouTube: https://www.youtube.com/watch?v=A4LPWtLy65I&feature=youtu.be), the video seems to be loaded only partially, originally the video was about 2-hour long whereas now it's about 45 minutes. Is there perhaps any problem with the platform, or is that entire recording available elsewhere?</p> <p>Only the presentations are available on YouTube. The Q&A raised in that info session have been answered in these pages.</p>
<p>132. Can the Quality coordinator also be included as translator in our team (among other translators)? Of course, another translator will take the translation test.</p> <p>Yes.</p>
<p>131. Is it obligatory to have also reviewers in our team?</p> <p>No. It is up to the tenderer to design the quality control procedures as s/he thinks best in order to fulfil the requirements.</p>
<p>130. Can you confirm that the Quality coordinator does not have to participate in all projects as translator, reviser, reviewer or quality checker? We think that is not feasible if the volume is high. Please confirm that "the contractor's Quality coordinator will have overall responsibility for ensuring that all delivered assignments correspond to the quality requirements" does not mean that they have to translate, revise, review or</p>

<p>quality control every assignment and that this implies a supervising role.</p> <p>While the Quality coordinator is ultimately responsible for quality of all assignments, s/he does not have to translate or revise every single assignment. However, s/he should have a general overview of all assignments and ensure that both in-house staff and subcontractors are informed about the latest instructions and comments of the contracting authority concerning quality. It is up to the tenderer to design the quality control procedures as s/he thinks best in order to fulfil the requirements.</p>
<p>129. Would you require the signed hard copy of the letter of intent and declaration on honour from subcontractors at some point or will the scanned copies of the handwritten signed documents be enough?</p> <p>Original evidence may be requested at any time. Please see point 13.2 of the Specifications.</p>
<p>128. Will the role of the Quality coordinator be only the primary contact for linguistic questions? We are asking this, since we have Project Managers who are dealing with the rest of the process.</p> <p>According to point 14.3.2 of the Specifications, the Quality coordinator is DGT's contact point for all quality matters and must be a reviser. Please see also Q&A 67 and 130.</p>
<p>127. Will the tests be performed fully online or are we going to download the material, translate/revise/write and upload it back to the system?</p> <p>All details about the tests will be disclosed sufficiently in advance.</p>
<p>126. Annex 5b: Should we submit documented evidence that our subcontractors are aware of the provisions of the Tender specifications and the framework contract, e.g. a declaration signed by each subcontractor?</p> <p>No, that is covered by the letter of intent (Annex 5a), where the subcontractor declares to be aware of all conditions of the Tender specifications and the framework contract.</p>
<p>125. Annex 3: "...one or both of the following documents.." Are we correct to assume that we are to fill in the information requested under point 6.1 and/or 6.2 of Annex 3, AND submit either our financial statements or a statement of overall turnover?</p> <p>No: either filling in one or both annexes OR submitting your own document/s as long as the information requested on the Annex is visible.</p>
<p>124. Is it enough to include one sample of prospective (draft) contract for all translators, one for all reviewers and one for QC?</p> <p>No. The Specifications require one (draft) contract per subcontractor. See also Q&A 106 and 102.</p>
<p>123. Is it possible to participate in a joint tender as a natural person and/or as a company?</p> <p>Yes.</p>
<p>122. We have to register online in order to be able to submit the tender. Is there a deadline for electronic tender registration?</p> <p>The deadline for electronic tender registration is the same as the deadline for submitting the tender (August 30). Please read the invitation to tender for further details.</p>
<p>121. I might be interested in participating in the translation tender for EN into FI with a group of colleagues. I have a question regarding translation experience requirements. I am a full-time freelance translator and interpreter. I have translated EU legal texts from other languages than English and other texts from English into Finnish, but the majority of these has not been EU-related. However, I have been an accredited freelance interpreter for the European Institutions since 2005. Would this experience qualify for TRAD19?</p> <p>We cannot prejudge your case now. If you think you fulfil the requirements, prepare your tender to the best of your ability and the evaluation committee will examine globally all the elements submitted in the tender during the selection stage.</p>
<p>120. Can one subcontractor have more than one role selected in Annex 7.3.?</p> <p>Yes, but, again, s/he can only sit one test.</p>
<p>119. Are we allowed to list one subcontractor in Annex 7.3 as for example, a reviewer, and then have that person take the translation test, i.e. can the same subcontractor be listed in Annex 8.1. for the translation test?</p> <p>Yes.</p>
<p>118. About Annex 3: under point 6.2, the statement of turnover is requested for natural</p>

<p>persons. Must these data be proven by some form of documentation at present?</p> <p>It is not necessary to submit evidence of the economic and financial standing with the tender, but evidence must be submitted anytime upon request.</p>
<p>117. In the Tender specifications, no minimum amount of turnover is specified. As we would submit a joint tender in which part of the group would be members of the joint tender and part would be subcontractors, I would like to know if the amount for turnover (which only members of the joint tender would submit) is taken into account for evaluation of capacity. Because if it is, it would be in our best interest to have people join as member of the joint tender instead of as a subcontractor. If it isn't taken into account, it doesn't matter if they are joint tenderer or subcontractor as far as capacity is concerned?</p> <p>Indeed the Specifications do not request a minimum financial capacity. If the evaluation committee needs further clarifications it will get back to the tenderer.</p>
<p>116. Do we have to identify all our subcontractors in our offer?</p> <p>Yes: this is required by Annex 5b.</p>
<p>115. Do we need to have TRAD19 specific contracts with our subcontractors?</p> <p>No, a general contract is enough, as the letter of intent is TRAD19 specific and has to be signed by each subcontractor.</p>
<p>114. How do you intend to ensure traceability of who has done the translation?</p> <p>Twice a year we make an analysis crosschecking our data and we ask for additional information if necessary. If this is insufficient, we organise visits to the contractor's premises and request evidence of compliance with the requirements. Also, the IPR forms signed by the creator of the translation are one of the means to check who has done what. In TRAD19 the monthly assessment system is a way to deter from bad practices like using unqualified linguists.</p>
<p>113. The time slot of hours under OMNIBUS-15 for analysing the job on offer and deciding whether to accept or reject it is too short. Will it become any longer with the new contract?</p> <p>Under TRAD19 the acceptance deadline will be 3 hours. Given the possibility of direct communication between Language Department and contractor, big packages and short deadlines may be announced in advance so that the contractor can prepare for them.</p>
<p>112. Can the contractor use machine translation?</p> <p>Yes, as long as confidentiality requirements as spelt out under point 5.1 of the Specifications are respected and the final result fulfils the quality requirements.</p>
<p>111. What translation management system do you use? Plunnet?</p> <p>DGT has its own TM system, accessible for contractors via the eXtra Portal.</p>
<p>110. What is the highest daily workload we can expect? Around 8 pages a day?</p> <p>Unfortunately, we cannot give any indication. See previous question.</p>
<p>109. Is there a daily capacity requirement on top of the annual one?</p> <p>No; due to the high fluctuation and unpredictability, the Specifications do not require any minimum daily capacity.</p>
<p>108. Do contractors from non-EURO countries need to have an account in EUR?</p> <p>Yes. Invoicing and payment are in EUR. See also article I.7 of the draft FWC.</p>
<p>107. When checking hard evidence behind the declaration on honour, what do you accept as proof of QA experience? Is revision work enough, or do you need proof of any specific QA activities?</p> <p>Experience as a reviser is acceptable.</p>
<p>106. Freelancers are considered subcontractors. What papers need to be included in the tender for them?</p> <p>Subcontractors need to sign the letter of intent (Annex 5a), the declaration on honour on exclusion criteria (Annex 6) and the declaration on honour on minimum experience (Annex 7.3). All subcontractors need to be listed in Annex 5b. Tenders must include their university degree and a contract (or prospective contract) with the tenderer.</p>
<p>105. According to the Specifications, the tenderer who is ranked first is expected to accept all jobs. Currently, there are cases when the page count is not very favourable for the contractor because there might be several hundreds of pages in the document, however, a significantly lower number of pages is paid for. The TM is indeed given, but the translators cannot fully rely on it and it is the responsibility of the contractor to</p>

provide a translation of high quality, which means extra workload for the contractor's resources. How will such examples be addressed now when the winning contractor is supposed to find resources to handle all the jobs?

We are fully aware of such cases. That's why our page counting approach takes such cases into account by for example paying 20% for segments with 100% matches. This is quite in line with the industry rules. In addition, the future partner will also get requests which require less efforts so that at the end all these cases will even out. Not to forget that you might adjust your price offer which should cover all aspects needed to deliver the requested service.

104. Regarding point 14.3.1 we would like to know if it would be possible for an agency to present a good translator profile with more than 15 years of full-time translation experience even though he/she doesn't have an university degree.

According to the Specifications, the person would still need to submit an equivalent qualification, for example a diploma issued from a tertiary education establishment.

103. Regarding subcontracting, if our subcontractor is a company (legal entity) and the translators/revisers/Quality coordinators of our tender are our subcontractor's resources, either freelancers or in-house employees:

- in such a case, the company is considered as our subcontractor and not our subcontractor's resources, is our understanding correct?

Yes.

- Could you please also clarify which documents must be signed by the legal representative of our subcontractor and which by our subcontractor's resources included in our team?

a) Annex 5a, Annex 6 and the subcontracting contract have to be signed by the legal representative of our subcontractor and not by the subcontractor's resources, is it correct?

Yes.

b) Annex 5b: do we include only the company's name or also its resources' names?

Only the subcontractor's name, i.e. the company's.

c) Do the professional capacity criteria (mainly the experience) apply to each subcontractor's linguist included in our team or to the subcontractor as an entity? Do we have to show the names of each subcontractor's linguists and provide a copy of their degree?

The minimum criteria apply to every translator, reviser, reviewer and Quality coordinator who are to translate, revise or review assignments from DGT, including the submission of copies of their degrees with the tender.

d) Who signs Annex 7.3 in this case? The subcontractor's legal representative or each one of their resources included in our tender?

Annex 7.3 needs to be signed by each of the linguists who will carry out the work. In your case, tick the box "other: specify": employee of/freelancer for subcontractor XXX.

e) on-line translation and revision tests: Do we have to provide the names of the subcontractor's linguists who will carry out the tests or is it sufficient to declare that the company-subcontractor will carry out the test?

Annex 8 requires the names of the individuals who will take the tests.

102. "Tenders involving subcontracting must include the tenderer's existing or prospective contracts with the subcontractors." Does a prospective contract mean a draft contract (not signed) which will be signed between the two parties when and if the framework contract is assigned to the tenderer?

Yes.

101. Is the subcontractor of a tenderer allowed to submit a tender on its own acting as a tenderer?

Yes. See also Q&A 50.

100. Does the experience in quality assurance required by point 14.3.2 for the Quality coordinator include revision and review experience?

Yes.

99. Who must sign Annex 7.1 about minimum capacity?

The tenderer.

98. Does the tenderer have to sign one Annex 7.1 about minimum capacity for all lots

<p>tendered for or one Annex 7.1 per lot? Please sign one Annex 7.1 per lot, indicating which one.</p>
<p>97. Could you please clarify if, apart from Annex 6, the tenderer has to include the relevant evidence (e.g. extract of the judicial record, certificates about payment of taxes and social security contribution etc.) in the tender or provide them only upon request? It is not necessary to include evidence of the exclusion criteria in the tender, neither for the tenderer nor for the subcontractors. However, it must be submitted upon request anytime during the tendering stage. Please see Annex 6, point VI.</p>
<p>96. Do the marks given to the assignments go directly into the performance assessment? No, it is the marks given to the individual pages within the assignments that go into the performance assessment.</p>
<p>95. If we apply for several lots and win only some or one of them, what will happen? You will get a contract for that lot / those lots you won.</p>
<p>94. The minimum annual capacity stated in the prior information notice is different from that in the Tender specifications. Which one is valid? The one in the Tender specifications. The PIN is, as its name says, prior information to give you an indication.</p>
<p>93. When will you publish the results? The exact dates are not known yet. We intend to have the list of successful contractors early March in order to leave enough time for them to prepare for the contract.</p>
<p>92. If I am the first ranked and for some reason my whole team needs to be replaced, what will happen to the orders while I am setting up a new team? They will be offered to the second ranked for that period.</p>
<p>91. Do changes to the team have to be announced before they take place? Yes, as they need our approval.</p>
<p>90. Does it make any difference as regards communication whether we apply for just one lot or for several? No, in this respect there is no difference for us. The contractor will communicate with the relevant language department.</p>
<p>89. Does the company owner/legal representative have to be a translator? No.</p>
<p>88. What form can joint tenders take? We are aware that according to the national legislation not all possibilities would be feasible or recommendable. However, we cannot provide you with all the necessary information, that would be impossible for 28 MS, all the more as this legislation may change in the meantime. From our side, no particular legal form is required.</p>
<p>87. Will the abnormally low price depend on the language combination? How will it be calculated? As an average or standard deviation of the offered prices? Will there be a benchmark published? The Financial Regulation foresees that DGT can ask for additional information if it perceives an offer to be at risk of being abnormally low. The Evaluation Committee will look into such cases. The methodology will be fixed by the Evaluation Committee but neither averages nor standard deviations are considered appropriate measures.</p>
<p>86. In which field will the translation and revision test be? General? How can we prepare for it? The nature of the linguistic texts will be general and typical of EU publications. You may draw some inspiration from documents published on Europa and Eur-Lex.</p>
<p>85. If a contractor goes bankrupt, can DGT guarantee that the translators will ever get their money? In the current system, DGT has no direct legal commitment towards the subcontractors, thus it cannot give such guarantees.</p>
<p>84. What happens if a contractor goes through a merger or acquisition during the</p>

<p>contract period? DGT needs to be informed in order to amend the FWC. Contractual rights and obligations would be transferred to the legal successor.</p>
<p>83. What are the Commission's working hours? For the purposes of TRAD19 working hours are 8.30 to 17.00 (Brussels local time).</p>
<p>82. Is the performance assessment based on the evaluated pages? Yes. Please see point 3.3. of the Specifications.</p>
<p>81. Will there be an overlap between OMNI-15 and TRAD19? No, OMNIBUS-15 and both pilot FWCs (OMNI+17 and CASC17) expire on 30/6/2020; TRAD19 comes into force on 1/7/2020.</p>
<p>80. Can any /each of the members of a joint tender issue invoices? No, only the leader of the group may issue invoices.</p>
<p>79. What do we need to submit for a joint tender? Do you need to see an agreement between the members? Do we need any legal form? Each member of the joint tender must be listed in Annex 1 and must sign a power of attorney (Annex 4) authorising the leader to represent the group for the purpose of this contract. The appointed leader will be the Contracting Authority single contact point for administrative matters (invoices, etc.). No particular legal form is required.</p>
<p>78. This procedure contributes to the concentration of the markets as only the biggest companies stand chances to succeed in this tender. This is against Directive 2014/24/UE on public procurement, in particular recital 78. Directive 2014/24/UE recital 78 encourages contracting authorities to facilitate SME participation in public procurement procedures, in particular by dividing large contracts into lots. TRAD19 is perfectly in line with the Directive. As the Specifications explain, single operators and partnerships of any kind, with or without subcontracting, may tender in TRAD19. Given the volumes, individuals may not apply on their own, but they may do so through joint tenders or/and subcontracting, as long as they build up a team with the required capacity.</p>
<p>77. If a tenderer is considered not to meet the Tender specifications concerning selection criteria (such as minimum capacity or technical capacity), or if a tenderer does not pass the tests so as to meet the award criteria, will such tenderer be allowed to participate in similar calls for tenders in the future, or will such a disqualification be an impediment for the submission of tenders in similar proceedings with similar requirements? Each tender is examined without reference to previous tenders submitted.</p>
<p>76. Will all tenderers be summoned to sit the tests and be evaluated on the basis of award criteria, or will exclusion and selection criteria be applied beforehand so as to disqualify tenderers which do not meet the requirements from sitting the tests? All tenders which are accepted at the opening (submitted within the deadline, sealed tender) will be admitted to the tests. Only those tenderers which pass the tests will have their tenders examined for exclusion and selection criteria. The tests are expected to take place in October or November.</p>
<p>75. If there is a change of subcontractor during the contracting period, do we need to send a new Annex 7.3? Yes. Indeed, changing or enlarging the team of subcontractors needs to be communicated to the contracting authority and approved by it. See also Q&A 64.</p>
<p>74. Why is there no "below standard" mark any more? Four marks, plus the PASS and FAIL system, have been considered to meet our evaluation needs better.</p>
<p>73. Why will the TRAD19 framework contracts be ending in February rather than June, as has previously been the case? We want to avoid the subsequent contract starting in July again as the holiday period is not the best time to run a new project neither for us nor for our contractors.</p>
<p>72. What incentives/opportunities will there be for highly specialised freelancers? Highly specialised freelancers can form joint tenders with other highly specialised freelancers; they can work as subcontractors, e.g. as revisers/reviewers or Quality coordinators. Depending on their language combinations they can also work under negotiated procedure for us.</p>

<p>71. How do you expect back-ups to have this huge capacity “just in case”? When an assignment is published you will be able to assess if you have the capacity. In case of termination with the first provider, the second ranked will have about one month to build the teams. The third ranked on the list will be informed that it becomes second now.</p>
<p>70. Could you give examples of when the highest ranked contractor is allowed to refuse the assignment (e.g., no free capacity)? No free capacity is a good example. See also Q&A 34.</p>
<p>69. Do participation rules also apply to subcontractors? Participation rules on point 7 of the Specifications apply to tenderers only.</p>
<p>68. What skills would the perfect candidate have? What skills should we work on in order to have a higher likelihood of being hired for this job? Test takers need to be familiar with EU texts and deliver a high quality result on time. Tenderers must show they have the capacity to cope with high and fluctuating volumes of often very specialised texts.</p>
<p>67. Is one Project Manager (per company) and one Quality coordinator (linguistic lead, so to say) for each lot (target language) correct or acceptable? The Specifications do not mention project managers. It is up to the tenderer to organise itself in the best possible way. One Quality coordinator per lot is advisable. If the same Quality coordinator is appointed for more than one lot, please see Q&A 44.</p>
<p>66. Can we include the same person to have the role of translator and reviser in our team? Yes. Please note that that this person may take one test only.</p>
<p>65. Does the Quality coordinator need to be a native speaker of the target language of the specific lot? This is not required by the Specifications.</p>
<p>64. Are electronic signatures acceptable on declarations? In TRAD19 electronic signatures are not acceptable.</p>
<p>63. Do we need to submit any evidence of professional capacity apart from the university degree for the Quality coordinator or do the same rules apply as for the translators and revisers? The same rules apply to all members of the linguistic team: only the university degree must be submitted with the tender. Other evidence of professional capacity must be submitted upon request.</p>
<p>62. Will each translator/reviser in the team have to take the test? No: only one translator and one reviser (which will be in principle the Quality coordinator for that lot) will be tested per lot.</p>
<p>61. How can the tenderer deliver revised translation in the test if it is only done by one person? The translation test is supposed to test the translation ability. For this test, the translator should perform a self-revision in order to deliver as final a product as possible. As in a real situation, s/he may, of course, consult others but the Specifications say that the translator has to do the translation alone (see point 15).</p>
<p>60. Bearing in mind that the FWCs are not to start until 1 July 2020, will the price quoted in 2019 have to be fixed for the whole duration of the contract, i.e. until 2024, or will inflationary increments be allowed with time? Prices quoted in 2019 are valid for the whole duration of the contract. However, article I.5.2 foresees the implementation of a price revision index according to the formula set in article II.20 of the FWC, which states: “Prices are fixed and not subject to revision during the first year of the FWC. At the beginning of the second and every following year of the FWC, each price may be revised upwards or downwards at the request of one of the parties. (...)”.</p>
<p>59. Do you need the content sent on USB sticks to be all in one PDF file (merged PDFs) or multiple PDF files? We want to make it as easy for you to peruse our offer so we would like to know what are your preferences. We prefer one single pdf, but this is not a requirement.</p>
<p>58. Do we need to send any originally signed documents for the translators (Annexes 5a, 6, 7.3) or will scanned signed documents be enough?</p>

<p>The cover of the TRAD19 Annexes clearly says that annexes are to be printed, signed and scanned. See also Q&A 48 and 3.</p>
<p>57. If a tenderer has been in business in its current capacity as a legal entity for less than a year, is such a tenderer automatically disqualified from this call for tenders due to such tenderer's inability to provide financial statements for the previous financial years?</p> <p>There will be no automatic disqualification on that ground. Indeed the Tender specifications do not require a minimum age for a company to be eligible. Please note that point 19.3 of Annex I to the FR provides that <i>"If, for any valid reason, the economic operator is unable to provide the references requested by the contracting authority, it may prove its economic and financial capacity by any other document which the contracting authority considers appropriate."</i> For example, bank statements.</p>
<p>56. Is it possible that for certain lots only a single successful tenderer will be awarded the contract, even if there are more successful tenderers? If yes, could we receive a confirmation that this will (or will not) be the case in the language pair we are interested in, namely EN-LT?</p> <p>There might be one single awarded contractor for a certain lot if there is only one successful bidder for that lot. Any language combination list may have up to 5 successful bidders. Please see also Q&A 12.</p>
<p>55. How can I apply to become a freelancer for low-value contracts?</p> <p>Please send your CV and qualifications to DGT-FL-FREE-CANDIDATE@ec.europa.eu, indicating in which language combinations you wish to translate. Please note that translation volumes in these language combinations are rather low. We remind you that "negotiated procedures", "low value contracts" and "free tenders" are synonymous. See also Q&A 49.</p>
<p>54. Is participation in the info sessions a precondition to tendering?</p> <p>Not at all. The info sessions serve as a possibility to raise questions and clarify uncertainties.</p>
<p>53. Would it be possible to disclose the list of participants (both those watching remotely and those present live at the sessions) so that individuals can team up?</p> <p>No, because of the data protection rules. However, during the live streaming, one of the participants suggested to create a group on LinkedIn, please have a look there whether it materialised in the end.</p>
<p>52. Are all external service providers considered as subcontractors?</p> <p>Yes.</p>
<p>51. Is there a template for contracts with subcontractors? Which requirements should such contracts fulfil?</p> <p>There is no template. Contracts have to be legal and fair.</p>
<p>50. Is there any possibility for translators/proof-readers/quality controllers to participate on this tender with more than one agency or joint offer?</p> <p>Team members may belong to different teams of different tenderers, either in the tender papers or during the execution of the contract, BUT PLEASE NOTE THAT ONE PERSON CAN ONLY SIT ONE TEST FOR ONE TENDERER. As all tenderers will be invited to sit the tests, tenderers should check with the 3 persons they intend to appoint as test takers that they have not agreed to sit the tests for other tenderers. Please see point 15 of the Tender specifications.</p>
<p>49. I collaborate with you through the negotiated procedure. I wonder if my contract would be valid after TRAD19 enters into force.</p> <p>Negotiated procedures are not the subject of the open call for tenders TRAD19 and, therefore, will not be affected by it.</p>
<p>48. According to the invitation to tender, tenderers must submit "...a paper print out of the electronic registration form and the financial offer with the signatures in original.." Further, according to the Specifications par.9 page 12, "...Tenderers must also include a paper printout of the tender registration form and the technical and financial offer with</p>

<p>original signatures". Could you please clarify?</p> <p>You only need to submit on paper with signatures in original the electronic tender registration form and the financial offer.</p>
<p>47. Will all live information sessions be recorded? Will this recording be available to interested bidders?</p> <p>Only the first info session in Brussels is recorded.</p>
<p>46. Are the organized information events language-specific?</p> <p>The information sessions are not language specific. However, in some cities, there might be contributions from the relevant Language Department. For details, please check the overview on Europa where the programmes and means of registration are listed.</p>
<p>45. Does Annex 7.3 have to be signed by every team member, including the project managers? Do we need to list the Project Managers?</p> <p>No. Annex 7.3 does not mention project managers.</p>
<p>44. If we participate for three lots, how can the Quality coordinator take the revision test for three target languages?</p> <p>Please see point 15, last paragraph on page 20 of the Specifications.</p>
<p>43. Do we need to include CVs of the translators/revisers in the tender?</p> <p>The Specifications do not request the inclusion of CVs in the tender.</p>
<p>42. Will all lots be tested in parallel, knowing that we might have linguists covering several source languages?</p> <p>Point 15 of the Specifications clearly says that all tests will be taken simultaneously on line. If you apply for more than one lot you will need to appoint different people for the TRA and the REV tests for every lot.</p>
<p>41. For the Case Study, do we need to assign a project manager rather than a linguist?</p> <p>It is up to the tenderer to appoint their most able collaborators for every test.</p>
<p>40. Is the use of CAT tools absolutely necessary?</p> <p>Yes. Please see point 14.2 of the Specifications.</p>
<p>39. Given the "winner takes all" structure, what opportunities will freelance translators have to participate (other than through intermediaries)?</p> <p>Please see previous question.</p>
<p>38. Agencies will win the first position since they will be able to outsource a higher capacity, so there is no point in freelancers applying directly.</p> <p>It is possible to award a joint tender, as long as they comply with all requirements, including the capacity.</p>
<p>37. In case we would like to submit an offer for five lots, will our company only have to do one case study?</p> <p>Yes. Please see point 15 of the Specifications.</p>
<p>36. If you want to apply as an individual translator, do you need to have a registered company?</p> <p>No.</p>
<p>35. What are the procedures for when a supplier does not meet the stated quality performance?</p> <p>See points 3.2 and 3.3 of the Specifications.</p>
<p>34. Will the selected company be obliged to accept all jobs and will refusals be penalised?</p> <p>Refusals are allowed without penalty. However, too many refusals might lead to termination. See point 1 of the Specifications.</p>
<p>33. So, you are looking for one agency per lot that will be able to deliver the entire</p>

<p>workload; isn't it a bit too much to expect?</p> <p>This approach is not new and has been used in other EU institutions.</p>
<p>32. It is a shame, the EU tender approach is killing the market. Freelancers will help agencies secure contracts and then they will be replaced by cheaper ones.</p> <p>Although this scenario cannot be excluded, we are confident that the risk for the contractor to be imposed penalties and eventually lose the contract might have the reverse effect. Please see also Q&A 24.</p>
<p>31. Have you evaluated why no partners were found last time?</p> <p>In CASC17 few tenderers passed the tests.</p>
<p>30. As the length of tests is limited, how will you differentiate between the tenderers?</p> <p>Due to time and logistic constraints, we cannot organise longer tests, but we are confident that the combined results of the three tests will be differentiating enough.</p>
<p>29. Will there be any compensation to the selected vendors for poor quality of the source documents?</p> <p>No. Indeed, most drafters in the Commission are non-native speakers. We can only recommend that you consider this added difficulty when calculating your price.</p>
<p>28. I would assume existing highly professional agencies could not afford to suddenly shift their entire business and lose all clients in favour of DGT.</p> <p>This is a business decision that only tenderers can make.</p>
<p>27. I think that signing up with five suppliers per language combination is too few; you risk ending up with only non-serious companies.</p> <p>Our experience with CASC17, with lists of 1 or 2 contractors, is so far very satisfactory.</p>
<p>26. How much time will the first-ranked contractor have to prepare (in weeks or in months) before 1 July 2020 when the TRAD19 contracts start?</p> <p>In principle, the communication of results will be announced 3 to 4 months before the entry into force of the new FWCs.</p>
<p>25. How should we calculate the minimum number of translators/revisers/reviewers we need to include in our proposals?</p> <p>It is up to the tenderer to put up a team with sufficient capacity taking into consideration the possible fluctuation of the estimated demand.</p>
<p>24. What prevents an agency from promising a freelance a normal rate to do the procurement and then not being able to pay them and not deliver on the contract?</p> <p>The monthly assessment system and the penalties foreseen (see point 3.3 of the Specifications) are meant to encourage tenderers to put a realistic tender together and to deter from bad practices as the one described.</p>
<p>23. Where will you announce who the winning agencies are for every language combination?</p> <p>As usual, results will be sent individually to all tenderers at the same time and the list of awarded contractors will be posted on the relevant pages of Europa: https://ec.europa.eu/info/funding-tenders/tenders/tender-opportunities-department/translation-tenders-and-contracts_en</p>
<p>22. Professional experience requirements mention a certain number of pages "in fields relevant to this tender", can you please elaborate on the accepted fields?</p> <p>The experience should have been acquired in matters related to the EU in a broad sense.</p>
<p>21. Will the revision tests contain an original and a translation or only the translation?</p> <p>The revision test will contain the original and the translation.</p>
<p>20. Will assignments still be outsourced via eXtra portal but only be visible to the 1st</p>

contractor, or will they be visible to all five contractors?

The assignments will be published via eXtra portal to the first contractor only. If the first contractor should refuse the assignment, it would then be published to the second contractor, and so on.

19. What is the reason for organizing individual information sessions for this call for tenders in so many European cities?

The reason is equal treatment. We would like to give all potential tenderers the chance to ask direct questions.

18. Is this deal 'Brexit proof', or is it open only to those offering services from EU member states?

According to point 7 of the Specifications, as long as UK is a member state, UK citizens and legal persons registered in the UK can be offered contracts.

If the UK is no longer a member state at the time of the signature of the contracts, UK-based tenderers can be offered contracts only if there is a special agreement allowing the Commission to sign contracts with them, for example if there is a withdrawal agreement which stipulates it.

17. Could you indicate the most recent prices paid by the European Commission for its current contracts, by lot?

Current prices are available at https://ec.europa.eu/info/funding-tenders/tenders/tender-opportunities-department/translation-tenders-and-contracts_en

We remind you that, according to point 15.3 of the Specifications "If the price seems abnormally low, DGT will request clarifications in accordance with section 23 in Annex I to the Financial Regulation."

16. I have just registered myself for the session in Milan for June, 3rd. Can I forward this information to a translation agency based in Switzerland? Or is it excluded as it is not in the European Union?

Please see Q&A 15.

15. Are US companies based in the US only allowed to participate in this bid?

Please see point 7 of the Specifications and its footnote 3.

14. How is an online test organized for translation agencies using different translators?

Please see point 15 of the Specifications. It says that "tenderers must designate one individual for each of the three tests" and that "dates and other practical arrangements will be communicated later".

13. Can I apply as an individual translator resident in Brazil for the English-Portuguese pair?

Please see point 7 of the Specifications about eligibility. See also Q&A 12.

12. Could you confirm that I will not be able to apply as an individual but would have to join up with other translators (joint offer) or work as a subcontractor for a translation agency?

We confirm. Please see also question 10.

11. For lot 15, EN =>FR, would the number of framework contracts be a maximum of five?

Point 1.2 of the Specifications clearly says that "A maximum of 5 FWCs will be signed per lot".

10. Would it be possible to apply for this upcoming tender just as an individual, or only with joint tenders?

Due to the simultaneity of the tests, individuals on their own cannot tender. But several individuals can submit a joint tender as long as they have the minimum capacity required in point 14.1. See also point 12.1 of the Specifications.

9. Will the quality mark depend only on the online testing (1 translation, 1 revision and 1 case study), or the applicant's background and experience will also be taken into account?

Point 15 of the Specifications sets the quality award criteria, i.e., the criteria for which marks will be given. The background and experience of tenderers are not among them.

8. The prior notice says that "The procedure sets a cascade system and includes online testing (1 translation, 1 revision and 1 case study)". Should an agency select certain in-house translators to do the tests? What if there aren't any in-house translators?

As explained in point 12.2 of the Specifications, tenderers may use subcontractors.

7. Could you please include me in the mailing list for receiving notifications about the tender?

We do not send tender notifications. In order to be informed about new procedures, you may register for free to TED (Tenders Electronic Daily) at <https://ted.europa.eu>

6. Please confirm the language in which the case studies will have to be completed.

The case studies will have to be completed in the target language or EN.

5. Could you provide us with an example of a case study?

You can find some examples under the link "Examples of previous case studies". Please note that these cases were used in CASC17 and are given here as an example only. Case studies will present a complex but realistic situation that may occur during the execution of the Commission contract. Tenderers are expected to describe any concrete procedures, tools and/or resources they would use or set up in order to satisfy the client in that particular situation.

4. Is there a limit to the proportion of work that can be subcontracted?

No.

3. Is it possible to provide an unprotected version of the annexes which we can separate and provide to our individual translators for completion?

You may print the relevant annexes and distribute individual copies for them to sign. Then scan them and attach them to your tender.

2. Will there be any information event about these new calls for tender?

The Directorate General for Translation organises the following events about the new call for tenders TRAD19. Any interested party may attend after registration.

- 21 May 2019, [Brussels](#)
- 23 May 2019, [Madrid](#)
- 24 May 2019, [Lisbon](#)
- 28 May 2019, [Luxembourg](#)
- 28 May 2019, [Zagreb](#)
- 29 May 2019, [Ljubljana](#)

- 3 June 2019, [Milan](#)
- 4 June 2019, [Prague](#)
- 4 June 2019, [Riga](#)
- 5 June 2019, [Helsinki](#)
- 5 June 2019, [Stockholm](#)
- 5 June 2019, [Vienna](#)
- 6 June 2019, [Bratislava](#)
- 6 June 2019, [Vilnius](#)
- 7 June 2019, [Budapest](#)
- 7 June 2019, [Copenhagen](#)
- 7 June 2019, [Tallinn](#)
- 11 June 2019, [Berlin](#)
- 11 June 2019, [London](#)
- 11 June 2019, [Paris](#)
- 12 June 2019, [Athens](#)
- 12 June 2019, [Dublin](#)
- 12 June 2019, [Warsaw](#)
- 13 June 2019, [Sofia](#)
- 14 June 2019, [Bucharest](#)
- 19 June 2019, [The Hague](#)
- 28 June 2019, [Valletta](#)
- 28 June 2019, [Nicosia](#)

Please follow this link <https://ec.europa.eu/info/tender/trad19> and regularly check the info sessions overview for additional information on exact timing, venue and registration.

The main issues raised during the info events will be published in these Q&A.

1. May we draft the tender in any EU language?

Yes. For the purpose of facilitating the evaluation process tenders in English are welcome.