

EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG
Analysis, Evaluation, External Relations
Impact Assessment, Evaluation

Brussels,
EMPL A3/ASB/AG/ia (2012)

Q & A

Subject: Open call for tender VT/2012/024 - Provision of services related to evaluation, evaluative studies, analysis and research work, including support for impact assessment activities

Question 1:

In connection with the tender is subject and related specifications, I'd be grateful if you could clarify the following points:

- a) In the tables provided as a template required to present the technical capacity, i.e. the list of relevant assignments, a link to publication is required. As some final reports/ outputs are not published on relevant clients'/ contracting authorities' websites, could you please clarify if these assignments can be presented as a proof of technical capacity?
- b) On page 19 (point 11.3.2. Technical capacities) it is indicated that "As evidence for SC.6 and SC.7 the bidders will submit a list of national experts specifying the languages and assignments carried out with the bidder". Does it mean that the national experts have to be those that have already worked for the bidder and present only those assignment is relevant table? If not, can we list there the assignments that are relevant for this contract/ lot instead?

Answer 1:

The Commission considers the quality of bidders and their experts as crucial for the successful implementation of the Framework Contract. The information referred to in the above questions is required by the Commission with the aim of ensuring that the relevant selection criteria are fulfilled. To this end the bidder should provide information which is verifiable for the evaluation committee.

- a) In case the relevant report was not published electronically the bidder should provide the contact details of a person in the organisation that commissioned the assignment who will be able to confirm the information provided by the bidder.
- b) The aim of the table asked as a proof of fulfilling SC.6 and SC.7 is to show that the bidder has a true access to expertise that covers the whole EU. The best way to demonstrate this is to provide a reference to previous work done with the national experts proposed. For bids submitted by consortia a national expert could have worked for any of the members of the consortium. If the national expert has not cooperated with the

bidder before, it is sufficient to provide a declaration by the expert that he/she commits to work for the bidder in case of the award of the contract. It is not asked to include all the work conducted by the national expert which could be relevant for the contract/lot.

Question 2:

Could you please clarify in which way the core team members, who need to have a good mix of expertise in the different areas covered by this tender, differentiate from the thematic experts? Will they have a different role? Could the same person be a thematic expert and a member of the core team?

A similar question applies to national experts: can some of these also have a role as thematic experts?

Answer 2:

The purpose of the core team is to ensure a stable relationship with the Commission in order to accumulate experience and understanding of the Commission needs. Therefore, in principle, the members of the core team should envisage to take a long standing commitment to be ready to work for the Commission whenever a request for services is launched. Their expertise should enable an establishment of good quality evaluation/study framework, mobilisation of the right human resources for the assignment and timely implementation of the work plan. As the evaluations and studies launched by DG EMPL concern both economic and legal aspects of labour market and social policies it is considered that to fulfil its role correctly it is indispensable that the core team includes economists and lawyers.

The thematic experts will be involved by the contractor on a case by case basis, depending on the subject of the request for services. They do not need to have experience in evaluation/impact assessment nor of working for the Commission. They should bring into the assignment the most up to date knowledge in the subject concerned.

For an individual service order a core team member may play a role of a thematic expert or a national expert if he/she fulfils the criteria for these categories of experts.

A thematic expert can be simultaneously a national expert if he/she fulfils the criteria for both categories of experts.

Question 3:

Is it possible to involve a member to the expert team from the United States in the tender VT/2012/024 of DG Employment?

Answer 3:

Yes, it is possible if he/she fulfils the requirements for the category of experts he/she is proposed for.

Question 4:

The schedule section A.2.1 calls for quotes of the cost of missions as cost of return travel for one member of contractor's staff from contractor's location to the field work place.

In the instance of the contractor being a consortium, its staff may be located in different parts of Europe, and travel costs may therefore vary considerably.

Are we to understand that the cost figures quoted under this heading will be considered as binding, regardless of the actual geographical situation of the members of staff involved in a specific assignment?

Answer 4:

The prices included by the bidders in the Price schedule are the maximum prices the selected contractors will be allowed to use when presenting financial offers for requests for services.

Question 5:

In the specifications it is clear what is needed as evidence of technical capacity for members of the core team (CVs) and national experts (list of projects with the bidder and/or letter of availability), but there is no mention of the thematic experts. Are the requirements the same as for national experts or are CVs needed in this case?

Answer 5:

There is no need to submit CV of thematic experts in the bid for the Framework Contract. It is not possible now to assess whether they have enough experience for the category proposed as the "professional field concerned" is not yet known. The thematic experts will be involved ad hoc in service orders on the basis of their specific knowledge/expertise in the subject of the request for services. (Please find further clarifying information concerning thematic experts under Answer 2 above.)

Question 6:

For Lot 1, there is a requirement to have carried out a 'National evaluation of ESF' in the last 5 years. Given the cyclical nature of a lot of ESF evaluation work (tied into ex-ante and interim programming cycles) and the fact that many Member States do not carry out ex-post evaluation of ESF since the Commission is responsible for coordinating ex-post while this is voluntary at MS level, is it acceptable to present an ex-ante evaluation of a national ESF programme 2007-13 published just over 5 years ago?

Also, the work we did in 2009/2010 on ESF migrants and minorities involved extensive country reports of 50-90 pages which provided very detailed national thematic evaluations. Again, does this count in meeting the criteria?

Answer 6:

According to the terms of reference the experience in evaluation requested comprises "ex-ante, mid-term, ongoing, ex-post evaluations and evaluative studies"; this also applies to the ESF evaluation at national level that bidders should have conducted. The validity of a specific assignment/evaluation will be assessed by the Evaluation Committee in light of the tender specifications; bidders should explain and justify any deviations from those specifications in their bid.

Question 7:

Lot 2 on p.20 of the tender specifications. The title is: "Comparative study of the social and economic impacts of the health and safety legislation on the health sector in EU27". The question is about 'comparative'. From only the title it is unclear what should be compared, EU Member States, health sector versus other types of industry or EU versus other countries?

Answer 7:

The assignment is understood as a request for services for a study assessing and comparing the social and economic impacts of the health and safety legislation on the health sector in the EU Member States. Bidders may suggest to consider additional or other comparative perspectives if deemed relevant and should explain and justify their proposal.

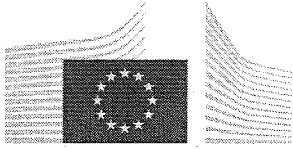
Question 8:

What type of European health and safety legislation is being referred to in the study title below: Lot 2, hypothetical assignment 2. Comparative study of the social and economic impacts of the health and safety legislation on the health sector in EU27. Does DG EMPL have specific legislation in mind since this is quite broad in scope e.g.

- General H&S legislation that affect all workers – e.g. OSH Framework Directive (Directive 89/391 EEC)
- General H&S legislation with major implications for healthcare professions e.g. Working Time Directive 2003/88/EC
- Sector-specific H&S legislation - Directive 2010/32/EU - prevention from sharp injuries in the hospital and healthcare sector

Answer 8:

DG EMPL does not have specific legislation in mind. It is expected that bidders build a well-grounded and plausible hypothetical assignment, justifying their choices of methods and approaches.



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Question 9:

Could you please confirm whether all the information for the first award criterion AC.1 needs to be presented in a maximum of 3 pages in total or in a maximum of 3 pages per sub-criterion (i.e. AC.1.1, AC.1.2, AC.1.3)?

Answer 9:

The text (without graphs or tables) describing how the first award criterion AC.1 (including all three subcriteria) will be fulfilled should not exceed 3 pages in total.

Question 10:

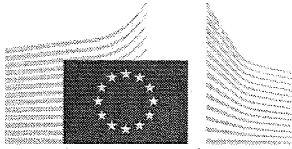
Please can you advise which administrative documents, if any, a subcontractor is required to submit with this proposal?

We understand that as tenderers we must indicate the following, as explained in section 9.2 of the Specification (pg12), *'maximum percentage of the service order they intend to subcontract and the identity of the partners they intend to work with, and clearly state the nature of their links to those partners. The subcontracting should not exceed 50% of the price of the service order and must not involve the tasks of the project leader.'*

However, when looking at section 10.1 of the Specification (pg 14-15) when referring to submitting the documents listed in points 11.2 and 11.3.1 it seems to relate to consortia only and does not mention subcontractors. Please can you confirm whether subcontractors are also expected to submit the administrative documents listed in points 11.2 and 11.3.1?

Answer 10:

The bid must contain an indication of the maximum percentage of work you intend to delegate to each subcontractor and for what kinds of tasks (for ex. translations, modelling, etc.). Altogether the subcontracting should never exceed 50% of the price of a service order. It is not necessary for subcontractors to submit the administrative documents listed in points 11.2 and 11.3.1. However, subcontractors are requested to provide a letter of commitment declaring their involvement in the framework contract.



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Question 11:

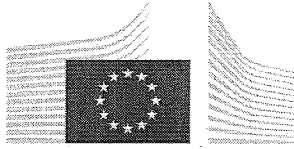
We have been contacted by several organisations leading bids for the above tender and have been asked to join them as core experts in a consortium. Could you please advise whether there any restrictions on the number of bids an organisation can be part of? I have not been able to identify anything precluding an organisation from joining more than one bid in the tender specifications?

Answer 11:

The specifications do not explicitly forbid the participation of an organisation as a partner in several bids for one lot.

However, should the two (or more) consortia in which you participate be selected as the contractors for the Framework Contract, the fact of having the same consortium partner might limit the competition between them when a request for services is launched. This would go against the spirit of the Multiple Framework Contracts, which foresees the reopening of competition among the selected contractors.

Therefore the participation of one company in several bids for one lot could put into question the fulfilment of the lack of conflict of interest criterion.



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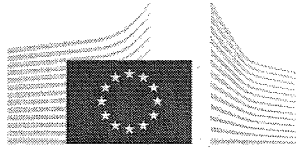
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Question 12:

Please can you confirm whether a subcontractor can only work exclusively with one Tenderer for this Framework Contract? For example, can we include a subcontractor on our team for Lot 1 if they are also included in a team for a different Tenderer for Lot 2? Does the subcontractor have to declare exclusivity to us?

Answer 12:

A subcontractor can be included in the team for both Lot 1 and Lot 2 of this Framework Contract irrespective of the consortium leader being the same or not. The specifications do not require exclusivity from subcontractors.



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Question 13:

- a) The tender specifications clearly state (p.19) that the CVs of the core team members should be presented. They however state that the CVs of national (MS) experts should not be presented. Previous answers on the website (answer 5) have also specified that CVs are not needed for thematic experts. Could you however clarify whether we should include the CVs of the "other experts" category (as defined on p.7 of the ToR)?
- b) Should letters of commitment/availability be provided for thematic experts who are external to the partner organisations?
- c) Are we right in assuming that thematic experts etc. who are external to the partner organisations are not considered to be subcontractors, as discussed in the framework of section 9.2?
- d) Can consortium partners lead an individual assignment? If so, do certain responsibilities stay with the lead partner, such as: submit the proposal, remain the formal contract partner for the Commission and perform the invoicing?
- e) Regarding the financial table on page 22 of the terms of reference: for missions, are we to assume one mission reflecting the average costs for EU27 + Croatia?

Answer 13:

- a) Under point 7 of the specifications the bidders are asked not to submit CVs of experts other than those required by the selection criteria. Under point 11.3.2 (selection criteria) the bidders are asked only to submit the CVs of the project manager and core team experts. The CVs of the "other experts" are not required.
- b)-c) The role of the thematic experts was clarified in answers 2 and 5. A letter of commitment is not required from thematic experts as they do not have to commit to provide continuous service under the framework contract. In this vein an individual thematic expert external to the partner organisations is not a subcontractor as referred to in section 9.2d)

d) The consortium partner can lead an assignment in the sense of nominating the project manager (a member of the core team) and the project team. However, all the contractual obligations (submitting the proposal, invoicing, problems resolving, ect) stay with the lead partner.

e) Regarding the financial table on p. 22 you should indeed assume one 1-day mission reflecting the average costs for EU27 + Croatia.