FREQUENTLY ASKED QUESTIONS

INVITATION TO TENDER NO. MOVE/B/2014-260

FOR A SERVICE PROVISION CONTRACT REGARDING A "STUDY TO EVALUATE THE EFFECTIVENESS OF EUROPEAN WORKS COUNCILS IN THE TRANSPORT SECTOR"

CONTRACT NOTICE: OJEU 2014/S 122-216319 OF 28/06/2014

Last update: 21 August 2014

Question 1:

1. Would it be possible for a European Industry Organisation to participate in the study in the context of a 'joint tender' with other organisations potentially interested in submitting an offer?

2. Could the Commission services facilitate the setting up of a consortium by putting into contact possible members of it?

Answer:

1. An application can be submitted by single applicant or a consortium of several partners. The call for proposals does neither indicate a minimum or maximum number of partners, nor specify conditions with regard to the type of organisation concerned.

2. The Commission services cannot intervene in the setting up of a consortium not even by putting into contact possible members of it.

Question 2:

1. For administrative reasons, a company with several years of experience has created in 2014 a subsidiary in another MS. Its main activity is related to the scope of the project. Taking into consideration that this new company was recently created, the following documents requested in the call for tenders are not available at this stage:
- The annual turnover of the last two financial years
- Copy of the profit and loss account for the last two years.

Could you please inform us of the information to provide is such case? Would financial information from the related company be relevant? Should the related company provide a statement of financial guarantee to its subsidiary?

**Answer:**

If financial statements of the last two accounting years are not available, an alternative to these documents could be a declaration from the related company providing evidence on the financial situation of the tenderer.

According to para. 2.3. in tender specifications "the tenderer may rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the Contracting Authority that it will have at its disposal the resources necessary for performance of the contract, for example by producing an undertaking on the part of those entities to place those resources at its disposal." Furthermore, as stated under para. 2.3.1 in tender specifications : "If, for some exceptional reason which the Contracting Authority considers justified, a tenderer is unable to provide one or other of the above documents, he or she may prove his or her economic and financial capacity by any other document which the Contracting Authority considers appropriate. In any case, the Contracting Authority must at least be notified of the exceptional reason and its justification in the tender. The Commission reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity". There is otherwise no requirement for a financial guarantee in the aforementioned invitation to tender.

**Question 3:**

1. The RFP lists 25 EWCs and 17 organizations – is it envisioned that each of these stakeholders are interviewed, or is this an indicative sample of desired organizations that can be substituted as required?

**Answer**

There is no obligation as such to interview all the organisations listed in the specification documents, however, the scope of the study should cover all existing EWCs, therefore tenders covering the largest number of existing EWC will be considered more favourably under para. 2.3 Award criteria. The list is not exhaustive, as they might be changes according to new developments in the market (mergers, bankruptcies, etc.), hence providing an exact list of existing EWC is one of the objective of the study.
2. Is there a requirement for the interviews to take place face-to-face or can they be done remotely as appropriate?

**Answer**

There are no specific requirements on the interviewing methodology.

3. The RFP states the contractor might have to cover the (logistical expense) cost up to 9 individuals attending the 2-day workshop; what are the policies around this (i.e. maximum ticket cost, type of hotel, etc.)?

**Answer**

Costs of participations to the workshop shall be reimbursed according to the Commission’s internal procedure.

4. Do all individuals have to be present during the face-to-face kick-off, update and final meetings in Brussels with the EC, or can a portion of the team/experts dial-in via video conference or other?

**Answer**

Not all members of the team must be present physically during the two additional meetings.

5. Would there be an interest by the European Commission to structure the project in such a way that it is shortened by a couple months without impacting overall scope and final deliverables?

**Answer**

The Commission does not intend to shorten the overall duration of the project.