Invitation to tender MOVE/B1/2015-201

Contract notice in OJEU 2015/S 139-255594

For a service contract
regarding a Study on the TEN-T Motorways of the Sea horizontal priority

QUESTIONS & ANSWERS

Latest update 07/09/2015

**Question 1:** We have the following question about Annex 6 of Tender Specifications, which is the template for the selection criteria. Regarding the experience in carrying out studies and research in the field of transport infrastructure and maritime transport and logistics with at least 4 projects delivered in this field in the last three years with a minimum value for each project of EUR 185,000, (at page 34):

Is this amount related to the total budget of the project, or the share of the Tenderer (or of one individual partner, of the group in case of a joint tender) in the project?

For instance, one of partner in our group has worked as a project coordinator on the analysis of the set up and use of a transport multinational network, but the budget of our partner's part of the study was 176,000 Euro, while the total budget of the project was around 30 million Euro.

Can this project might be included as one of the four eligible projects of our tender?

The amount of the project considered (to be included in the table of the selection criteria – point 1 – would it be 30 million Euro or 176,000 Euro?

**Answer:** In addition to individual projects, shares of larger projects are accepted under selection criterion 2.3.2 (a), given, that the part of the tenderer (or a consortium partner or a sub-contractor) can be distinguished from the rest of the project, so that the amount – in this case at least 185,000 euros - and the subject-matter that the tenderer dealt with, can be proved as required.

This means that in your case, the project referred to would not be eligible not because of being a part of a larger project, but because the amount is below of the minimum value required. Please refer to the text of paragraph 2.3.2 (a) the Tender Specifications – each project must have a minimum value of 185,000 euros, and altogether, there must be at least 4 projects.

The minimum value required equally applies to individual projects and to the shares in larger projects.

**Question 2:** Can the economic and financial capacity criteria, e.g. profit & loss account for the last two years provided and proven by only one partner satisfying the criteria only (in case of a joint tender or sub-contracting)?

We refer to Tender Specifications, paragraph 2.3.1: Economic and financial capacity criteria and evidence
Answer: Yes.

In practice, the order of checking the compliance with the selection criteria is the following (assuming, that the tender is a joint tender submitted by a consortium and also involves subcontractors):

- At the first place, the documents, e.g. profit & loss accounts of the leader of the consortium are checked,
- If the leader of the consortium does not have the required capacity or experience, e.g. the turnover is insufficient, the documents of the consortium partners are checked,
- Only if the consortium members together do not have the required capacity or experience, the documents of the sub-contractors are checked.

If the leader of the consortium has a required capacity or experience, the profit & loss accounts of the consortium partner or sub-contractors will not be checked further.

Question 3: We refer to the requirements to the content of the Final Report in Tender Specifications:

"Task 4 and shall include at least the following sections/chapters:
– an executive summary of the analysis undertaken under Tasks 1, 2 and 3;
– an update on the elements of analysis under Task 2 and conclusions for the objectives of the MoS based on the accomplishment of this task;
– an update on the elements of analysis under Task 2 and conclusions for the objectives of the MoS based on the accomplishment of this task."

Is it correct that the last bullet refers to TASK 3 instead?

Answer: Yes

Yes. The text refers to updates, to both analysis and conclusions, for task 3. Reference to task 2 is an error.

Question 4: Can the same person, meeting requirements of minimum years of expertise, included both in the list Team for the analysis of data (experts), and in the list Team?

Answer: Yes, it is possible. In this context, the tenderers should also assess their tenders from the point of view of award criterion 2.1, so that their allocation of resources would enable to perform the tasks as required, both time wise and quality wise.

Question 5: Evidence (Tender Specifications, page 7). It is required that a complete listing of relevant services provided in the past three years, with sums, dates and recipients, public or private. The most important services shall be accompanied by certificates of satisfactory execution, specifying that they have been carried out in a professional manner and have been fully completed.

Can this list include projects with an amount for the single Partner (of the Tenderer group) lower than 185,000€?

Answer: It may, but only on top of the 4 projects with the minimum value of 185,000 euros each. Please refer to paragraph 2.3.2 (a) of the Tender Specifications:
"The tenderer (meaning consortium, where applicable and including sub-contractors, where applicable) must prove experience in carrying out studies and research in the field of transport infrastructure and maritime transport and logistics with at least 4 projects delivered in this field in the last three years with a minimum value for each project of EUR 185.000."

In the case the tenderer does not comply with this requirement, in terms of the minimum value of each project, in terms of the total number of projects, and in terms of the subject-matter of the projects, the tenderer will not qualify under this selection criterion.

Please also refer to answer 1.

**Question 6:** Geographic Coverage (Tender Specifications, page, 5.1 Description of tasks)

"The task of the contractor as regards the TENtec data collection (Subtasks 2a and 3a) is to ensure that a high quality and sufficient coverage dataset on the state of play of the port infrastructure would be available in the TEN Tec database.

The key principles applicable for the subtasks 2a and 3a shall be defined as follows:

The datasets of the parameters are defined in point 5.2. The data should be collected according to categories and definitions provided in this table;

*Time horizon:* the status of the network in 2014-15. The current existing data in the TENtec database shall be verified for accuracy.

*Geographical coverage:* EU28 and EEA countries (Norway and Switzerland)

*Network coverage:* the TEN-T Comprehensive network, which includes the Core network and the Core Network Corridors as subsets and as geographically defined in the TENtec database"

6.1) Is the data referred to under this paragraph the data listed in Table 5.2 (Category I and Category II) page 25?

**Answer:** The data referred to considers both the TENtec general parameters (as referred in 5.3 Appendix 1 of the Tender Specifications) and the dedicated parameters for Ports (Table 5.2, Page 25 of the Tender Specifications)

6.2) What kind of countries should be considered in addition to the following 22 Countries?

Italy, Spain, Portugal, Greece, Malta, Cyprus, Slovenia, Croatia, France, Belgium, UK, Ireland, The Netherlands, Denmark, Germany, Poland, Norway, Sweden, Finland, Estonia, Latvia, Lithuania.

**Answer:** The data referred to considers the EU 28 and EEA countries as applicable. Nowhere in the Tender Specifications 22 countries, as listed in your question, are mentioned.

**Question 7:** Indicative Timetable (Tender Specifications, page 20)

A deliverable reflecting the first DIP is part of the first Progress Report? Or it can be delivered later?

It seems that the draft for the first deliverable DIP should be delivered before the 10 Jun-16, if the delivered version should be revised with the contribution, as specified in page 20 of tender specifications?
**Answer:** Yes, a first draft of the "DIP" should be submitted as a part of the first progress report. Subsequently updated and upgraded for the Second Progress report and finally resulting on the first deliverable "DIP" (10 June 2016).

**Question 8:**
We would like to clarify Tender Specifications, which in our opinion are not fully clear in describing the differences of the activities to be performed under Task 2 and Task 3. We understand from page 12 that the analysis to be performed in Task 2 should cover “**all ports being part of the TEN-T**” this meaning both CORE and COMPREHENSIVE ports. But in the description of Task 3 (see page 14) the same analysis is requested for “**TEN-T ports being part of the Core Network Corridors**”. The question is whether the Task 3 is not already included in or covered by Task 2?

**Answer:**
Not really. Although the method is the same (approach and job description) the tasks were split because they address different sets of ports. The objective being that the type of analysis (e.g. Comprehensiveness) may differentiate, if necessary, regarding ports to be ready and integrated in the TEN-T for 2050 (Comprehensive Network), and the sub-set of ports to be ready and integrated in 2030 (Core Network). In practical terms, the type of MoS support and actions for each subset of ports is different, hence the detailed Implementation Plan will be different as the type of analysis may need different approach. Accordingly, the different subsets of ports need to be analyzed one in task 2 and the other in task 3, as indicated in the TOR.

**Question 9:**
Going on with the differentiations of Task 2 and Task 3, the Tender Specifications require:

**Under Task 2** “an identification of investment needs as well as development of a list of projects located in the **TEN-T core ports.** This list of projects shall include projects submitted by relevant stakeholders (port authorities, operators, etc.) as well as those which are not submitted by relevant stakeholders but are necessary to implement the TEN-T requirements (art. 22-23 of the TEN-T Regulation) but not covered by any infrastructure investment planning. The analysis should take into consideration that MoS projects shall involve at least two different ports. Every project has to have a foreseen start and end date (year) or clearly be marked as lacking such maturity, the analysis shall take into account the analysis of scope of the proposed projects to assess their importance for the MoS implementation;”

**Under Task 3** “an identification of investment needs as well as development of a list of projects located in the **CNC ports.** This list of projects shall include projects submitted by relevant stakeholders (port authorities, operators, etc.) as well as those which are not submitted by relevant stakeholders but are necessary to implement the TEN-T requirements (art. 22-23 of the TEN-T Regulation) but not covered by any infrastructure investment planning. The analysis should take into consideration that MoS projects shall involve at least two different ports. Every project has to have a foreseen start and end date (year) or clearly be marked as lacking such maturity, the analysis shall take into account the analysis of scope of the proposed projects to assess their importance for the MoS implementation;”

The question is that according to our understanding “**TEN-T core ports**” and “**Core Network Corridors (CNC) ports**” are the same (104 ports). Are we correct? If yes, what is the difference between the two activities?
The CNC ports are a subset of the Core Network ports, meaning, that they are not identical. Please note that the first implementation target date for the CNCs is 2020 (CEF 2013-20). Furthermore, what is requested from a Core Network port per se, is its impact and role in terms of MoS whereas for a CNC port it is its role within the Core Network Corridor to which it belongs and that creates specific needs.

**Question 10:**
Again, going on with the differentiations of Task 2 and Task 3, the Tender Specifications require:

**Under Task 2** “an assessment of costs in the port sector as well as in the shipping industry, resulting from the application of the TEN-T Regulation (Core and Comprehensive networks). This calculation shall be based on well establish industrial practices. The analysis under Task 3 shall be based on the article 21 of the TEN-T Regulation.”

**Under Task 3** “an assessment of costs of implementation in the port sector as well as in the shipping industry, resulting from the application of the TEN-T Regulation – Core and Comprehensive network requirements. This calculation shall be based on Common-sense industrial practice, e.g. impact assessments for different pieces of legislation and other reliable documents on important developments; the analysis under Task 3 shall be based on the article 21 of the TEN-T Regulation.”

Can the Contracting Authority clarify the differences between the two activities in the two tasks?

Can the Contracting Authority clarify what kind of costs should be included in the cost assessment to be identified on the basis of article 21 of the TEN-T Regulation? Is it correctly understood that the costs assessment should include the costs of implementing only “projects of common interest” as defined in point 2 and 3 of article 21?

**Answer:** For the difference between tasks 2 and 3, please refer to answers 8 and 9.

To reply to the second part of the question, content wise, a job description customized to task 2 and task 3 should be reported under tasks 2 and 3 respectively.

**Question 11:**
Still on differences between task 2 and task 3, the Tender Specifications require:

Under Task 2: “an assessment of existing bottlenecks in ports as well as in the port access infrastructure and proposals of projects for their removal, including by prioritisation of projects submitted by stakeholders;”

Under Task 3: “an assessment of existing bottlenecks in ports as well as in the port access infrastructure and proposals of projects for their removal, including by prioritisation of projects submitted by stakeholders;”

Can the Contracting Authority clarify what is the difference between Task 2 and Task 3?

Can the Contracting Authority clarify what is meant with the last part of the sentence “including by prioritisation of projects submitted by stakeholders”. To our understanding, such an identification of priorities should be performed under Task 4 (first bullet point)?

**Answer:**
For the differences between tasks 2 and 3: please refer to answers 8 and 9.
To reply to the second part of the question, the tenderers should take into account that for tasks 2 and 3 it is required the "assessment and identification of priorities by stakeholders" specifically in the context of either task. At the same time, for task 4 it is required to provide an overview, i.e. the integrated result of the analysis – covering the whole set of projects submitted by stakeholders.

Question 12:
Aspects that are expected to be covered under infrastructural measures increasing maritime safety – does it include evaluation of the different infrastructures included, such as projects of common interest like dredging operation, ice-breaking, high water protection devices (e.g. breakwater) OR it is mainly focused on e-Maritime infrastructure (e.g. technological navigation aids)?

Answer:
Both the Physical and ICT (e-Maritime) types of infrastructure should be involved.

Question 13:
Should the environmental aspects related to infrastructures be considered also from the point of view of maritime safety (e.g. PRF) OR just evaluated as an environmental requirement?

Answer:
If the aspects relate to double objectives, e.g. safety and environment, both sides have to be taken into account and tagged accordingly.

Question 14:
It looks like there is a typo in third indent, on page 19 of the Tender Specifications, in the paragraph about the Final Report. The second and third bullet points both refer to task 2, while one should refer to task 2, and the other one to task 3. Please clarify?

Answer:
There is indeed a typo, please also refer to answer 3. We will also publish a corrigendum to the Tender Specifications.

Question 15:
We would hereby like to request for the deadline of the proposal to be postponed with two weeks in order to better prepare the tender.

Answer: An extension of the deadline cannot be granted.

Question 16:
The Tender Specifications includes this following sub-task:

Set up and update a dedicated website on MoS which:
should be interactive in a way that is provided possibility for pre-identified users (approved by the Contracting Authority) to log on and publish documents and links;
provide necessary information on the TEN-T with information based on TENtec, links to stakeholders' websites, reports, links to documents as provided by the Contracting Authority;
provide information on the European Coordinator and his/her activities and meetings, any other documents, etc.

We would like to know whether there is a relation between this task and the fact that DG MOVE is currently also going to award a contract specifically dedicated to communication activities?
Question 17
Concerning Task 2 /page 13
"Hinterland and foreland connections of peripheral regions"
How peripheral regions are defined here?

Answer:
The definition of peripherality has to be made in the sense of the EU Regional Policy and then in terms of the connection to the TEN-T Core Network Corridors (CNC):

1) The most widely accepted one is with respect to Accessibility – see this study: http://ec.europa.eu/regional_policy/sources/docgener/studies/pdf/periph.pdf

2) In other cases the population density is matched with accessibility (traditionally Regions – at NUTS3 level, not NUTS 2, with less than 8 ab / km²) were deemed to be sparsely populated AND peripheral.

Question 18
Concerning Task 2 and Task 3

On reading the specifications, we note that the sub tasks required to be performed under Task 2 of the tender relate to all Ports (CNC ports and comprehensive TEN-T ports) while requirements of the sub-tasks in Task 3 relate only to CNC ports. However, the sub-task requirements described under Tasks 2 and 3 appear to be similar with minor additions/deletions. The titles of the tasks do differ - Task 2 refers to “Analysis of the accessibility of the entire Ten-T network…” and Task 3 refers to “Analysis of ports’ infrastructural needs…..” The sub tasks for each of Tasks 2 and 3 will require analysis of issues that relate to both accessibility and infrastructural needs. We also note that the deliverables from Task 2 and Task 3 are required within the same timelines.

Would it be possible to obtain additional clarification to fully understand the differences that the Commission would like to see in the execution of these 2 Tasks? Would it be possible to combine the analysis of the CNC ports and comprehensive TEN-T ports into one comprehensive activity, taking into account all of the sub-tasks required under Task 2 and Task 3, as opposed to treating these as two separate analyses and reporting actions?

Answer:
Please see answers to questions no 8 and 9.

Question 19
Concerning Task 5

On what date would the Contractor be expected to launch the dedicated MoS web site, and will the successful contractor be expected to continue to operate this web-site after the need of the study contract?

Answer:
The website shall be set up as soon as the inception report is accepted. The maintenance of the website after the present contract is ended is not part of the current procedure.
**Question 20**
Concerning annex 1 TENtec database – assessment of the coverage and quality of the existing data in the TENtec database to be delivered at the inception report.

Could the Commission provide prospective tenderers with a copy of the data dictionary for the TENtec database including data table and data table column names and descriptors, and the numbers of the data records currently held in each table?

**Answer:**
The website shall be set up as soon as the inception report is accepted. The maintenance of the website after the present contract is ended is not part of the current procedure.

The OMC Glossary for the TENtec database is included in Appendix 1: pt. 5.3 TENtec General parameters. It can also be found at the website:

The current data filling rate varies amongst the different technical parameters and amounts to approximately 30% for the year 2015.