Q&A


Ref no: Tender no MOVE/C4/2016-100, Contract notice JO 2016/S 077-135099

Q1: On the web page http://ec.europa.eu/transport/facts-fundings/tenders/index_en.htm the time-limit for receipts of tenders is set to 21/06/2016. However in the invitation letter, the deadline is set to 07/06/2016. Which of the two deadlines is valid?

A1: The valid deadline is the one set in the contract notice and in the invitation to tender, namely 7 June 2016. The webpage has been corrected accordingly.

Q2: Two of the partners in proposed consortium are unavailable for the next few weeks. Is there any possibility of an extension to the set deadline?

A2: Due to the very tight schedule following the deadline for receipt of tenders, the extension is unfortunately not possible.

Q3: Having regards the Tender Specification document I am aware of the awarding criteria namely 1) The legal and regulatory capacity to pursue the professional activity required to perform the contract 2) The economic and financial criteria (as indicated) and 3) Fulfils the applicable technical professional criteria indicated (with the tender specifications). While it is openly appreciated that we would not be able to fully comply with the criteria specified in terms of part 3 we would however be able to offer a team of full experts in this field. Do you still believe that it would be advantageous to submit an application/proposal for this tender?

A3: The question refers to the selection criteria, including to the criterion on economic and financial capacity under Section 4.2.3 of the Tender Specifications.

All interested parties are entitled to submit a tender. Nevertheless, for the equal treatment of the tenderers, and in order to ensure that the contractor is (professionally, organisationally, but also financially) able to carry out the tasks under the contract, as requested, the tenderer to whom the contract will be awarded, must comply with all the selection criteria, as stipulated Section 4.2 of the Tender Specifications. The tenders not complying with one or several of the selection criteria will be excluded from (further) evaluation.
Q4: In the tender specifications document, it is specified on page 5 that the tenderer must declare whether it is a Small or Medium Size Enterprise in accordance with Commission Recommendation 2003/361/EC and that the information is used for statistical purposes only. However, we are a university and not a commercial enterprise and if go over these definitions, we can conclude that we do not fall under the given categories.

1. On the declaration of SME, you can only indicate whether you are a small size enterprise or mediums size enterprise, can this document only be signed by commercial enterprises?
2. As we do not fall under these categories, would it be possible to provide us a suggestion on how to cover this issue?
3. As it is stated in the tender specification documents, this declaration is only used for statistical purposes, does it imply that we do not need to provide this document with our tender when it is not in order?

A4: According to the Article 1 of Commission Recommendation 2003/361/EC, an enterprise is "any entity engaged in an economic activity, irrespective of its legal form". Moreover, only entities which fall under this definition must declare whether they are a Small or Medium Size Enterprise. If the entity does not fall within this definition, e.g. is not involved an economic activity, the declaration does not have to be submitted.

Q5: We are a university (autonomic public institution) with over 1200 employees. We fall under big enterprises. As we have economic activities, it is mandatory to declare whether we are Small or Medium enterprise. What should we do with the SME declaration?

A5: Please refer to answer 4: in the case an entity does not fall under the definition of Art. 1 of the Commission Recommendation 2003/361/EC, the declaration does not have to be submitted.

For clarity, the tenderer who does not fall under the definition, can point out that the declaration is not applicable to them, e.g. that they are not an entity pursuing economic activities and / or they are an entity established under public law, etc.

Q5: We received a notice from the courier company that our tender has been delivered to the Commission. Can we have a confirmation that the tender has indeed been received?

A5: We confirm that your tender has been received. Please note that this is not the confirmation of your final admissibility of the tender, which will be decided by the opening committee after the tenderers have been opened.