FREQUENTLY ASKED QUESTIONS

INVITATION TO TENDER NO. MOVE/B2/2014-670

"FOR A SERVICE CONTRACT REGARDING TECHNICAL SUPPORT FOR THE DEPLOYMENT OF ERTMS ALONG THE CORE NETWORK CORRIDORS"


01/10/2014 – v1

***

Question 1:
Could you please specify the meaning of the following sentence?
“either by post or by courier not later than 06/10/2014, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip.

Answer:
The tender must be sent on the 06/10/2014 at the latest (attested by the post deposit slip), therefore it is not required to arrive at the address specified in the invitation to tender by that date.

Question 2:
Regarding the tender specifications, chapter 3.3.8 on “Payment schedule” includes a table which shows that no payments will be made until approximately one year after the kick-off meeting.
Could you please confirm that this is, indeed, the correct timing for the first period?

Answer:
Indeed, we confirm that the first payment will be approximately one year after the kick-off meeting.
Question 3:
The "Invitation to tender" states that tenders must be placed inside two sealed envelopes, one containing the technical tender and the other one the financial tender.
Could you please specify the documents to be included in each envelope?

**Answer:** This answer is obsolete. Please refer to answer to question n. 33.
Referring to section "1.5 content of the tender" of the tender specifications, the first envelope should contain part D: technical offer. The second envelope should contain part A-B-C-E-F.
The most important is that the confidentiality of the tender is fully kept and that it would contain all three parts – administrative, technical and financial – as required.

Question 4:
As required in the invitation to tenders an envelope for the financial offer must be included. According to the tender specifications, the financial offer is identified as: Part E: Financial offer.
However there is not a template for it. Could you please provide a template or define the level of breakdown to be included in the offer (a global price or tasks prices)?

**Answer:**
There is no template, please follow paragraph 2.6 of the Tender Specifications for the requirements on financial offer.
You may wish to indicate the breakdown of costs linked to the award criterion 2, e.g. to on the allocation of tasks per team members. But this is not compulsory to link the information required to be presented under award criterion 2 with costs.

Question 5:
We have understood that in order to prove the fulfilment of the criteria relating to tenderers, we must include a list of relevant services provided. However we are not sure if these references should be only of the past three years or on this time requirement is only applied for the references related to criteria 4 and 6.
Could you please clarify the timeframe of the references that will be accepted?

**Answer:**
As described in chapter 2.1.2 a., the time requirement of 3 years is for all criteria.
In terms of time, the project may have been taken longer time than three years, but it must have been **completed** in the last 3 years.
Question 6:
Regarding the organisation of meetings, could you please clarify the word “event” in the sentence:
“collectively the team should have knowledge of the preparation and organisation of high level international meetings with proven experience of at least 4 events in the last three years”.
Could you please confirm if “event” in the sentence is a synonym of “high level international meetings”?

Answer:
Indeed, we confirm that the word “event” in that sentence is a synonym of “high level international meetings”.

Question 7:
Could you please confirm that the ‘senior coordinator’ mentioned in Task 1 (first paragraph) is the same position of the ‘senior manager’ specified in page 7?

Answer:
Indeed, senior coordinator is the same position as senior manager.

Question 8:
Please could you provide an estimation of the number of meetings with stakeholders mentioned in Task 2?

Answer:
It will be for the contractor to build a stakeholder map and to identify the number of meetings necessary to facilitate the cooperation.

Question 9:
We believe there are some inconsistencies between information in page 12 (table at the top of the page) and the rest of the tender specification.
Could you please clarify the meaning of the following sentences in the table of page 12?
- “indicative number of contracts: 9”;
- “estimated duration of the contracts: seven years”.

Answer:
Under the call for tender No. MOVE/B2/2014-670, there will be one contract. The contract is a CEF program support action; therefore it should be closed at the end of the CEF program (i.e. by the end of 2020).

Question 10:
Regarding the tender specifications, in chapter 3.3.3, it is mentioned that the online information one-stop-shop should be easy to integrate/transfer to Europa/ERA/INEA website.
What architecture systems and platform currently supports the Europe/ERA/INEA website?
What Content Management System (CMS) is being use?

Answer:
These IT specific details will be discussed during the project phase.

**Question 11:**
We understand that the content of the online information one-stop-shop will be the "ERTMS knowledge base".
Is this correct or a more detailed website with access to this "ERTMS knowledge base" should be developed?
Should the access to this Knowledge Base be public or private?

**Answer:**
The online one-stop-shop will be the "ERTMS knowledge base" available to the public.

**Question 12:**
During the period of the contract, is there a need to provide hosting to the online one-stop-shop for information or it will be hosted on the current systems of Europe/ERA/INEA website?

**Answer:**
During the period of the contract, the contractor shall host the online one-stop-shop.

**Question 13:**
Would the provision of an advanced payment be considered, and if so, what percentage of the total sum?

**Answer:**
No, an advanced payment is not considered. Please see point 7 of the Invitation to Tender, as published.

**Question 14:**
Can you elaborate on the role of SMEs in this tender?

**Answer:**
All entities are encouraged to apply for the call for tender, either individually or by forming consortia. There is also possibility to engage subcontractors – please see points 1.3 and 1.4 of the Tender Specifications.

**Question 15:**
Do tenderers need to provide evidence of cross-national EU projects in 3 States simultaneously, or evidence of EU projects which, when combined, cover at least 3 Member States?

**Answer:**
Tenderers need to provide evidence of at least three (3) projects, which, when combined, cover nine (9) Member States. Each project should cover at least three (3) Member States.
Question 16:
Please kindly allow us to inquire about the possibility for a submission deadline extension.

Answer:
Please be advised that the deadline for submission is the 6th of October. The deadline is not to be extended.

Question 17:
On page 3 of the tender specifications, under section 1.3 ‘joint tenders’ it says that “all economic operators in a joint tender assume joint and several liability towards the Contracting Authority for the performance of the contract as a whole”.

To which extent does this liability go?
Is it only possible that the contractor is not paid, if performance is not considered adequate?
Or is there in addition a risk that liability damages need to be paid by the contractor?

Answer:
Please follow the draft contract, as published, in particular general conditions and articles II.1, II.3, II.11, II.12, II.14 and II.17 thereof.

In the case of a joint tender, all tenderers (contractors) have the responsibility as foreseen in those articles.

Question 18:
On page 7 of the tender specifications, section c. Evidence it says that “important services shall be accompanied by certificates of satisfactory execution, ...”. In case such a certificate is not available or not awarded by the contracting authority, can the certificate be replace by a statement issued by the contracting authority; stating that the project has been delivered and that the contractor performed to the satisfaction of the contracting authority?

Answer:
Yes. The requirement refers to the content, and not to the format of the document referred to in your question. The document must include the essential details of the performed contract as requested in Tender Specifications: the parties, the price, the subject, the duration, as well as the assessment by the other party of the contract on satisfactory execution of all tasks by the tenderer.

Question 19:
The tender specifications mention in Task 2 that meetings with stakeholders must take place in Brussels, Lille or ERA meetings rooms.

Does this mean that the European Commission provides the meeting facilities for these meetings and that the contractor therefore will not be responsible for organizing meeting facilitates and paying for travel cost of the stakeholders invited?
Likewise concerning the information one-day sessions to be held in the Member States (Task 3), will the European Commission provide meeting facilities for these meetings?

Answer:
Meetings room in Lille and Valenciennes are ERA’s meeting rooms. Meeting rooms in Bruxelles are DG MOVE or INEA’s meeting rooms.
Please note that the European Commission will not reimburse travel expenses for stakeholders, and will not organize meetings on behalf of the contractor.

It is up to the contractor to meet stakeholders in Bruxelles, Lille, in capitals and on site.

It is expected that the contractor organizes information one-day sessions to be held in the member States (Task 3) and finds arrangements for meeting facilities for these meetings.

**Question 20:**
Art. I.3.1 of the draft Service Contract stipulates that the contractor is paid by the Contracting Authority on the basis of a maximum total amount covering all tasks executed. The ITT and other accompanying documents do not explain how this maximum total amount must be understood: as a lump sum, a time and fee based contract, a combined model, etc. The payment schedule on page 25 of the ITT seems to indicate the contract is a lump sum contract. However, given the nature of the assignment and the assistance tasks mentioned in the scope of work that are only to be executed on request (e.g. support the project managers in giving advice when preparing a call for tender, etc.), a time and fee based model could be more suited for the project.

May we ask the Contracting Authority to clarify this? Is the Contractor allowed to propose a price which is a time and fee based with a maximum ceiling amount?

**Answer:**
It will be a lump sum contract. Please see paragraph 2.6 of the Tender Specifications, in particular the last sentence thereof: *The quoted price must be a fixed amount which includes all charges (including travel and subsistence). Travel and subsistence expenses are not refundable separately.*

**Question 21:**
In the description of task 5 under 3.3.5 of the ITT, it is mentioned that “the Contractor shall dedicate resources to ensure an efficient, synchronized, TSI-compliant and timely implementation. When deviation/delays vis-à-vis the deployment programme are identified they should be reported, and the Contractor should propose adequate measures to remedy the problem, and take contracts when/where appropriate and when approved”.

Please clarify what is meant by “ensuring” the implementation as to our understanding the Contractor only has a monitoring and consultancy role on the project and hence cannot “ensure” the implementation by the Member States.

Please also clarify what is meant by “taking contracts” in this context.

**Answer:**
The meaning of the paragraph (and the task) is that the contractor shall allocate sufficient resources that are needed to proactively accompany, facilitate and push the implementation. It is, therefore, more than monitoring and pure consultancy work.

Please note that the word “contract”, as per the above question, should read “contact” (typographical error).

**Question 22:**
Can you give us an indication of the amount of projects the Contractor will have to deal with according to the projects mentioned in task 6, i.e. “CCS-TSI-compliant projects” and “existing and future” projects?
**Answer:**
It is expected that the contractor will have to follow between 50 and 70 spread over time.

**Question 23:**
On pages 18-19 of the ITT it is said that the Contractor could be required to search, select, read, index and analyze documents as well as attend meetings in a different language than English when the deliverables from the project are in another language than English. As the Contracting Authority requests the Contractor to have a good command of English, French and German, does the Contractor have to foresee other languages to be used for the assignment?

Moreover, the ITT mention that some publications have to be provided in all EU languages, does this implicate that the Contractor has to translate all these documents into all EU languages (incl. languages of EU Member States which are not involved in the TEN-T network)?

**Answer:**
On one hand, there is the selection criterion “Technical and professional capacity” – please refer to paragraph 2.1.2, a, 6th bullet point and 2.1.2, b, two last bullet points – for the language requirements that the contractor and his team must possess, in order to qualify under the relevant selection criteria.

On the other hand, there is the possibility required to “search, select, read, index and analyze documents as well as attend meetings in a different language than English when the deliverables from the project are in another language than English”. It is up to the tenderer to evaluate and offer how it could perform this task. This forms a part of methodology proposed by the contractor – please refer to award criterion 1 – quality and effectiveness of the proposed methodology.

Depending on the communication plan proposed by the contractor, general presentations, brochures, press packs, etc. will have to be provided in all EU languages (of EU countries where there are railways).

**Question 24:**
In case of participation or assignment of this tender, could we still be contracted by an operator/manufacturer for further ERTMS/ETCS projects which are also funded by the EU based on the content of this tender?

**Answer:**
In case the entity which will perform this contract has a contract for an EU-funded ERTMS project that will be followed-up under task 6, the entity will have to ensure that there is no conflict of interests and that confidential information remains confidential.

**Question 25:**
Concerning the final report in Task 1, could you please explain what you mean exactly by “two months before the end of the period of duration of tasks”?

**Answer:**
It means 70 months after the signature of the contract (= 72-2 months).
**Question 26:**
Concerning Task 3 and its deliverables. Has the budget for presentations, brochures, press pack so as for translation in all EU languages, the design and management of websites, etc. to be included in the price for the tender or will there be extra budget for those activities?

**Answer:**
Indeed, the expenditures related with the above mentioned deliverable have to be considered included to the financial offer of the tenderer / contractor.

**Question 27:**
Please could you confirm if where you said “economics and financial engineer” it is also valid a candidate with a Degree in Economics or Degree in Business Studies?

**Answer:**
A degree in economics or in business studies is relevant. What is important is the at least 5 years' professional experience in the field of economics and financial engineering for transport (e.g. CBA, business cases).

**Question 28: on criteria relating to tenderers**
From the requirement of language coverage, we understand that to prove its fulfilment, projects with the following characteristics are valid:

- Input information is in German/French, and meetings with different bodies and entities are carried out in those languages
- Location of the works of the technical project is a German/French spoken country,
- Reports/results of the project are developed in English.

Please could you clarify if our understanding of the requirements of language coverage is correct?

**Answer:**
The specifications require:

a. "The tenderer must prove experience of working in English, French and German with at least 1 project delivered in the last three years showing the necessary language coverage."

b. "The tenderer must prove capacity to draft reports in English."

Your understanding is correct.

**Question 29:**
Can you please clarify whether the scope of work for the Project will include the “Core network corridors (defined in the TEN-T Regulation 1315/2013)”, as specified page 16, or the “6 key rail freight corridors with completion dates for either 2015 or 2020” Member States agreed in 2009 to deploy ERTMS (including GSM-R) on, as mentioned at page 9 of the technical specifications?

**Answer:**
Core network corridors (defined in the TEN-T Regulation 1315/2013)
**Question 30:**
Can you please clarify what is meant by “all environmental measures”, at page 13, point b) of task 1 description?

**Answer:**
This item comes from the generic description of SAP and is not applicable for the contract.

**Question 31:**
Regarding the administrative and technical contents of the Tender (parts A, B, C, D and F), do these parts have to be totally independent documents of each other (each one with its own index, its pagination ...) or can be presented together?

**Answer:**
This choice is left to the tenderer. What is important is that the parts are clearly identified.

**Question 32:**
In the description of TASK 5 of the tender specification (chapter 3.3.5), one of the deliverables required is “Proposed mitigation measures in case of delays”, however in the overall table of deliverables to be developed by the Consortium (chapter 3.3.8 of tender specification) this mitigation measures deliverable does not appear.

Could you please confirm if we have to include in our services a specific deliverable about mitigation measures in case of delays and when shall be delivered?

In case the mitigation measures shall be included in other deliverables, could you specify in which one?

**Answer:**
Mitigation measures are indeed part of the deliverables; a first draft of mitigation measures and risk assessment should be available for the kick-off meeting on the basis of the SAP, and should be revised on a quarterly basis.

With regards to the submission, the Commission recommends to include the mitigation measures as a separate deliverable while making close reference to the SAP.

**Question 33:**
According to the Tenders Invitation, page 2: “Tenders must be placed inside two sealed envelopes [...]. The inner envelope must also contain two sealed envelopes, one containing the technical tender and the other the financial tender. Each of these envelopes must clearly indicate the content “Administrative and technical parts” and “Financial offer (part E)”.

According to the FAQ – question number 3: “[…] the first envelope should contain part D: Technical offer. The second envelope should contain part A-B-C-E-F. The most important is that the confidentiality of the tender is fully kept and that it would contain all three parts –administrative, technical and financial- as required”

Our question is: which of the following options is the correct?

**Option a)** two envelopes with:
- Technical and administrative part (A,B,C,D and F)
Option b) two envelopes with:

- Financial part (E)
- Financial and administrative part (A,B,C,E and F)
- Technical part (D)

Option c) three envelopes

- Financial (E)
- Technical (D)
- Administrative (A,B,C and F)

**Answer:**

Please note that the invitation to tender letter specifies that “Tenders must be placed inside two sealed envelopes. The inner envelope, addressed as indicated above, should be marked as follows: "CALL FOR TENDERS - NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT ". If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

The inner envelope must also contain two sealed envelopes, one containing the technical tender and the other the financial tender. Each of these envelopes must clearly indicate the content ("Administrative and technical parts" and "Financial offer (part E)").”

Therefore, the tenders must be contained in two sealed envelopes, one of which shall contain only the financial offer (part E) and shall be marked as follow: "CALL FOR TENDERS - NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT ". The administrative and technical parts will be put into the other envelope.

**Question 34:**

Is it possible to use support tools for project management which are cloud-based or is only the use of dedicated server solutions permitted? The cloud-based tools (including back-up) are hosted on servers in the Netherlands and Ireland and are certified according to European Privacy Policy.

**Answer:**

The specifications do not detail the project management tool. It is therefore up to the tenderers to use adequate tool(s).

**Question 35:**

Question related to the meetings mentioned in the following sentence on page 18 of the tender specifications for the call MOVE/B2/2014-670: "Attend meetings. There will be a minimum of 2 meetings/year at ERA premises (Lille or Valenciennes). The contractor will be in charge of the meeting minutes to be approved by ERA". Are these meetings between the contractor and ERA only? Moreover, these meetings are not listed as specific deliverables in section 3.3.8 of the document. Could you confirm if we have to include an additional specific deliverable in the tender for these meetings? (E.g. the meetings with stakeholders (4th bullet of the deliverables in 3.3.2) are clearly identified as specific deliverables in 3.3.8)

**Answer:**

These meetings are indeed between the contractor and ERA only. They are considered as part of the management of the task "technical assistance". Besides attending the meetings, minutes of the meetings are expected as deliverables.