Framework contract for the implementation of external aid 2018 (FWC SIEA 2018).

This document is provided as a reference to the clarifications of EuropeAid/138778/DH/SER/Multi, due to the technical problems of generating a PDF file at the e-tendering website. Please note that in the case of discrepancies between these clarifications and those on the e-tendering webiste, those of the latter have precedence.

#	Subject	Question	Answer
1	Detailed description of lots	On the cover page (1 of 19) of this document an indicative annual budget is indicated for each lot. However on the contract notice, these same amounts are defined as “estimates value” for the whole duration of the framework contracts. Is it correct to understand that the indicative budgets per lot mentioned on the document “Detailed description of lots” are not per year but for the whole duration of the framework contract (initial period of 2 years with possibility of extension of maximum additional 2 years)?	[31/07/2017 11:42: Yes, the amounts in the 'Detailed description of lots' refers to the total budget of the framework contract for 4 years. Please see amended version of the 'detailed description of lots'.]
2	Instructions to Tenderers /Section 5. Eligibility/Page 3	In Section 5. Eligibility, page 3 of the ITT it is stated among others that “…participation in the FWC tender is open to natural or legal persons which are established in a Member State of the European Union on in a country eligible for at least one ongoing EU External Aid Programmes…”. Please confirm that UK based companies are considered eligible to participate in this tender.	[31/07/2017 15:34: UK companies are eligible to participate in this tender. However, please see updated Instructions to tenderers section 5 regarding the situation of British tenderers.]
3	Instructions to Tenderers 6. Selection Criteria 4) Technical Capacity of Tenderer	As per Instructions to tenderers, the tenderer must have implemented minimum 24 references Projects which together cover at least: (...) Lot 1 - Minimum number of B-sectors: 29 Lot 2 - Minimum number of B-sectors: 54 Considering that the maximum number of references allowed is 48 (as indicated in the tender submission form) please confirm that one reference can be used to cover more than 1 B- sector.	[31/07/2017 15:51: Regarding selection criteria technical and professional capacity, there is no longer a maximum number of project references or experts that can be submitted. Please see updated Tender submission form section 4(a) and section 5. Furthermore, project references and experts may cover more than one A or B sector. Please see updated Tender submission form section 4(a) and section 5 and its Annexes 1 and 3.]
4	Financial Data Tables in the Tender Submission Form (section 3) and in the Tenderer’s Declaration	Could you kindly confirm that the second 2014 column in the tables for financial data in both the Tender Submission Form (section 3) and in the Tenderer’s Declaration, should read 2015 instead of 2014?	[31/07/2017 15:53: Yes, the table has been updated in the latest version of the tender submission form section 3 and in the declaration.]
5	References	Should we consider the “design” mentioned in the point b) of the "Part A – Expertise common to all lots" as relative to the Programming, Identification and Formulation types of services? If not, which A-sector(s) would these services be relevant for?	[01/08/2017 10:20: The reference to design in point b) refers to design of policies.]
6	References	Do “Technical inputs” of the point c) of the "Part A – Expertise common to all lots" refer to services, as well? Or are these restricted to contracts of works and supplies only?	[01/08/2017 10:24: Technical inputs could refer to all types of inputs required in the cycle of an operation, including for services (e.g. technical inputs could concern the preparation of a business plan).]
7	Technical Inputs definition	One of the requirements under the A sectors reads “Technical Inputs (e.g. Technical annexes for works and supplies)”. Are we correct in assuming that Technical Inputs may also cover technical documents related to service contracts such as ToRs and programming documents, technical reports etc.	[01/08/2017 10:27: Yes, technical inputs could refer to all types of inputs required in the cycle of an operation and may also cover technical documents related to service contracts such as ToRs and programming documents, technical reports etc.]
8	PART A – Expertise common to all Lots	Concerning the matrix of references to be filled in, can you confirm, for PART A – Expertise common to all Lots, point b - Policy-related analysis, that it also might include as suitable references, which cover sectoral policies, e.g. transport policy analysis, energy, or employment policy analysis etc., and not just the types of the ones listed (gender analysis, do- no-harm and conflict sensitivity analysis, religious dynamics assessments) ?	[01/08/2017 10:39: Yes, Policy-related analysis may include sectoral policies, e.g. transport policy analysis, energy, or employment policy analysis etc. The list in PART A Expertise common to all Lots, point b is not exhaustive .]
9	Instructions to Tenderers 6. Selection Criteria 4) Technical Capacity of Tenderer	As per instructions to tenderers, (page 5, last paragraph) reference Projects must fulfil the following conditions: - be finalised within 3 years before the final date for submission of the tenders. Would it be possible to submit a reference for a project partially completed, in case a parcial completion certificate can be provided?	[03/08/2017 12:00: The project must be finalised to be eligible. In general, finalised means that all the outputs under the contract have been approved by the contracting authority. In the case of contracts divided in phases or parts in which the output of each phase/part is finalised and formally approved, each contract phase/part can qualify as a finalised reference project, provided evidence of its approval by the contracting authority is submitted. The phase must have been finalised in the 3 years before the final submission of the tenders. The finalised 'phase' must satisfy alone the technical capacity criteria for which it is submitted (minimum 30% performed by tenderer etc.). For example, if a tenderer submits a reference of a 'phase' of a contract in order to satisfy the requirement that 5 of the reference projects must have an overall contract value of 750,000 EUR or more, then the finalised phase of the contract must have a contractual value of 750,000
10	Instructions to Tenderers Section 7.1 Technical Offer Point (1) d)	Can you confirm that a legal entity file has to be provided for "each legal entity identified in the tender submission form" and not only for the Leading Company?	[04/08/2017 09:15: Yes, we confirm that a legal entity file is to be provided for each legal entity identified in the tender submission form (leader and all consortium members).]
11	Instructions to tenderers 7.1 Technical Offer (6) Documentary evidence	As per Instructions to tenderers, Documentary evidence of financial, economic, technical and professional capacity has to be provided. Page 8, indicates "If the documentary evidence is not written in the language of the procedure, then a translation must be attached" Can you confirm if documentation issued in the language of a member of the European Union also has to be translated to the language of the procurement (English) or if it is enough that it is	[04/08/2017 09:17: For the documentary evidence for selection criteria, the tender can submit documents in an official language of the European Union, but it is strongly recommended to attach a translation into English to avoid the need for further clarification.]
12	Section B. III Global Organisation & Methodology 5. Local expertise and contractors	As per Global Organisation & Methodology "High importance is given to the use of expertise available locally in the Beneficiary States. To demonstrate the tenderer’s method for mobilising such expertise, he/she may highlight the existing and/or planned cooperation-agreements with local partners and local expertise. If so, the template in Part B – IX may be used, showing local expertise in the B-sectors of the Lot" Can you please confirm: 1) If a letter of commitment from each local company/partner must be produced and included in the technical offer, and if yes, in which section of the tender? 2) If the commitment of the local company/partner, has to be exclusive to only one of the consortia for the specific lot. 3) If a letter of commitment has to be submitted from each local Company/partner, if an electronic (scanned) version will suffice.	[04/08/2017 09:20: A letter of commitment is not required from the local partners presented in the offer.]
13	'EN-B - IX - Local Partner Network.doc'	Should the members of the consortium be listed in this document or it should contain other companies/institutions which could take part in the implementation of local projects?	[04/08/2017 10:04: Annex B IX Local Partner Network should not contain members of the consortium. The members of the consortium should be listed in the tender submission form point 1. The local partner network annex should contain the local partners and local expertise with which the tenderer has existing and/or planned cooperation-agreements. See section 5 of Annex B III (a) Global Organisation and methodology.]
14	'EN-B - IX - Local Partner Network.doc'	How many partners should be listed and from which countries/geographical zones? Each geographical zones included in the ‘Instructions to tenderers point 6. 4)’ should be covered by the listed companies?	[04/08/2017 10:16: There are no minimum requirements for Annex B IX. The submission of Annex B IX is not mandatory - please see Annex B III (a) Global organisation and methodology point 5, but see same point and also Annex C 1 Evaluation grid for the importance placed on local expertise for the evaluation of the award criteria.]
15	'EN-B - IX - Local Partner Network.doc'	Does each of the listed partners need to provide a signed statement of their participation?	[04/08/2017 10:20: The listed partners do not need to provide a signed statement of their participation. Question12]

16	'B - VII - f - i - Expert CV.doc'	In the Tender dossier, in 'EN-B - VII - Draft specific contract and annexes' folder there is an Expert CV template, but none of the tender documents mention whether Expert CVs need to be submitted in the tender. Do tenderers need to present expert CVs related to A or B sectors in their proposals? If so, what are the qualitative and quantitative requirements for the CVs?	[04/08/2017 10:43: The CV in Annex B VII f (i) is a draft example of the CV that will be submitted by future framework contractors for specific contracts for reopening of competition under the framework contract (i.e. during implementation of the framework contract). Regarding the ongoing tender procedure for FWC SIEA 2018, CVs have to be presented in the offer in order to show that the tenderer satisfies the selection criteria professional capacity criteria (a) and (b) that is set out in the Instructions to tenderers point 6 2) and 3): • Point 6 2) The CVs of the minimum 24 permanent experts who cover at least the minimum number of B-Sectors of the lot as set out in Instructions to tenderers point 6 2) and in the tender submission form. These CVs have to be related to B sectors, please see Instructions to tenderers and tender submission form and its annexes for full details of what is required. The template to be used for these CVs can be found in Annex 1 of the tender submission form. • Point 6 3) The CVs of the project director and substitute. These CVs must meet the minimum criteria of the Global terms of reference 6.2.1 for the management team and the criteria specific to the project director and the substitute. The template to be used for these 2 CVs can be found in Annex 5 to the tender submission form. The tenderer must also propose a management team, as set out in Annex B III Global Organisation and Methodology point 2. However, it is not necessary to submit CVs for the proposed management team, the team should be described in terms of profiles of the different members, and the profiles must satisfy the minimum criteria for management team members set out in the Global terms of reference 6.2.1.]
17	Instructions to tender page 1	Considering that the number and content of some lots have changed substantially compared to the prior-notice and the short time available to collects all the requested documents in this summer holiday period in Europe could the contracting authority extend the submission date for submitting tenders till the 2nd of	[09/08/2017 11:47: The deadline for submissions of tenders has been extended to the 29/09/2017. Please see updated version of the Instructions to tenderers (rev.3 published 09/08/2017) and the corrigendum to the contract notice 2017/S 151-311944.]
19	Deadline	Dear Sir/Madame, Making reference to the Instructions to Tenderers, point 2. Timetable, can you please clarify if the date and time (18/08/2017 – midnight) indicated as deadline for the request for clarifications means 1 minute after 17/07/2017 at 23:59 or 1 minute after 18/08/2017 at 23:59? Thank you in advance.	[09/08/2017 11:54: Please see updated Instructions to tenderers (rev.3 published 09/08/2017).]
21	Eligibility	Please kindly confirm if a Company established in South Africa is eligible as a non-leading member of consortium.	[17/08/2017 16:13: For non-leading members of a consortium submitting a tender, participation in the FWC tender is open to all natural and legal persons that are established in a Member State of the European Union or in a country or territory eligible for at least one ongoing EU External Aid Programmes. For the leader of a consortium submitting a tender, or for tenderers participating individually, participation in the FWC tender is open to natural or legal persons that are established in a Member State of the European Union or in a country eligible for all ongoing EU External Aid Programmes. A South African natural or legal person would not be eligible for all EU External Aid Programmes so would not be eligible to submit a tender an individual tender. South Africa is however eligible for at least one EU External Aid Programme so may submit a tender as a member of the consortium (but not as leader). Please see PRAG annex a2a available at the following address: http://ec.europa.eu/europeaid/prag/annexes.do;JSESSIONID_PUBLIC=bhjCSnEnb6Lmk3Ec9_8rl4-q3MGJp3aLwx81d39XjaoOyzITjUkz!-584647050?chapterTitleCode=A In case a South African consortium member is not eligible for the Programme financing the Specific Contract, that member shall not be eligible to participate in any task related to that Specific Contract.]
22	Tender Documents	Instructions to tenderers page 8: One bullet point (N°4) is missing in the list of document to be provided in the technical offer. Is this a clerical mistake, or is bullet point (N°4) referring to an additional document, and if so, to which one?	[17/08/2017 16:29: This is a typo.]
23	Eligibility of a Leader / Partner	Is a company established in 2014 or 2016 eligible for participating as a leader or as a partner of the consortium considering these companies would be only able to provide two years/ one year of financial information?	[17/08/2017 16:40: A legal entity established in 2014 or 2016 would not be excluded per se from this procedure because of their date of establishment. Please note the selection criteria does not apply to each member of the consortium individually, it is sufficient that the consortium as a whole satisfies the criteria. Members of the consortium who cannot provide financial information for previous years because they did not exist can provide information and evidence for the years since their establishment, and explain in a footnote in their statement to be attached to the tender submission form why they have not provided information for the other years.]
24	Project references	For EuropeAid projects can we use the CRIS number as a proof a good completion or do we need to present additional certificates for EC funded project references?	[17/08/2017 16:43: For EuropeAid reference projects, evidence of performance AND the CRIS number is to be provided. A CRIS number does not constitute evidence of performance. See tender submission form, point 5.]
27	Invitation to Tender - 7.1 Technical Offer	Page 8 of the ITT refers to "see point 4 above". However the ITT does not include a point 4 and jumps from point 3 to 5. Would it be possible to advise on the information which should have been provided in point 4?	[18/08/2017 15:24: The text 'see point 4 above' in point 7.1 (5) of the Instructions to tenderers refers to point 4 'exclusion' of the Instructions to tenderers on page 3. Question22]
44	EuropeAid/138778/DH/SER/Multi - GENERAL CONCERNING ALL LOTS	The tenderer is requested to list up to 48 permanent experts employed by the tenderer in a table in the Service Tender Submission Form (Section 4: Professional Capacity). Kindly clarify what is meant by the heading "Reference" in this table	[18/08/2017 16:30: In the column 'reference' in the table found in point 4 (a) of the Tender submission form, the tenderer may indicate where in the tender the CV of the expert may be found (page number, section etc). Please note there is no longer a maximum number of experts that can be presented in the offer. Question3]
54	Submission to limited number of lots (ref: Instructions to tenderers, part 3. chap b) 4th paragraph)	Company A intends to submit a proposal as leader of a consortium for at least 1 lot. Company A is a subsidiary of Company B. Company B owns 66% of the shares of Company A. Company B and Company A are legally and financially completely separate entities. Can Company B and Company A be each leader of 2 lots? Can Company B and Company A be each leader of 2 lots?	[23/08/2017 11:22: The maximum of 2 lots applies to the legal entity which is proposed as leader of the consortium. Therefore 2 separate legal entities such as in the hypothetical case above would each be able to submit tenders as leader of the consortium for 2 lots.]

56	Eligibility of Experts	If the parent company of an economic operator (company member of a consortium), respects the rules of eligibility and nationality of the economic operator and produces an undertaking to place it´s resources at the disposal of the economic operator. Can the economic operator claim the human resources from the parent company and use their CV´s in the application (i.e permanent in-house experts employed by the parent company)?	[23/08/2017 12:22: No, in order to satisfy the selection criteria (economic and financial, professional and technical capacity criteria), the tenderer may not rely on the capacities of other entities who are not consortium members: the criteria must be satisfied by the tenderer (in the case of a joint tender, by the consortium as a whole). See Instructions to tenderers point 6. In the case given in the question, the parent company must be a consortium member if their resources are to be used to satisfy the selection criteria. Specifically, for professional capacity (a) in the Instructions to tenderers point 6 2) (permanent experts), the experts must be employed by a member(s) of the consortium. However, please note that regarding professional capacity (b) of the Instructions to tenderers point 6(3) (CVs of Project Director and substitute), there is no requirement for the two CVs to be of permanent employees of the tenderer.
60	Proofs of employment	Regarding proof of employment of the PD, PD Substitute and in-house experts do we need to provide the proof of employment of September (at the date of the tender submission) or would payslips of July or August be accepted.	[24/08/2017 17:07: Please note it is not necessary to provide evidence that the Project Director or the Substitute are employed as permanent experts; it is not a requirement that the Project Director and Substitute are permanent 'in-house' experts employed by the tenderer. For the evidence that the minimum 24 permanent experts required for professional capacity (a) (Instructions to tenderers point 6 2) are employees of the tenderer, please see Tender submission form point 4 a): 'To the extent that such evidence covers an earlier period, the evidence can be completed by a declaration signed by the employer confirming that the expert continues to be employed until the date of the tender'.]
61	Capacities of other entities	Can you please confirm that the use of Letter of Undertaking would not be acceptable in the context of this specific tender and that therefore, a sister entity of our group would have to be presented as formal partner of the consortium should we want to rely on it for economic, financial, professional and technical capacity?	[24/08/2017 18:34: We can confirm. The sister entity would need to be a member of the consortium.Question56]
62	nuclear safety B sector heading	The group of the beneficiary countries are in sub-Saharan Africa and Latin American countries (which do not have nuclear programme) and there are a handful of countries (North America, UK, Europe, China, India, Japan etc.) which have a full-fledged nuclear programme but may not be on the beneficiary country list or do not involve private sector in their nuclear related activities. Could you please let us know if an exception could be made for the geographical coverage of the nuclear safety B sector heading?	[25/08/2017 18:00: Concerning the project references as evidence of technical capacity, please note that the requirement that the tenderer submits 'minimum 2 reference projects per geographical zone' is a cumulative requirement: it does not apply to each B-sector sector heading individually. Taking the example in the question, for lot 2 B-Sector sector heading 6 'Nuclear safety', the tenderer does not necessarily need to submit two reference projects under this sector heading for both geographical zones 'd) sub-Saharan African countries' and 'b) Latin-American and Caribbean countries', as long as the tenderer has presented at least two reference projects carried out in each of these geographical zones (and the others required) in any of the other B-sectors of Lot 2.]
63	Pricing Methodology Document	Is the level of management fee (e.g. percentage) presented in the Pricing Methodology Document binding so that the same level has to be applied for each Specific Financial offer? Or can that level vary, provided that the relevant maximum rate presented in the Global Financial Offer is not exceeded?	[25/08/2017 18:12: The maximum Global fees given by the tenderer in the Global Financial Offer Annex B V are binding on those tenderers that are successful and are awarded a framework contract. During implementation of the framework contract, the fees in the specific financial offers proposed by contractors will not be able to exceed the maximum fees quoted in the Global Financial Offer. The Pricing Methodology Document provided with the Global Financial Offer is not binding vis-a-vis specific financial offers made during implementation of the framework contract, and the price references contained within will not need to respected/used for each specific financial offer. The fees and the pricing methodology of each specific financial offer for each request for services will inevitably vary depending on the specifics of each specific request for services (but always respect the maximum fees in the contractors' Global financial offer).]
72	Instructions to Tenderers 6. Selection Criteria 4) Technical capacity of tenderer	In 6. Selection Criteria; 4) Technical capacity of tenderer, p6, it is stated that "For the selection criteria (economic and financial. professional and technical capacity) criteria, the tenderer may not rely on the capacities of other entities". Please confirm if an applicant and its parent company (affiliated entities having structural legal and capital links) are considered as the same entities.	[29/08/2017 15:37: If the 'affiliated entities having structural legal and capital links' are separate legal entities (as is suggested by the question), then they will not be considered a single entity for the purposes of the selection criteria and the statement in Instructions to tenderers point 6) "For the selection criteria (economic and financial, professional and technical capacity) criteria, the tenderer may not rely on the capacities of other entities and the criteria must be satisfied by the tenderer (in the case of a joint tender, by the consortium as a whole)."]
75	Declaration of Honour (Annex 4 to Annex D):	The table to VII - Selection Criteria has not been adapted to this tender. How should the table be filled-in, as there is no document available that is called "Tender Specifications" and within the Instructions to Tenderers, regulatory capacity is not mentioned.	[29/08/2017 16:39: The Declaration on honour on exclusion criteria and selection criteria in Annex 4 to Annex D must be completed and signed by all members of consortium. Regarding section VII 5 (a), (b) and (c), all consortium members including the leader can check the 'N/A' column. Regarding section VII (6) (d), non-leading members should check the column 'N/A', and leading members or single tenderers should check 'Yes' or 'No' accordingly (presumably 'Yes', as they are submitting a tender that must demonstrate the tenderer satisfies the selection criteria). The selection criteria is found in the Instruction to tenderers, point 6.]
87	Instruction to the tenderers - 6.4 Selection criteria – technical capacity	Please clarify if credentials will be considered that relate to projects which have been conducted and signed by a natural person on his/her own name and not on behalf of the (joint) tenderer, but at the time he/she has been a director or employee of the respective entity?	[30/08/2017 12:11: Regarding the minimum 24 reference projects that must be submitted by the tenderer for technical capacity under point 6 4) of the Instruction to tenderers, the project references must have been implemented by the tenderer. In the case of a joint tender that may be the leader or any member of the consortium i.e. one of the entities listed in point 1 of the Tender submission form. Please see point 6 (4) of the Instructions to tenderers and point 5 of the Tender submission form.]
88	Proofs documents for the references	Could you please confirm which kind of documentary evidences have to be provided for the technical capacity of the candidate (reference projects) ?	[30/08/2017 12:12: According to the Tender submission form, point 5, "for reference projects contracted with a public authority, evidence of performance is also to be added (such as certificates issued or countersigned by the competent authority)."]
90	instructions to tender point 4	"…the tenderer must provide, in electronic format only, the documentary evidence… The documentary evidence will be included in the electronic copy of the offer requested in point 7". In this case the electronic version and the paper versions will differ, please confirm.	[30/08/2017 18:53: As stated in point 4 of the Instructions to tenderers, the documentary evidence that the tenderer does not fall into any of the exclusion situations should be provided in electronic format only, and not in paper version.]

91	Request for clarification	Considering the following 2 paragraphs from the "Instructions to tenderers": a)Point 4. Exclusion: the tenderer must provide, in electronic format only, the documentary evidence that they do not fall into any of the exclusion situations, that is listed in point VI of the afore mentioned declaration (Annex 4 of Annex D – Tender submission form – Declaration on honour on exclusion criteria and selection criteria). The documentary evidence will be included in the electronic copy of the offer requested in point 7 ; b) Point 7.1(5) A signed declaration from each legal entity identified in the tender submission form, using the template found in Annex 4 to the Tender submission form to the effect that they are not in any of the exclusion situations listed in Section 2.3.3 of the PRAG (see point 4 above), as well as the documentary evidence that they do not fall into any of the exclusion situations, that is listed in point VI of the aforementioned declaration, in electronic format only. Since point Point 7.1 (4) to which the above paragraph refers to is missing, please indicate whether the documentary proof requested, referring to exclusion situations, should be included only in electronic format on the CD/USB or both electronic format on CD/USB, and in the hard copy version of the offer	[30/08/2017 18:59: Question90 Only the electronic version of the documentary evidence for exclusion criteria should be provided in the tender. The Contracting Authority reserves the right to request the paper versions if necessary in the future.]
92	Instructions to Tenderers - Section 4	Section 4 of ITTs state: "the tenderer must provide, in electronic format only, the documentary evidence that they do not fall into any of the exclusion situations, that is listed in point VI of the aforementioned declaration. The documentary evidence will be included in the electronic copy of the offer requested in point 7.". Could you please confirm if this evidence can only be submitted in electronic format? If that is the case, could you confirm that the printed version and the electronic version of the offers cannot be identical, and the electronic version would prevail in case of discrepancies regarding to this point?	[30/08/2017 19:17: Regarding the documentary evidence for exclusion criteria, only the electronic version should be sent with the tender. The paper copy may be requested later. There will be no paper copy of the documentary evidence for exclusion criteria submitted with the tender, so no discrepancy is possible as there is only one (electronic) version of the documentary evidence. Regarding the offers in general, please see point 6 of the Instructions to tenderers: 'If there are any discrepancies between the electronic version and the original, printed version, the latter has precedence'.Question91]
95	Number of lots a legal entity part of a group on company can lead	A legal entity cannot lead more than 2 lots, but nothing seems to prevent that different legal entities part of a same group of companies lead different lots. Can you confirm?	[31/08/2017 15:36: We confirm.Question54]
96	INSTRUCTIONS TO TENDERS, length of references	ITT page 5 mentions that reference projects should be finalised within 3 years before the final date for submission of the tenders. Isn't this requirement in contradiction with latest PRAG 2016 and EU Financial Regulation that says that by default the reference period for technical capacity may go up to 5 years back from the submission deadline (see Form b2a). It can be limited to 3 years only for economic sectors subject to rapid evolution (e.g. technological sector). Could you therefore kindly extend the eligibility of the references to be presented up to 5 years instead of 3 years or explain what justifies the shortening to 3 years?	[31/08/2017 16:26: The reference projects must be finalised within 3 years before the final date for submission of the tenders. Please see point 6 (4) of the Instructions to tenderers. Please note they must only be finalised in the three years prior to the deadline, and may have commenced more than 3 years before the date of the deadline for submission of tenders.]
97	Tender Submission Form (TSF) and Project Reference	The TSF requests to present for each project reference the A-sector covered and the B sector sub-heading covered while the project reference template only refers to the B-sector covered. Kindly clarify.	[01/09/2017 17:12: When the term 'B-sector' is used in the tender dossier, it refers to B sector sub-heading, see Annex B II b – Detailed Description of Lots. For the technical capacity criteria, each project reference must be linked to at least one B-sector (i.e. B sector sub-heading) (see tender submission form point 5). Therefore, in the case of the reference project template in Annex 3 of the Tender submission form, the tenderer should use the B-sector field to indicate the relevant B-sector(s) (i.e. B sector sub-heading(s)) of the project reference (e.g. 1.1., 3.2. etc.).]
98	Tender Submission form	While the length of CV of the Project Director and substitute should be maximum 3 pages, there is no mention of CV length for B-sector CVs. Kindly clarify.	[01/09/2017 17:18: There is no maximum length for the CVs of the minimum 24 permanent experts submitted as evidence of professional capacity, but it is recommended to limit the CV to 3 pages. The CV should be designed to succinctly and clearly show that the expert covers the B-sector(s) (i.e. B-sector sub-headings see Question97) for which his/her CV is submitted. It should highlight and focus on as much as possible the qualifications and/or experience that relate to the concerned B-sector(s).]
104	CV template	Is there a maximum amount of pages for CVs for in-house staff, project director and substitute?	[01/09/2017 18:05: For the CVs of the minimum permanent 24 experts, please see questionQuestion98 For the CVs of the project director and substitute, the maximum number of pages is 3. Please see Tender submission form point 4 (b).]
107	In-house expert CVs	In the service tender submission form (point 4 - Professional capacity (page 2 of 9)) tenderers are requested to provide CVs of 48 permanent experts. Is there a limit to the number of pages to be used for the CVs of these permanent experts? No reference is made to this in the Instructions to Tenderers.	[01/09/2017 18:18: Question98 Please note that according to the Instructions to tenderers point point 6 (2), the tenderer must provide a minimum of 24 permanent experts, not 48.]
109	Description of the sub-heading	Would it be possible to get a detailed description of each sub-heading of the lot 2 B sectors?	[04/09/2017 10:05: The only document currently available for the description of the A and B sectors is Annex B II b Detailed Description of Lots.]
110	Eligibility for non-leading consortium members	According to the tender instructions (point 5): "For non-leading members of a consortium submitting a tender, participation in the FWC tender is open to all natural and legal persons which are established in a Member State of the European Union or in a country or territory eligible for at least one ongoing EU External Aid Programmes". As the corresponding Annex A2a of the Practical Guide states that "any countries and territories (ie. all countries of the world)" are eligible for projects in DCI, ENI , PI, Greenland and INSC (see Annex A2a Part I 1)(g)(ii)), could you kindly confirm that legal entities from any country are eligible as non-leading consortium members? Many thanks in advance.	[04/09/2017 11:02: The countries eligible for EU External Aid Programmes are listed in Annex A2a of the PRAG http://ec.europa.eu/europeaid/prag/annexes.do?chapterTitleCode=A Specifically for your question, please see point 2 of this document 'for IcSP and EIDHR'.]
111	Tender Submission Form	The tenderer declaration template, on page 7 of the Tender Submission Form, doesn't include a section to specify the lot number to which we are applying for. Where in the declaration should we mention the lot number?	[04/09/2017 11:12: For the Declaration referred to in point 6 of the tender submission form, the tenderer may mention the lot title/number in the 'Your ref' section.]
112	Tender Submission Form – Annex 1 – CV (Expert) and Annex 5 (Project Director/Subsitute)	In CV templates in Annex 1 and Annex 5 of the Tender Submission Form, for the section "Specific experience in the region" , it is required, in the footnote, to indicate the regions referred to in the Instructions to Tenderers point 6.4 setting out the five geographical zones. However, the table under ""Specific experience in the region" refers to "countries" and not to "regions". Is it correct to understand that we should replace "country" by "region" , without going to the level of the country in this table?	[04/09/2017 11:56: In the CV templates found in Annex 1 and 5 of the Tender submission form, the permanent expert/project director/substitute's experience in the countries that fall under the geographic regions in the Instructions to Tenderers point 6(4) may be listed. Please note that for the minimum 24 permanent experts for professional capacity, or the Project Director and substitute, there is no minimum experience required in any particular country or region. Any information given in the table 'Specific experience' in the region will serve the purpose of giving a clearer overview of the expert's experience.]
122	Professional capacity - Project Director and substitute	Could the project director and/or his/her substitute be an external consultant?	[06/09/2017 11:07: There is no requirement stated in the Instructions to tenderers point 6 (3) or in the Global terms of reference point 6.2.1 for the Project Director or substitute to be permanent experts. Therefore the tenderer may propose external consultants for these positions.Question56]

123	Instructions to Tenderers, section 6. Selection criteria, point 2) Professional capacity of tenderer	Can you please confirm that we can consider as "permanent experts" professionals who work on a full-time basis for our legal entity but who, as owners and shareholders, are not registered on the payroll, as long as evidence of their status is provided by an official external body? This would be in line with the clarification provided for the EuropeAid FWC Beneficiaries 2013, which stated: "As such, also owners, shareholder, partners or cooperative members can in principle qualify as permanent staff. For the proof of their permanent staff status, the statutes of the legal entity showing their name or similar official document could, for instance, be provided. Also evidence in the form of a share capital statement, signed by external auditor could be accepted."	[06/09/2017 11:24: We can confirm that owners and shareholders of the legal entity submitting a tender can be considered 'permanent experts' within the meaning of the phrase in the Instructions to tenderers point 6 (2), as they can be considered experts working permanently for an indefinite period for the tenderer, as opposed to providing services to the tenderer under a service contract, which would not be considered permanent experts. As suggested in your reply, evidence of the owner/shareholders permanent status could include the articles of association showing their names, or some other form of official document verifying their status as owners/shareholders of the legal entity submitting the tender.]
132	Organisation and Methodology	Table of local partners: 1) we understand from the tender dossier that there is no maximum nor minimum number of partners requirements nor exclusivity requirements, nor requirements for specific geographical coverage. Please confirm.	[06/09/2017 17:57: We confirm]
134	Table of Local partners	Why should the number of category I experts be mentioned when most of specific TORS (in BENEF 2013) are requesting Cat II &III experts when it comes to local expertise?	[06/09/2017 18:04: If the tenderer wishes to give further description of the categories of experts of the Local Partners, or how they will use these expertise, they may do so in the column 'Description of the Organisation' in Annex B IX Local Partner Network, or in their Organisation and Methodology section 5 'Local expertise and subcontractors']
137	Local Partners Network	For the Local Partners Network, can one company – having offices in more than one country – be listed as providing services in more than one country, or is each company to only be listed under the country it has its official registration in?	[06/09/2017 18:11: For the list of Local Partners that the tenderers may include in in their offer with Annex B IX, the tenderer may include the offices of a company if that company has multiple offices in different countries, as this will allow the tenderer to better explain how they will make use of their local partners. The fact the local office is not a registered entity in the country concerned can be explained in the annex if necessary.]
139	Table of local partners - (EN - B _ IX)/Section B.III "Global Oragnisation & Methodology".	With respect to the table of local partners, and section 5 of the global organisation & methodology (local expertise and subcontractors) where the tenderer "may higlight the existing and/or planned cooepration-agreements with local partners and local partners and local expertise", is the tenderer thus expected to provide a cooperation-agreement certificate/statement from potential local partners? If so, what should information should such a document contain?	[06/09/2017 18:14: No, the tenderer is not obliged to provide a cooperation-agreement certificate/statement from potential local partners.Question12]
140	Section B.III Global O&M	Point 5 Page 2: Could you please confirm that one local partner can be member of the local network of more than one Consortium applying for this procedure?	[06/09/2017 18:21: We confirm.Question132]
142	Local partner participation letter	Organisation and methodology. Point 5: Local expertise and subcontractors. Please advise if we should provide support letters from local partners included into Template Part B-IX as a part of our proposal?	[06/09/2017 18:31: Support letters from the local partners are not required for this tender.Question12]
144	Service Tender Submission Form / 4. Professional Capacity	Kindly advice whether the permanent staff/experts presented may cover more than one B-Sector sub-headings.	[07/09/2017 10:59: Yes. Permanent experts can be linked to more than one lot. Please revised Tender submission form point 4 (a) 'Please fill-in the following list, whereby you link each expert to B-Sector(s) of the Lot. ']
145	Section 3. B) of the Instructions to tenderers	According to section 3. B) of the Instructions to tenderers: "The tenderers may submit tenders for 2 lots maximum (…) as leader of a consortium submitting a tender." For operators that are members of a legal group, could you please confirm whether each different legal person is allowed to submit tenders for 2 lots maximum as leader, provided that the legal group is not represented within one lot in more than one tender?	[07/09/2017 11:04: We confirm.Question54]
146	Section C. I Evaluation Grid	Please advise if the Rationale section referred to in Section B.III Global O&M will be evaluated as part of 1.1 Organisation & Methodology. If not, will it be included in the technical evaluation at all? Regarding 1.2 Management Team, will the CVs for Project Director and Substitute PD be evaluated under this heading?	[07/09/2017 11:30: The rationale will be evaluated as part of the Organisation and Methodology (point 1.1 of Annex C 1 Evaluation Grid). The CVs for Project Director and Substitute will be evaluated under selection criteria 'professional capacity of tenderer (b)'. This is a yes/no evaluation to check the proposed Project Director and substitute meet the minimum requirements set out in the Global Terms of Reference.]
150	Global Organisation & methodology - rationale	Could you please clarify what you expect to see as written development for: "Opinion on the key issues related to the achievement of the Framework Contract objectives and expected results as well as on the issue of linking part A expertise and part B sectors" and more specifically for the part: "the issue of linking part A expertise and part B sectors"? Some lots do contain many B sub-sectors that refer to very different EU policies and actions and as the number of pages is limited to 25 some guidance is welcome. In addition, we notice there will be no points given to rationale according to the evaluation grid. What is then the rationale of developping this section? Could you please clarify?	[07/09/2017 12:02: Annex B III requests the tenderer to provide in their Global Organisation and Methodology: 'Any comments on the Global Terms of Reference for the successful execution of activities, in particular regarding the objectives and expected results, thus demonstrating the degree of understanding of the Framework Contract.' Regarding of 'linking part A expertise and part B sectors' specifically, it not necessary that tenderer describes linking each B-sector to each A sector for the lot, but rather to include in their rationale short comments/opinion on the issue of linking A expertise to B sectors in general in the context of the framework contract. Regarding the evaluation see Question146]
151	request for clarification	According to the "Instructions to tenderers" point 6. Selection Criteria: For the selection criteria (economic and financial. professional and technical capacity) criteria, the tenderer may not rely on the capacities of other entities and the criteria must be satisfied by the tenderer (in the case of a joint tender, by the consortium as a whole). In the situation a tenderer is part of a Group of companies, meaning at least one shareholder has shares in the other companies of the Group, we understand that it can use the technical and financial capacities of the other members of the group, without those members being part of the consortium as a whole. We make this assumption as the companies of a group cannot be considered as separate entities. We motivate our assumption on the fact that in the case group members are seen as different entities, the companies from the same group could participate in separate consortia for the same lot, without been seen as a possible conflict of interest. Moreover, as an example, if the group members are seen as different entities worldwide company groups should include all their companies and branches in a specific consortium (if they intend to use their references), in order to benefit of their group resources. This will lead to consortia with huge numbers of companies That would be detrimental to the whole tendering process.	[07/09/2017 12:24: No. To rely on an entity's financial, technical and/or professional capacity to pass the selection criteria, that entity must be a member of the consortium. Please see point 6 of the Instructions to tenderers and Question56]
161	Instructions to tenderers, 6.2) "Professional capacity of tender"	About the criteria of eligibility regarding permanent experts: Can one permanent expert cover various B sectors? Is there a minimum requirement of coverage of A sectors?	[07/09/2017 15:55: Yes, a permanent expert submitted by the tenderer for professional capacity criteria under point 6(2) of the Instructions to tenderers may cover more than one B-sector For these minimum 24 permanent experts, there is no minimum requirement in terms of coverage of A sectors. Question3]
162	EuropeAid/138778/DH/SER/Multi - LOT 2	Could you please confirm that the project references and permanent staff of a subsidiary of a legal entity identified in the Service Tender Submission Form are eligible to prove the professional and technical capacity of the tenderer, as required by sections 4 and 5 of the Service Tender Submission Form?	[07/09/2017 15:59: No. The subsidiary would have to be a member of the tendering consortium.Question151]

165	Number of contractors per lot	Could you please precise how many contractors will be selected per each of the six lots?	[07/09/2017 16:39: Please see point 15.4 of the Instructions to tenderers: 'As this Framework Contract is a multiple contract, the tenders will be ranked according to the highest quality-price ratio and those with the highest will be awarded the framework contract, with a minimum of 3 and a maximum of 10 Framework Contractors per lot.']
166	Technical capacity of tenderer	Can a short term assignment under a long term service contract, provided the assignment has been completed and for which a formal completion certificate is available signed by the competent authority, be used as a reference project, even if the long term service contract is still ongoing?	[07/09/2017 16:58: In principal, yes, if the phase of the reference project has been finalised and this is evidenced. Question9]
167	General Conditions Art. 27 and Particular Conditions	In the current FWC Special Conditions point 7.2 there is a derogation of the general conditions and a pre-financing of 60 % of contract value is allowed. In the Particular Conditions for SIEA 2018 there is no derogation of the General Conditions with regards to payments, and only a pre-financing of 40 % of the total value of the contract will be allowed, as per Art. 27 of the General Conditions. Moreover, and for Fee-based Contracts, interim payments every 6 months will be allowed, though the contractor will have to submit financial reports. We are concerned on the way this new modality might impact on three issues in the implementation of SIEA 2018. a)It will imply that framework contractors will have more internal management costs, that will affect the value for Money that contractors can offer. b)It will also affect the way advance payments to the experts are paid, affecting also the expertise available for the Specific Contracts, and the number of payments needed, which will imply further transfer costs. c)It will mean that in fee based contracts where an expenditure verification report is needed, the costs related to the reporting will be much higher, since each interim invoice needs to be verified by auditors. Can you please confirm if the pre-financing modalities of the General Conditions art. 27 apply to specific Contracts under SIEA 2018, or if it is an omission in the Particular Conditions.	[07/09/2017 19:10: We can confirm that the rules concerning pre-financing of specific contracts are those set out in the Annex B I General Conditions and Annex B 0 Draft Framework Agreement and Special Conditions.]
168	Administrative compliance	For the documents in another language than the language of the procedure, shall the translations provided be legalized?	[07/09/2017 19:19: No, official translations are not required to be submitted, although if the evaluation committee has difficulty understanding a certain document, they may request more information/official translation. Also see
169	English Translations	Should the English translations for the Supporting Administrative Documents be Sworn Translations?	[07/09/2017 19:22: Question168]
170	Participation en consortium	Nous désirons proposer une offre dans le cadre de cet appel mais sommes trop petit pour y répondre. Comment peut-on identifier les consortia qui sont susceptibles de répondre à l'offre avec de participer avec eux?	[07/09/2017 19:32: The Contracting Authority is unable to foresee the identity of tenderers for this procedure. The entities that have previously contracted with DEVCO, and may therefore be interested in this tender, can be searched on the financial transparency system website: http://ec.europa.eu/budget/fts/index_en.htm]
171	With reference to the clarification and answer n°56	With reference to the clarification and answer n°56, could you please: •specify if, a sister company ,that belongs 100% to the mother company, can present a PD and Substitute, without being official partner to the Consortium. •specify if the statement : However, please note that regarding professional capacity (b) of the Instructions to tenderers point 6(3) (CVs of Project Director and substitute), there is no requirement for the two CVs to be of permanent employees of the tenderer" means that the PD and DPD can be independents?	[07/09/2017 19:38: The Project Director and Substitute are not required to be permanent employees of the tenderer, so they may have freelance/independent status.]
173	Project's Reference	Could you please clarify whether the references of projects can be submitted in the language of the country where has been implemented the project or should them be translated in English?	[08/09/2017 16:02: For the documentary evidence for selection criteria (which includes the evidence of performance for the Reference Projects), the tender can submit documents in an official language of the European Union, but it is strongly recommended to attach a translation into English to avoid the need for further clarification. Question11]
174	Participation from India	India (as well as Indonesia, Argentina, Brazil, China, and Mexico) is eligible to benefit from regional external aid programmes funded by the DCI. It is also a G20 Member developing country. Are entities from India therefore considered eligible for participation in this tender?	[08/09/2017 20:29: According to the Instructions to tenderers point 5, "For non-leading members of a consortium submitting a tender, participation in the FWC tender is open to all natural and legal persons which are established in a Member State of the European Union or in a country or territory eligible for at least one ongoing EU External Aid Programmes". PRAG annex a2a lists the eligible countries, entities from which can participate in actions funded under the various ongoing EU External Aid Programmes. India is a developing country as included in the list of ODA recipients, and is a member of the G20 group. Therefore entities from India are eligible to participate in procurement procedures for certain actions financed under at least one Programme (e.g. DCI). They are not eligible to participate in actions funded by all Programmes (e.g. IPA II). In light of the above, entities from India may participate in the current tender as non-leading members of a consortium, but not as leader of a consortium or as a single tendererer.]
176	Eligiblity of an entity set up in Switzerland	Will an entity established under the laws of Switzerland and its branches in the EU be eligible as joint tenderers or sub-contractors?	[12/09/2017 18:34: Natural or legal persons from Switzerland may participate in this tender procedure as member of a consortium as they are eligible for at least one EU external aid programme. They are not eligible for all EU external aid programmes, so may not participate as leader a consortium or as single tenderer. Natural or legal persons from Switzerland may also participate as subcontractors for specific contracts during implementation of the framework contract, if natural or legal persons from Switzerland are eligible to participate in tenders of the EU external aid programme under which the specific contract is funded. They are not eligible as subcontractors at the level of the framework contract (i.e. for the current tender procedure) because they are not eligible for all EU external aid programmes. Please see Instructions to tenderers point 5 and footnote 2, and Question174]
177	Instructions to tenderer page 3	Are United States of America (USA) companies able to participate as non-leading members in a consortium?	[12/09/2017 18:37: Yes, natural or legal persons from the USA may participate as non-leading members of a consortium as they are eligible for at least one EU external aid programme. Please see point 5 of the Instructions to tenderers and Question174]
178	Eligibility of consortium members	Can a company from Canada or a company from Switzerland participate in this tender as consortium member?	[12/09/2017 18:41: Yes, natural or legal persons from Canada or Switzerland may participate in this tender as a non-leading member of a consortium as they are both eligible for at least on EU external aid programme Please see point 5 of the Instructions to tenderers. Question176]
179	partner eligibility	Please clarify if a partner from the Sultanate of Oman is eligible as a consortium partner!	[12/09/2017 18:44: Yes, natural or legal persons from the Sultanate of Oman may participate in this tender as a non-leading member of a consortium as they are eligible for at least one EU external aid programme Please see point 5 of the Instructions to tenderers.]

180	Instructions to tenderers	Page 3, Eligibility: Could you kindly indicate whether a company based in South Sudan would be eligible as partner of consortium?	[12/09/2017 18:48: Yes, natural or legal persons from South Sudan may participate in this tender as a non-leading member of a consortium as they are eligible for at least one EU external aid programme. Please see point 5 of the Instructions to tenderers.]
181	Instructions to Tenderers, Section 5. Eligibility “Specific Contracts to be signed under the FWC”□	In Section 5. Eligibility, page 4 of the ITT it is stated among others that “For each Specific Contract, the eligibility in terms of nationality will be governed by the specific EU External Aid Program under which the Specific Contract will be financed. In case a consortium member is not eligible for the Programme financing the Specific Contract, that member shall not be eligible to participate in any task related to that Specific Contract."□ Assuming that Swiss based companies are in principle eligible to participate in the FWC tender as a non-leading member of a consortium, could you please confirm that in case a Swiss consortium member is not eligible to a Specific Contract (or to a beneficiary country), this does not preclude other eligible consortium members from participating in that Specific Contract? Could you also clarify whether references of Swiss based companies meeting the general conditions set out in the tender instructions will all be considered and evaluated in the same way as references of companies from EU Member States?	[12/09/2017 18:51: That is correct. The Instructions to tenderers point 5 states 'in case a consortium member is not eligible for the Programme financing the Specific Contract, that member shall not be eligible to participate in any task related to that Specific Contract.' This does not prevent the participation in the specific contract of other consortium members that are eligible.] [12/09/2017 18:55: All reference projects submitted as proof of technical capacity of the tenderer will be evaluated according to the criteria for assessment that found in Instructions to tenderers point (6) 4 and point 5 of the tender submission form. The nationality of the implementing consortium member will not be taken into account in the evaluation of the reference project.]
182	Joint tender/consortium	Can persons established in OECD/DAC Member States, such as the United states or Switzerland, be non-leading members in a consortium and their references hence be invoked by the Candidate? India (as well as Indonesia, Argentina, Brazil, China, and Mexico) is eligible to benefit from regional external aid programmes funded by the DCI. It is also a G20 Member developing country. Can you please confirm that entities from India are therefore considered -eligible for participation in this tender, as members in a consortium?	[12/09/2017 19:02: Yes, natural or legal persons from the India, USA, Switzerland or Canada may participate in this tender as a non-leading member of a consortium as they are eligible for at least one EU external aid programme. Please see point 5 of the Instructions to tenderers. If an entity is a member of the consortium, then the reference projects implemented by that entity can be submitted.]
183	Eligibility	In the FWC Contract Beneficiaries 2013-2017 EuropeAid/132633/C/SER/Multi natural and legal persons established in the OECD Member States, such as USA and Canada, could be a non-leading member in a consortium Candidate. Could you please confirm the same rule applies in this	[12/09/2017 19:05: Yes, natural or legal persons from the USA or Canada may participate in this tender as a non-leading member of a consortium as they are eligible for at least one EU external aid programme. Please see point 5 of the Instructions to tenderers.]
186	Evaluation Grid - assessment of Management Team	Under Section B.III Global Organisation & Methodology, the description of the Management team is contained within the part 2 "Organisation & Methodology". However, in the Evaluation Grid, the Management Team is assessed in a discrete row, under the part on Organisation and Methodology. to our understanding, the Organisation and Methodology is assessed for all other elements mentioned in page 1 of Section B.III :Global Organisation & Methodology" excluding the bullet point on "description of the Management Team and its Mandate". Please confirm our understanding is correct	[12/09/2017 21:27: The description of the Management Team and its mandate will be included in the point 2 'organisation and methodology' in the Framework Contract Global Organisation and Methodology by the tenderer, but this part of the technical offer will indeed be evaluated under 1.2 of the award criteria found in Annex C I – Evaluation grid. The other parts of point 2 organisation and methodology will be evaluated under 1.1 of the evaluation grid.]
187	Project director and substitute CVs	Can a project director or substitute be presented on several lots at the same time?	[12/09/2017 21:33: Yes, please see Instructions to tenderers point 7.1: 'The Project Director and substitute, and the profiles of the management team members set out by the tenderer in the Global Organisation and Methodology, may participate in several lots of this tender procedure. When this is the case, the Global Organisation and Methodology will indicate in which other lot(s) they are present and how they will proceed to fulfil their assignment in several lots.']
188	Instructions to tenderers Section 6. 4 Technicacl capacity of the tenderer	Could you please confirm that the criteria for the project references listed in Section 6.4 of the ITT are not cumulative, for example, that a project implemented in a Sub-Saharan African country is eligible under the criteria of geographical zone even if it does not cover any B-sector?	[13/09/2017 12:56: All reference projects must be linked to a B-sector, though not necessarily an A-sector. Please see tender submission form point 5: 'you must link each reference project to B-sector(s) of the lot and, if applicable, to A-sector(s)'.]
189	Instructions to Tenderers, Section 7.1. Technical offer, page 17	Instructions to Tenderers, Section 7.1. Technical offer, page 17 indicates: The Project Director and substitute, and the profiles of the management team members set out by the tenderer in the Global Organisation and Methodology, may participate in several lots of this tender procedure. When this is the case, the Global Organisation and Methodology will indicate in which other lot(s) they are present and how they will proceed to fulfil their assignment in several lots. The Project Director and substitute may participate in other parallel tender procedures but must inform the Contracting Authority of these in the Statement of Exclusivity and Availability. Furthermore, the Project Director and substitute is expected to notify the tenderer immediately if he/she is successful in another tender procedure and he/she is expected to accept the first engagement offered to him/her chronologically. We understand that an expert can be proposed as PD or substitute for more than one tender for different lots as long as it is explained in the O&M how this is going to work in practice. With regards to the SoEA: do we need to indicate in each SoEA that the expert is also proposed as PD or substitute for another lot for this tender?	[13/09/2017 19:00: Yes, the project director and/or substitute may be proposed for more than one lot by the same tenderer. The same project director and/or substitute cannot be proposed by different tenderers. The expert may indicate that they have signed a statement of exclusivity and availability for the tender submitted for the other lot, although it is not strictly necessary as long as it is explained in the Organisation and methodology. Please see Instructions to tenderers point 7.1(1).] [14/09/2017 11:38: To clarify, the same project director and/or substitute cannot be proposed by different tenderers in the same lot, but may be proposed by different tenderers in different lots. The practical implications of such an arrangement must be explained fully in the Organisation and Methodology.]
190	Management Team	Can a Management Team member of one Lot also be a Management team member of another lot? Can a Management Team member also be an expert in another Lot?	[14/09/2017 14:33: For Project Director and substitute, see questionQuestion187 The other management team members may be members of another management team in a different lot, but please note their identity/CV will not submitted with the tender anyway. See Annex B III a point 2 bullet point 2. The Project Director and/or substitute may also be submitted as one of the 24 permanent experts required under Instructions to tenderers point 6 (2).]
192	Professional Capacity of the Tenderer (a and b)	Dear Sir/Madam, Concerning the Professional Capacity of the Tenderer: Could you please clarify whether the proposed Professional capacity of tenderer (b): Project Director and his/her Substitute; could be presented as Permanent Experts also for the capacity of tenderer (a)? In the same way, could the profiles of the members of the Management Team can be of individuals presented as permanent experts also for the Professional capacity of tenderer (a)? Thanks in advance for your answer	[14/09/2017 14:43: Please see Question190 The permanent experts presented as evidence of selection criteria may be members of the management team during implementation. However, in the technical offer, the tenderer will not present profiles of specific individuals for the management team, but a generic profile of that management team member. See Annex B III a point 2 bullet point 2.]

193	Management Team	It is our understanding that freelance experts are eligible to be part of our proposed Management Team, alongside the Project Director and Substitute. If that is the case, could you please elaborate on the type of contractual link between our company and the respective freelance experts that would be required, if any (i.e. individual temporary contract, payroll, written agreement to be part of the Management Team for the duration of the contract etc.)?	[14/09/2017 14:46: There are no requirements concerning the contractual link between the tenderer and the management team member set out in the tender dossier. Please note that apart from the CVs of the Project director and substitute that are required for the professional capacity criteria, the tenderer will not propose specific individuals/experts for the management team at the tender stage. The tenderer will set out the structure and profiles of the management team in their organisation and methodology, and if successful and are awarded a framework contract, will be contractually obliged to ensure individuals matching those profiles are available throughout the duration of the contract. See Annex B III a point 2 bullet point 2 and Annex B II Global terms of reference 6.2.1]
194	Section 15 Evaluation of tenderes	In ITT document, there is no given re-examination criteria for the tenders which cover all the criteria and have the same evaluation score . In case of more than 10 contractors meet all the criteria, what will be the re-examination criteria in order to identify awarded contractors. Tenderer may give priority to references' budget, percentage of worked performed, geographical coverage or in-house capacity regarding these re-examination criterion in the tender dossier.	[14/09/2017 14:51: This is an open tender procedure. All tenders will be evaluated according to the selection criteria in point 6 of the Instructions to tenderers. All tenderers that are found to satisfy the selection criteria (as well as exclusion, eligibility etc.) will have their offers evaluated according to the procedure set out in point 15 of the Instructions to tenderers. As this Framework Contract is a multiple contract, the tenders will be ranked according to the highest quality-price ratio and those with the highest will be awarded the framework contract, with a minimum of 3 and a maximum of 10 Framework Contractors per lot.]
195	Technical capacity – evidence of performance	Could you please confirm if formal approval of the final report or proof of final payment are accepted as "evidence of performance". Not all public authorities/clients do issue formal certificates of completion	[14/09/2017 14:52: Proof of final payment and proof of approval of the final report will be considered evidence of performance. Invoices and contracts alone will not be considered evidence of performance.]
198	Reference's eligibility	Could you confirm whether a project which has ended in September, 19th 2014 (instead that on the 28/09/14) could be presented in the Technical Offer, given that the deadline for the FWC tender has been modified (and the validity of some references changed)? Furthermore, considering that most of the EuropeAid tenders accept references of project finished up to 5 years ago, shouldn't it be eligible?	[14/09/2017 15:03: Exceptionally and in order to alleviate the effects of the unforeseen change in deadline for submission of tenders, reference projects finalised within 3 years before the original date for submission of the tenders published in the contract notice (i.e.08/09/2017) will also be accepted.]
199	Instructions to Tenderers - section 6.4 (page 5 of 15) - Techncial Capacity of Tenderer	The ITT stipulate that "reference projects must fulfil the following conditions: - be finalised witin 3 years before the final date for submission of the tenders; and..." Does the contracting authority consider that a project has been finalised when the client has approved the final deliverable? Furthermore, the service tender submission form (point 5 - technical capacity) stipulates that "evidence of performance is also to be added". In which case a) would an e-mail from the client approving the final deliverable suffice? b) would a service contract along with the presentation of an expenditure verification report prepared by an independent auditor (that includes previous sums invoiced and paid by the client) that is to be submitted with the final invoice for services also suffice?	[14/09/2017 15:06: If the Contracting Authority has approved the final deliverable, the reference project will be deemed 'finalised'. A document issued by the Contracting Authority showing approval of the final deliverable will be accepted as proof of performance. This document may be an email. A service contract and expenditure verification report will not be accepted as proof of performance as it does not evidence performance, and in the case of the latter, is not issued by the Contracting Authority.]
200	Regarding Question #9 "Would it be possible to submit a reference for a project partially completed, in case a partial completion certificate can be provided?"	The answer reads "In the case of contracts divided in phases or parts in which the output of each phase/part is finalised and formally approved, each contract phase/part can qualify as a finalised reference project, provided evidence of its approval by the contracting authority is submitted. The phase must have been finalised in the 3 years before the final submission of the tenders.". What would be considered a certificate of partial completion? An e-mail would be enough? An official letter with a stamp? Please note that if the project is not finished, we cannot provide a Closure Note nor a Performance Assessment. Thank you in advance.	[14/09/2017 15:10: A document issued by the Contracting Authority showing approval of the outputs of the phase will be accepted as proof of performance. This document may be an email and/or official letter with a stamp.]
201	References' documentary proof allowed	Most of EuropeAid projects lasting several years foreseen the submission of interim reports and invoices every six months; once the reports are approved and invoices are paid the services provided are considered as finalised and approved. Can we consider an interim or several interim periods of a project whose report have been approved as a completed phase of a project and thus that part of a project as eligible reference ? Can we consider the approval of the interim report as a valid certificate of execution of the interim period of a project ?	[14/09/2017 16:51: Question9 Approval of the interim report will be accepted as evidence of performance if it shows the outputs of that phase of the contract have been performed.]
202	Reference projects- Documentary proof	Concerning the documentary proof allowed for the reference projects of each company, as it is stated in the Service Tender Submission Form template, on its point "5 TECHNICAL CAPACITY", page 6 of 10 and I quote: "[…] For reference projects contracted with a public authority, evidence of performance is also to be added (such as certificates issued or countersigned by the competent authority). For EuropeAid reference projects, the CRIS contract number of the invoked reference project is to be added in the list. [...]" Thus, does it means that it could be acceptable to justify the reference projects by providing for each one, documents such as their contract, their proof of payments and any other relevant documentation which altogether prove their validity?	[14/09/2017 16:52: Proof of final payment will be accepted as evidence of performance. A contract alone will not.]
203	Evidence of performance - Technical Capacity	Would it be possible to confirm if the provision of proof of approval of final report as well as final payment proof is acceptable as evidence of performance? Several clients do not issue certificates of performance.	[14/09/2017 16:58: Proof of approval of final report or proof of final payment may be accepted as evidence of performance.]
204	Proofs documents for the references	As per Q88, it is clarified the following: According to the Tender submission form, point 5, "for reference projects contracted with a public authority, evidence of performance is also to be added (such as certificates issued or countersigned by the competent authority)." Please confirm that the completion certificate and performance certificate are the same document (i.e. a certificate signed by the Client confirming that the project has been finalized and including the project title, the budget and the period of implementation.	[14/09/2017 17:02: The evidence of performance will be issued by the Contracting Authority and show approval of the outputs, which may include proof of approval, final payment, reference letter etc. The document described in your question ('a certificate signed by the Client confirming that the project has been finalized and including the project title, the budget and the period of implementation') would satisfy these requirements.]
205	Tender Submission Form - Point 5.Technical Capacity - project reference - subcontractor	In the case a legal entity has participated to a project (project reference) as sub-contractor of the main Contractor of a Technical Assistance project, as it is often the case with DFID or USAID funded projects where subcontracting is a standard modality of collaboration between contractors, will a certificate of performance issued by the main Contractor, as contracting authority of the sub-contractor, be considered as an eligible evidence of performance?	[14/09/2017 17:05: As it appears in the examples invoked in the question that the principal Contracting Authority is a public authority, evidence of performance is required. In such a case a certificate of performance from the main contractor will be accepted as evidence of performance.]
206	Evidence of performance/ Certificate of completion	When no certificate of completion is available, could you please confirm that, as commonly accepted in other EuropeAid tenders, the approval of the final report or of the final audit report or of the contract and final invoice are eligible evidences of completion?	[14/09/2017 19:55: Approval of final report will be accepted as evidence of performance. A contract and invoice alone will not. A final audit report will not be accepted as it does evidence performance]

207	References	It is our understanding that a reference project can be considered as finalised at the date of approval of its outputs. In case there is no specific end-of-project certificate or Closure Note available for a reference project, what alternative evidence of its finalization can be used? For example, are we authorized to use as valid evidence for a reference project the final report approval (from a fax, note, letter or email) from the Contracting Authority or the Beneficiary Authority? Since the final payment as a rule follows after the approval of the output, the evidence of final payment (bank statement) could equally constitute a valid mean of evidence?	[14/09/2017 20:02: Proof of approval of the final report may be accepted as proof of performance ,which may be an email. Proof of final payment may also be accepted.]
208	Filling Annex 3 - References: Proportion of overall contract value and staff inputs	We are supposed to fill the Annex 3 (References) with "e. Proportion of overall contract value carried out by legal entity (in EUR and percentage)" and "f. Proportion of overall staff inputs provided by legal entity (in months and percentage)" with the Legal Entity's proportion of those contracts. In our case we are a consortium, and some of the projects were carried out by two or more companies from our consortium in a previous FWC, and that are applying together for this new tender. Our question is: if for example our consortium of three companies carried out 90% of a project, 30% by Company A, 30% by Company B and 30% for Company C, we should hand 3 different Annex 3 in (one for each Legal Entity) with the same project, or one Annex 3 listing all three legal entities involved, making it clear we were in the same consortium? Thank you and we hope we made ourselves clear.	[14/09/2017 20:05: According to footnote 6 of the Tender submission form, a reference project coincides with a contract, so in the case in question, the project can only be submitted as one single reference project. In light of this, the tenderer should submit such a reference project as a single form of Annex III. The entities and amounts should be indicated in the form as appropriate.]
209	Tender submission form Annex e (project references)	In cell g. Name of client, is it permissible to solely state the type of client, without giving the exact name, if the client comes from the private sector?	[14/09/2017 20:07: The tenderer should complete the form in Annex 3 of the tender submission form with all the information required.]
210	Technical capacity	Could you please clarify if reference projects that were implemented by a sub-contractor are eligible with a letter of good execution from the client and another one from the main	[14/09/2017 20:11: Yes, they may be eligible if they meet all the other requirements.]
211	Instructions to tenderers - 6. 4) Technical Capacity	Could you please confirm whether a project reference is eligible when the project is carried out in the interest of a Beneficiary Country/beneficary countries of an ongoing EU External Aid Programme, even if the project is implemented in an EU member state? I.e. a training programme carried out in the Netherlands, but designed and implemented in the interest of a Beneficiary Country and attended by nationals of a Beneficiary Country.	[15/09/2017 11:34: For a reference project to be eligible, it must, inter alia, 'be carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme' (Instructions to tenderers point 6 (4)). The Beneficiary Country will be stated by the tenderers in point (b) of Annex 3 of the tender submission form. It must be in the interest of a Beneficiary Country, but the Instructions to tenderers do not state that it has to be necessarily carried out in the Beneficiary Country. Therefore, a reference project carried out in another country, but in the interest of a Beneficiary country (e.g. training for officials of Beneficiary Country carried out in Brussels) would be acceptable (if it satisfies all other requirements). The location where the services were delivered is irrelevant, as long as the reference project is in the interest of a Beneficiary Country. The Beneficiary Country in whose interest the reference project was carried out may then be used to (partially) satisfy the requirement of 'minimum 2 reference projects per geographical zone'. Taking the example above, if the training in Brussels was carried out for officials of Egypt, the reference project may be submitted as covering geographic zone (a) Neighbourhood countries. In Annex 3 point (b) of the tender submission form, the tenderer may indicate 'Egypt' and geographic zone (a). The determining factor is not the location of the services, but the location of the Beneficiary Country.]
212	References	We understand that a project reference that refers to training activities (but not research) can be considered as covering the whole respective i) horizontal aspect of part A (i.e. training and research). Please confirm.	[16/09/2017 16:17: According to the Instructions to tenderers point 6 (4), in order to demonstrate technical capacity, the tenderer must submit minimum 24 reference projects which will, among other requirements, together cover all A-sectors. The A-sectors are listed in Annex B II b detailed description of lots, and includes A sector 'i)' 'Training and research'. Therefore, the tenderer must present at least one Reference project that covers A sector (i) Training and research. In order for the reference project to be considered as covering A sector (i), the reference project must cover either 'training' or 'research', but does not necessarily need to cover both.]
213	Pre financing	"When the pre-financing requested is equal or below EUR 300 000 and subject to a positive risk assessment by the Contracting Authority, by derogation from article 30 of the General Conditions no pre-financing guarantee is required. When the pre-financing requested for a specific contract is above EUR 300 000, a pre-financing guarantee is required". Could you please clarify on which criteria will be performed the risk assessment ? If positive do we understand that all pre financing above 300K can be provided without financial guarantee? Thanks.	[Not published yet: Question433] [16/09/2017 16:46: The terms and conditions concerning pre-financing of specific contracts are those set out in the Special Conditions (Annex B) and in the General Conditions (Annex B I).]
214	Reference, eligibility	We intend to use one or more of the specific short-term missions undertakend within one large technical assistance project as reference projects. In this case, shall we still indicate the total project value or just the respective proportion of the total budget that is directly linked to the specific mission?	[16/09/2017 16:59: According to footnote 6 of the Tender submission form, a reference project coincides with a contract, so if the case in the question concerns a single contract, the project can only be submitted as one single reference project. Question208 Concerning evidence, please see Question207]
217	Deadline for Request for Clarifications	Considering the extension of the deadline for submitting tenders, is there any such extension going to happen for Q&A (the actual 18 August 2017).	[16/09/2017 17:18: Please see timetable in point 2 of the Instructions to tenderers.]
218	Detailed description of the Lots. Lot 2: Infrastructure, sustinable growth and jobs - Sector 7 - Sustainable of waste management (page 7 of 19).	The sub-sector description stipulates: "Sustainable waste management incuding public/private mangagement structures aspects and waste to energy". In addition to waste to energy, there are various additional forms of transforming/recycling waste. Does our reference project specifically have to cover "waste to energy"?	[20/09/2017 17:36: 'Public/private management structures aspects' and 'waste to energy' are examples of 'sustainable waste management', but the reference project does not have to cover these areas specifically to be acceptable, as long as the reference project covers 'sustainable waste management'.]
219	Section 6.4 (technical capacity of tenderer) of the Instructions to Tenderers stipulates that all A sectors have to be covered by a minimum of 24 references.	Point d) Under Part A - Expertise common to all lots refers to "evaluation of offers; assessment of grant proposals". In order to satisfy the requirement of covering A sector point d), is it possible for a tenderer to cover either "evaluation of offers" OR "assessment of grant proposals" or both?	[20/09/2017 17:45: The reference project may cover either evaluation of offers or evaluation of grant proposals, and will be considered acceptable. The reference project does not need to cover both to be considered as covering A sector (d).]
221	Your request for clarification in answer P/7 (probably a typo for 172) of 08/09/2017	We refer to Instruction to tender 6.4) technical capacity, Project References which has to cover A-sectors and B-sectors. Some assignements cover many B-sectors or even B-headings (ie a evaluation of the Agricultural Policy in a country/region in lot 1). How to specify such a broad technical scope as it may cover agriculture, livestock fish, etc....	[20/09/2017 18:20: If the reference project covers more than one B-sector and/or A sector, each B-sector and/or A-sector should be stated in the Tender submission form and its Annex 3]
222	General conditions - approval of report	Article 27 (page 5) Approval of reports and documents – this article direct us to article 27 of the General conditions and then direct us to article 29 which states that the time limit for accepting the reports are included in the time limit for payments. In practice, this is very confusing as already experienced with the BENEF 2013. Could it be added in the special conditions "unless otherwise specified in the ToR" in consequence, ToRs should mentioned the limit time for the approval of each report.	[20/09/2017 18:26: The rules concerning approval of reports and documents are those found in Annex BI General Conditions.]

223	Global Tors Point 8.4	Point 8.4 . The Specific Contract of the Global Tors states the following : (..). In case of the unavailability of any of the experts or non-response, the Framework Contractor with the next highest score may be awarded the Specific Contract, contingent on availability of their experts. This procedure may be repeated for the contractors with eligible offers with the third and then fourth11 highest scores. After signature of the Specific Contract, the non-availability of an evaluated expert may qualify as an error which affects the Specific Contract award procedure and lead to the termination of the Contract. (..) On the other hand , the template of the Statement of Exclusivity and Availability, provided in the Tender dossier includes the obligation for the expert to list the tenders, for which he signed, in parallel, additional SoEA indicating : "Should I receive a confirmed engagement I declare that I will accept the first engagement offered to me chronologically. Furthermore I will notify the framework contractor immediately of my unavailability.]"□ We believe that provision of Point 8.4 . The Specific Contract of the Global Tors is in contrast with the provisions of the SoEA. We recommend that the PRAG rule regarding the "Availability of key experts and proposed replacements" applies.□ Thank you for your confirmation	[20/09/2017 20:01: We do not see a conflict between the Statement of Exclusivity and Availability and the Global terms of reference.]
224	Regarding References	If one of our projects is developed for a private multinational company (e.g. a 10 year outlook of economic growth on countries in development), can it be used as a reference? In affirmative case, what are we meant to put on the "Beneficiary country" slot? Could the client be confidential?	[21/09/2017 10:15: Reference projects whereby the client is a private company can in principle be submitted, but they must meet the requirements set out in the instructions to tenderers point 6(4), one of them being that the reference project was carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme. If the reference project was not carried out in the interest of a Beneficiary Country, it will not be accepted. The Beneficiary country for whose interest the reference project was carried out must be stated in Annex 3 (b) of the tender submission form and the name of the client in (g).]
225	Financial offer	According to the "Instructions to tenderers document", point 7.2 "Financial offer", tenderers need to submit a Pricing Methodology Document as an annex to the Global Financial offer. We understand that the Pricing Methodology does not need to be distinguish between Global Price and Fee based contract . Please confirm our understanding is correct.	[21/09/2017 10:42: We confirm. The Pricing Methodology Document does not need to distinguish between Global Price or Fee-based contracts. The document is a detailed breakdown/description of each of the four Maximum Global fees per working day that the tenderer submits in Annex B V FWC Global Financial Offer.]
226	Proofs for the project references for B-Sector 6.Nuclear safety	In the case the beneficiary of a project reference in B-sector 6. Nuclear safety (a sensitive sector) is a private company and the contract has been carried out with confidentiality clauses, the standard project closure proof might not be obtained/provided. Which kind of proof can be used for such reference that has to respect the confidentiality?	[21/09/2017 10:55: The tender submission form states,'for reference projects contracted with a public authority, evidence of performance is also to be added'. If the contract is not with a public authority, evidence of performance does not need to be added.]
227	Instructions to tenderers:	Page 7: Could you kindly indicate whether a management team member on one lot, can be proposed as permanent expert (without being on the Management team) on another lot?	[21/09/2017 11:27: Yes.Question190]
228	Reference project supporting documents	Can you please let us know when we will be required to submit supporting documents for the reference projects?	[21/09/2017 11:30: All information and documents requested in the tender dossier must be submitted with the tender. This includes the documents required for evidence of technical capacity (reference projects).]
229	Implementation of service requests	Is a bank guarantee needed for projects of a certain amount?	[21/09/2017 11:34: No bank guarantee should be submitted for this tender procedure for the framework contract. Bank guarantees may be required for pre-financing of specific contracts during implementation of the framework contract. The rules concerning the financial guarantees are found in Annex B 0 and Annex B I.]
230	Service Tender Submission Form/ Section 5. Technical Capacity	In page 6 of the Service Tender Submission Form, it is stated "...for reference projects contracted with a public authority.....For Europeaid Projects....". Kindly confirm that apart from EU and public funded, also other donor and/or private funded projects are also considered eligible.	[21/09/2017 11:39: For a reference project to be eligible, they must meet the requirements set out in the Instructions to tenderers point 6(4) and the tender submission form. The source of the funding of the reference project is not a requirement, and is therefore irrelevant.]
232	Instructions to tenderers - Section 15.4 Choice of selected tenders	Section 15.4. Choice of selected tenderers states: the tenders will be ranked according to the highest quality-price ratio and those with the highest will be awarded the framework contract, with a minimum of 3 and a maximum of 10 Framework Contractors per lot. Would the maximum budget of the Lot influence the number of selected framework contractors per Lot?	[21/09/2017 11:48: The maximum number of framework contractors per lot is that stated in point 15.4 of the Instructions to tenderers.]
234	D - 0 - Tender submission form - Annex 3 (Project References)	The Tender Submission Form details in Annex 3 the template / layout for Project References. This template / layout is different from the „standard template" used for other EuropeAid tenders, although the only additional information concerns A- and B-Sector(s) covered. Could we also use the "standard template", just including separate / additional boxes for B-Sector(s) covered and A-Sector(s) covered?	[21/09/2017 11:58: The tenderer should use the templates provided in the tender dossier, adjusted accordingly.]
237	Instructions to tenderers - Section 6. 4)	regarding the technical capacity of the tenderers, the section 6.4) of the ITTs state that "the tenderer must have implemented 24 reference projects with together cover at least: - All A-sectors; -the following number of B-sectors (...)" Coudl you please confirm that reference projects that cover an A sector, but not a B sector, are eligible, provided that the tenderer already covers the minimum number of B-sectors indicated?	[21/09/2017 12:13: According to the tender submission form point 5, the tenderer 'must link each reference project to B-sector(s) of the lot and, if applicable, to A-sector(s).' Therefore, all reference projects must be linked to a B-sector.]
238	Global Terms of Reference	In line with section 6.2.1 of the Global ToR, Management team requirements, can you advise why 'the project director and his/her substitute must have at least C1 level of both English and French', when the Project Director can allocate management responsibilities to other members of the management team. Furthermore, if French is required, why not also Spanish and/or Portuguese. Could we propose that this be changed to 'project director or his/her substitute must between them have at least C1 level of both English and French'	[21/09/2017 12:20: The minimum requirements for the Project Director are those set out in the Global Terms of Reference.]
239	Instructions to tenderers, Page 5: Management team Members	We understand that a member of the Management team cannot participate into the future Requests for service, launched under the FWC Benef SIEA, we understand, however, that a member of the Management team can be included among the minimum number of Cvs requested as a proof of the professional capacity of the tenderer in the same Lot. Can you kindly confirm?	[21/09/2017 12:25: We confirm.]

240	Lot 2 - Nuclear Safety	Regarding the Lot 2 and references on subsector Nuclear Safety. Most of the Nuclear Projects in the World are in Europe - and in order to have a fair competition, we would like to be allowed to propose european nuclear references. Would you agree? Best Regards	[21/09/2017 14:33: For a reference project to be eligible, it must, inter alia, be carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme (Instructions to tenderers point 6 (4)). These countries are those found in the programmes listed in Instructions to tenderers point 6 (4). Please note that this includes the DCI (Regulation No 233/2014), the Beneficiary countries of which are all the countries on the list of recipients of ODA established by the OECD/DAC (see Article 1 of the regulation), except the few exceptions stated in Article 1 of the regulation.]
241	Instruction to tenderers - Point 7.1.4 - Technical Capacity - Evidence for references	When completion certificate is not available (for project recently completed of phases of larger projects brought as references), are the following evidence accepted : pages of contract (incl contract name & name & value + signature) + proof of payment par customer for the specified phase (or project) ?	[21/09/2017 14:35: As stated in other answers, a contract alone cannot be considered evidence of performance, as it does show that the contract was actually performed. In terms of a contract in phases/parts, the evidence must show the outputs of the phase were approved. Proof of payment for the phase or proof of approval of the outputs of the phase may be used as evidence.]
242	Tender Submission Form Point 4.a Professional capacity of tenderer (a) "permanent experts" – evidence of employment at the date of the tender	Are salary slips and statements issued by official external bodies dated between 7th July 2017 and 28th September 2017, sufficient evidence to prove the employment as permanent experts at the date of the tender? Or, should such evidences - dated between 07/07/2017 and 28/09/2017- , be in addition, completed by a declaration signed by the employer confirming that the expert(s) continues to be employed from the date of the evidence (between 07/07/2017 and 28/09/2017) until the date of the deadline of the tender, that is until 29th September 2017?	[21/09/2017 15:34: The tender submission form states that tenderers must provide evidence that the experts are employed as permanent experts and that to the extent that such evidence covers an earlier period, the evidence can be completed by a declaration signed by the employer confirming that the expert continues to be employed until the date of the tender. In terms of salary slips and official documents such as documents form the taxation office or for social security, they should be the most recent possible. If the documents concern permanent experts who are shareholder/owners, such as articles of association, they may have been issued less recently, and will require a declaration signed by the employer/tenderer confirming that the situation has not changed. The evaluation committee will assess on a case-by-case basis if the evidence is sufficient, but the tenderer is always free to submit a declaration as described in the Tender submission form if they feel the evidence covers an earlier period.]
243	Tender submission form section 4 point a. professional capacity of the tenderer	Considering that the deadline for submission of tenders has been postponed to 29th September 2017. Can you confirm that an individual salary slip for July 2017 will be considered sufficiently recent and that no additional evidence (e.g. declaration by the employer that the experts continues to be employed until the date of the tender) is needed to cover the month of August and September 2017?	[21/09/2017 15:37: Question242 Please note the deadline for submission has been extended further.]
245	Proofs of Employment - legal professionals	In the tender submission form, section 4 (a) "Professional capacity of the tenderer", proof that experts submitted in the offer are employed as permanent experts is requested, such as a salary slip or an statement from an official external body. In some jurisdictions, it is a requirement that legal professionals are self-employed and not employed directly by a legal firm. In these cases where a salary slip or statement from an external body doesn't exist, but legal professionals work on a permanent and exclusive basis with one of the consortium partners, will a statement from the legal firm confirming that the legal professional works exclusively for them be sufficient as proof of employment? Thank you in advance for your answer.	[21/09/2017 15:57: According to point 6 (4) of the Instructions to tenderers, the tenderer, as proof of professional capacity, must employ at the date of the deadline for submission of the tender minimum 24 permanent experts. Permanent experts may be directly employed employees receiving a salary, or shareholder/owners/partners working as experts for the tenderer (see Question123). If the expert is not a direct employee or shareholder/owner/partner, but is working permanently for the tenderer under another type of contract, they may qualify as a 'permanent expert' as long as their contractual relationship with the tenderer is permanent and provides for a salary or an analogous payment such as a yearly retainer, and the contract is not just a service contract, providing services to the tenderer for a specific and defined project(s). Exclusivity with the tenderer would be a further clear indication of this permanence. Experts who provide services to the tenderer under different contracts on a project-by-project basis, will not be considered permanent, even if the tenderer and expert have a long term working relationship. Evidence for such permanent experts may include the contract showing provisions for the salary or analogous payment and exclusivity clauses and bank statement as proof of monthly/yearly payments (with confidential information redacted if necessary).]
249	Tender Submission Form - Point 4.a Professional capacity of tenderer (a) "permanent experts" – evidence of employment "at the date of the tender".	Tenderers are required to include with each of the minimum 24 CVs presented as permanent experts, the evidence proving they are employed by the tenderer"at the date of the tender". Could you please clarify what is meant by "at the date of the tender?" . Should we understand that "at the date of the tender" refers to i. the date of publication of the contract notice and the date at which the tender dossier was made available, that is 7th July 2017 ? or ii. the date of the deadline for the submission of the offers, that is 29th September 2017? or III. the time between these two dates, that is the tenderer's preparation time for submitting a bid from 7th July 2017 until 29th September 2017?	[21/09/2017 16:09: In the context of Tender Submission Form - Point 4(a), 'date of the tender' means the date the tenderer signs the tender (before submission), confirming all information is accurate and correct.]
250	In-house expertise	Under UK Law, it is not mandatory to register an employee working abroad into the Social Security system, therefore that person - although full time employee of a UK-based company - would not be able to present an official payslip, but only monthly transfers to his bank account. In such case, would there be other types of proof that would be acceptable to demonstrate the status of full-time employee of such a person? If so, which would these be?	[21/09/2017 17:16: For employees, a document from an external body showing the employee status may be accepted. Salary slips and statements from the taxation office or a social security secretariat are only an example of possible evidence given in the tender submission form.]
253	Definition of Permanent Expert	Many specialised consulting firms are management-owned and their staff often are actively involved in management as directors/members of management boards and/or special agents (e.g. mandataire) rather than being 'employees'. Would it be acceptable to consider as permanent experts professionals who are not employees (i.e. do not receive a fixed salary) but who are directors/members of management boards and/or special agents provided that their position is attested by a document issued by a competent authority (e.g. certificate issued by a commercial court or company registry or chamber of commerce)?	[21/09/2017 17:26: Permanent experts may cover shareholder, directors/members of management board of the tenderer, as long as evidence is provided. This may include documents such as the articles of association and documents issue by a commercial court/chamber of commerce. As it is not clear what is a special agent, so it is not possible to state if this will be considered a permanent expert.Question123Question245]
254	Tender Submission Form - Professional Capacity	Under the Data Protection laws of some countries where our Consortium members are based, copies of payslips cannot be sent to anyone other than the specific employee they concern. Also, the tax administration of such countries do not provide upon request personalised letters confirming the roles and employment dates of a business's employees. Could you confirm that a declaration signed by the Consortium member stating that the related in-house staff are employed to the date of tender submission suffice as evidence of employment?	[21/09/2017 17:33: The documents listed in the tender submission form such as an individual salary slip or a statement from an official external body, e.g. the taxation office or a social security secretariat are examples of the types of documents that may be accepted as evidence. For employees, other documents from an external source showing employee status may be provided. Any confidential information may be removed/blacked out.]

256	Tender Submission Form Point 4.a Professional capacity of tenderer (a) "permanent experts"□	Can founders, owners, shareholders, partners , executive directors and cooperative members employed by a tenderer, be presented as Permanent Experts in the framework of this tender procedure? In the positive case, could you clarify what type of evidence of employment can be provided when these permanent staff members do not have a standard employee contract with the tenderer?	[21/09/2017 17:39: Yes, owners, shareholders, partners , executive directors and cooperative members of the tenderer may be considered permanent experts, as long as evidence is provided. Founders of the tenderer will only be considered permanent experts if they have maintatined the permanent link with the tenderer until the time of the tender (e.g. as shareholder/owner or employee)Question123]
257	Tender submission form, 4. Professional capacity of the tenderer (a)	Can you kindly confirm that copies of the evidence ('an individual salary slips or a statement from an official external body') that the permanent experts are employed 'at the date of the tender' may be submitted and that no originals are required.	[21/09/2017 17:42: Copies may be accepted. The Contracting Authority reserves the right to request originals in case of doubt.]
258	Professional capacity - evidence of tender-employed permanent experts	International laws prevent us to disclose individual pay-slip. We can provide signed employment certificates staing that the expert is employed at the date of the tender- will you accept them ? Thanks & regards	[21/09/2017 17:45: Individual salary slips or a statements from an official external body, e.g. the taxation office or a social security secretariat may be redacted if necessary. Question254]
259	Instructions to tenderers Point 6.3. Selection Criteria	Are branch offices, located in a member state different from the one of the main office actually Consortium Member, fall under the "undertaking" unauthorized situation ? If allowed, shall we understand that staff from the said branch office are eligible for the professional capacity of tenderer (a)?	[21/09/2017 17:58: If the branch office is not a separate legal entity from the tenderer, and is, in fact, the same legal entity, then its economic, professional and technical capacity may be used to satisfy the selection criteria.]
261	EuropeAid/138778/DH/SER/Multi - GENERAL CONCERNING ALL LOTS	The tenderer is requested to provide evidence of employment of each of the permanent experts listed in the Service Tender Submission Form (Section 4: Professional Capacity), such as individual salary slips or a statement from an official external body (e.g. the taxation office or a social security secretariat). However, according to data protection laws, transferring employee information, such as salaries, fees or contractual arrangements, to another entity (e.g. another member of the consortium or even a related corporate affiliate) requires consent to be obtained from the individuals concerned. These individuals have the right to object to the processing of their personal information, thus preventing its disclosure in the Offer. In view of this situation, kindly indicate which alternative supporting documents would be deemed acceptable evidence of employment (e.g. certificate from employer, or a company statute in the case of shareholders).	[21/09/2017 18:11: Question254 As concerns shareholders, company statutes showing the name of the expert would be acceptable.]
265	General Conditions - Financial Guarantee	Article 30 (page 5) Financial Guarantee. In the previous generation of BENEF FWC, it has been allowed that bank guarantees are issued by members of consortia and not only the consortium leaders. Will this be allowed also for FWC SIEA 2018?	[21/09/2017 18:53: As a general rule, if a financial guarantee is required for the pre-financing of a specific contract, the financial guarantee may come from any member of the consortium. Please note that no financial guarantee should be submitted with the tender for the framework contract. A financial guarantee will only be necessary at the level of specific contracts under the framework contract in the circumstances described in Annex B – 0 and Annex B I.□]
266	General Conditions	Are there any limitation regarding the contract addendum for specific contracts (maximum budget percentage increase, duration, etc.)? Please clarify.	[21/09/2017 18:55: The rules concerning the amendment/modification of specific contracts are those set out in the Annex B – I General conditions (principally article 20) and in Procurement and Grants for European Union external actions – A Practical Guide (PRAG) (principally article 2.10.)]
267	General Conditions	From the General Conditions Article 29, it seems like all fee-based type of contracts will mandatory include expenditure verification reports, whereas the Global Financial Offer point 5 says that "If an expenditure verification is required (…) will be determined (…) at the moment of the RfS". Please clarify.	[21/09/2017 19:04: Please see article (5) of the Draft framework contract agreement (Annex B 0): 'By derogation from Article 28 of the General Conditions, no expenditure verification report is required for a fee-based Specific Contract unless explicitly indicated otherwise in the Specific Contract and/or the Specific Terms of Reference.']
268	request for clarification	According to the "Instructions to tenderers" point 6. 2), Selection Criteria, Professional capacity of the tenderer, the tenderer must employ at the date of the deadline of submission of the tender of minimum 24 experts who cover at least the following minimum number of B sectors […]. □ Could you please clarify if there is any other additional qualification required for the permanent experts, besides the sector coverage?	[21/09/2017 19:13: The requirements concerning the qualifications and/or professional experience of the permanent experts for professional capacity (a) are only that they cover the B-sector(s) for which they are submitted.]
269	Special conditions	Article 43 (page 6) Further additional clauses – Electronic management of the FWC. Could you please provide more information to this point? it is stated " Contractors will use 'appropriate electronic exchange system'. Additional costs could be expected for contractors for accessing to your system?	[21/09/2017 19:14: No additional costs are foreseen. The electronic exchange system that the contractors will be required to use does not require any specific equipment, training or third party services. In fact, specific operational savings are foreseen as specific contracts will be signed electronically and will not require signature of paper copies and postage.]
270	Management Team, Project Director	The Instructions to tenderers (page 7 of 15) indicate that "(the tenders will be rejected) … if the Project Director and/or substitute proposed has been involved in the preparation of the project." □ Can you please specify what does "project" mean specifically in this situation? Can you please also explain in more details what would be the grounds for rejection of the offer if failed to comply withh the case presented in the ITT?	[21/09/2017 19:16: In the case of the present tender, this clause would apply if the Project Director and/or substitute were involved in the drafting of the tender dossier for the present procedure.]
271	Management Team, Project Director	Point 6.2.1 of the ITT indicates that "…for the Project Director, at least 5 years of that (general) professional experience must have been in a senior management position". Please clarify whether this additional requirement is also to be applied to the Substitute.	[21/09/2017 19:20: The additional minimum requirement of at least 5 years of their (general) professional experience being in a senior management position only applies to the Project Director, and not his/her Substitute. Please note, however, that the additional requirement of having at least C1 level of both English and French applies to both the Project Director and his/her substitute. Please see Global Terms of Reference point 6.2.1.]
272	Instructions to tenderers Point 3. Participation, experts and subcontracting b)	As per instructions to tenderers 3. B) "the tenderer may submit tenders for 2 lots maximum either as an individual tenderer or as a leader of a consortium submitting a tender. There is no limit to the number of lots a tenderer can apply as member of a consortium. Could you, please, clarify if a legal entity that belongs to a group of companies would be regarded as the tenderer in the above instruction or if it would be the group of companies that would be regarded as the tenderer?	[21/09/2017 19:52: The tenderer is/are the entity/entities listed as such in point 1 of the Tender submission form. If a member of the consortium submitting a tender is member of a group, then the whole group would not be considered the tenderer, unless the other members are also listed as tenderers in point 1 of the tender submission form. Regarding the limit of submitting tenders for 2 lots maximum either as an individual tenderer or as a leader of a consortium, this applies to legal entities, not to the whole group that the legal entity may be member. See question Question54] [21/09/2017 19:52: The tenderer is/are the entity/entities listed as such in point 1 of the Tender submission form. If a member of the consortium submitting a tender is member of a another legal group, then the whole group would not be considered as the tenderer, unless the other members of the group are also listed as tenderers in point 1 of the tender submission form. Regarding the limit of submitting tenders for 2 lots maximum either as an individual tenderer or as a leader of a consortium, this applies to legal entities, not to the whole group of which the legal entity may be a member. See question #24546 Please also see]
273	Financial Identification form	Can you confirm that the Financial Identification form is needed only from the Leader in case of a consortium.	[21/09/2017 20:01: We confirm, the Financial Identification Form is only required from the leader.] [21/09/2017 19:55: Question10]

274	Instruction to Tenderers D - 0 - Tender submission form - Annex 3 (Project References).doc	According to the Instruction to Tenderers point 4) , "Reference projects must fulfil the following conditions: - be finalised within 3 years before the final date for submission of the tenders".□ Please clarify whether tenderers are allowed to refer to projects completed within the reference period (although started earlier) AND ALSO to projects not yet completed. In the latter case of projects still on-going it is regular that only the portion satisfactorily completed during the reference period would be taken into consideration if proper evidence of performance is provided.	[21/09/2017 19:59: We can clarify that project references started earlier than 3 years before the deadline for submission of tenders are acceptable, as long as they were finalised within 3 years before original deadline for submission of tenders. Regarding partially completed project references, please see question Question9]
275	Documentary evidence proving that the companies do not fall into any of the PRAG 2.3.3	Concerning the documentary evidence proving that the companies do not fall into any of the PRAG 2.3.3 exclusion situations, se can you clarify what is the the cut of date /period in which these documents have to be issued (e.g.: less than one year/3 months prior to tender submission deadline?) ?	[21/09/2017 20:03: Please see Annex 4 to the Tender submission form: 'The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.' For the documents submitted electronically with the tender, the date of request should be considered the date of deadline for submission. If the documents expire and/or are issued more than year before date of the signing of the contract with successful tenderers, the Contracting Authority reserves the right to request again documentary evidence that has been issued less than a year before that request.]
277	Instructions to Tenderers, section 6. Point 2) Professional capacity of tenderer	Can you kindly clarify which criteria will be applied to assess whether a permanent expert covers a specific B-sector sub-heading allocated to him/her in the in the tender submission form (Annex I), e.g. is there a minimum number of years of experience required for the relevant B-sector sub-heading or B-sector heading?	[21/09/2017 20:29: According to the Instructions to tenderers point 6 (2), the minimum 24 permanent experts presented in the offer to demonstrate professional capacity must 'cover' the B-sector(s) for which they are proposed. There is therefore no minimum number of years of experience required in the concerned B-sector. In the tender dossier, 'B-sector' refers to B-sector sub-heading, so the permanent experts presented together must cover the minimum number of B-sector sub-headings, and each individual expert presented must cover the B-sector sub-heading(s) for which their CV is presented. The CV of the expert must show that the expert has have a reasonable level of education/qualifications and/or experience in the B-sector to allow the committee evaluating to conclude that the B-sector expertise required under the framework contract can be attributed to that expert.]
278	ANNEX I – Experts:	For how many years do reference persons need to be specified in the CV?	[21/09/2017 20:36: Regarding the permanent experts required under point 6(2) of the Instructions to tenderers, please seeQuestion277]
279	Instructions to Tenderers, section 6. Point 2) Professional capacity of tenderer	Can you kindly clarify whether the permanent experts included in the tender must have experience working on assignment as that are in the interest of Beneficiary Countries of ongoing (or closed) EU External Aid Programme?	[21/09/2017 20:37: No, that is not a requirement of the permanent experts to be presented as evidence of professional capacity. The only requirements are those set out in Instructions to tenderers point 6 (2) and Tender submission form point 4 (a).]
280	Geographical coverage	Could you please indicate whether projects implemented in Croatia before its accession to the EU are eligible regardless the fact that it is not an IPA country anymore?	[21/09/2017 20:54: According to the Instructions to tenderers, reference projects must be 'be carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme '. The Beneficiary countries can be seen in the programmes listed in Instructions to tenderers point 6(4). Croatia was a beneficiary country under the previous Instrument for Pre-Accession Assistance IPA I, but this programme has expired and is therefore not 'ongoing'. The current ongoing Instrument for Pre-Accession Assistance ('IPA 2' - Regulation No 231/2014) does not list Croatia as a beneficiary (see Annex I of the regulation) and therefore Croatia cannot be considered a Beneficiary Country of an ongoing EU External Aid Programme.]
281	Geographic coverage of the references	Instruction to Tenders Paragraph 6 Section 4, references which are implemented in multiple countries can be accepted if some of the countries are not in the list of regions given in this section. For example, projects implemented in Croatia and Albania can be counted as an eligible reference?	[21/09/2017 21:03: Yes, if the reference project was carried out in the interest of multiple countries, as long as one of these countries is a Beneficiary country of an ongoing EU external aid programme, the reference project will be eligible. In the case in the question, Annex I of the Regulation No 231/2014 (IPA II) lists Albania as Beneficiary country, but not Croatia. Albania is considered a Beneficiary country, but not Croatia, but the reference project will still be accepted if it was carried out (at least partly) in the interest of Albania. It could also be submitted as falling under geographical zone (e).]
287	Correct Title of the Framework Contract	Could you kindly confirm that the title of the Framework Contract which should feature on the declarations, cover pages etc., is "Framework Contract Services for the Implementation of External Aid (SIEA) 2018" as given on p. 1 of the Global Terms of Reference and on the Tender Submission Form? The tendering documents we have already received from our consortium members all use this title.	[21/09/2017 21:20: We confirm that documents with the title stated in the question will be accepted as they identify sufficiently the call.]
288	Tender Submission Form, Section 3: Extracts from audited annual financial reports	In section 3 of the tender submission form, Economic and Financial Capacity, "extracts from consolidated profit and loss accounts […] approved by the relevant competent auditor / entity" are cited as the documentary evidence to be submitted. Since many audited annual financial reports are upwards of 40 pages long, could you kindly confirm that for the same "economical and ecological reasons" cited in the first paragraph of the Tender Submission Form, we may submit extracts of the reports e.g. only the pages with the relevant information highlighted, along with the cover page and the signature page? The full reports would be available on request.	[21/09/2017 21:22: We confirm that extracts from the audited financial reports may be submitted as long as they contain all the necessary information to evaluate the economic and financial capacity criteria found in the Instructions to tenderer point 6 (1). The extracts should make it clear that they are from the official audited accounts. In case of doubt regarding the economic and financial capacity, the Contracting Authority reserves the right to request further documentation from the tenderer.]
289	Evidence in support of the declaration on honour concerning exclusion criteria	Dear Sir/Madame, Reference is made to the Instructions to Tenderers, point 4. Exclusion. Can you please confirm that in case of award, the evidence in support of the declaration on honour concerning exclusion criteria, should be provided in plain paper copy and not in original or notarised copy, as this would represent an additional administrative burden and require longer timing to obtain originals from all consortium members, in case of a consortium? Thank you in advance	[21/09/2017 21:24: The documentary evidence showing that the tenderer does is not in an exclusion criteria listed in Section 2.3.3. of the PRAG are to be submitted electronically with the tender. In the case of successful tenderers, the Contracting Authority may reserves the right to request the original version of this documentary evidence before signature of the contract. See Instructions to tenderers point 4.]
291	Instructions to Tenderers - Page 5, point 4) – Technical capacity of tenderer Last paragraph. The project references "…must be finalised within 3 years before the final date for submission of the tenders".	Question 4: Many contracts have one or several addenda that come after, often separately or in complement to the principal contract. As the services of the principal contract on its own have been terminated, sometimes after 4 or 5 years of project execution and before commencing an addendum, can we use the principal contract reference and dates as project reference, independently from the addenda that came after?	[21/09/2017 21:34: Yes, if the outputs of the original contract have been approved by the contracting authority. The phase/part used as reference project must have been finalised within 3 years before the original final date for submission of the tenders and fulfil all other requirements for reference projects set out in the Instructions to tenderers. Question9]
292	Instructions to Tenderers - Page 5, point 4) – Technical capacity of tenderer	Question 5: Regarding the large EU projects (e.g. covering EU-requested TA on specific sectors over large geographical zones) mobilizing an important number of separated short expert missions in a similar approach to the framework contract services but without specific contracts, can one mission be considered as reference project considering that each mission has its own terms of reference, approval of final report and signed assignment assessment form?	[21/09/2017 21:36: The Tender submission form footnote 6 states that 'A reference project coincides with a contract. In the case of framework contracts (without contractual value), only specific contracts corresponding to assignments implemented under such framework contracts shall be considered.' Therefore, a single contract cannot be used to invoke more than one project reference. The exception is a framework contract, under which the specific contracts may be considered separate project references as they are stand-alone contracts.]
293	Instructions to Tenderers, point 6.2) "Professional capacity of tenderer" and Tender submission Form – Annex I "Experts"	For the "Experts" that are to be proposed to cover the B-sector sub-headings, can some experts cover more than one (i.e. different) B-sector sub-headings for the lot 2 as well as for the other lots?	[21/09/2017 21:39: The tender submission form states that the tenderer must link each (permanent) expert to B-sector sub-heading(s) ('B-Sector(s)') of the Lot. There is no limit given to the number of B-sectors that an expert can cover or that the expert may only cover B-sector sub-headings for a single lot. The tenderer must ensure that the expert that is submitted to cover multiple B-sector sub-headings possesses adequate qualifications and experience to be considered as covering all the B-sectors for which he/she is submitted.]

296	Consortium economic and financial capacity	In regards to the financial data to be provided for the consortium as a whole, in the circumstance that members of the consortium have financial years that do not match the calendar year, please advise how we should collate the data? For example some consortium members financial years run from October through to September, whereas others run from January - December. Is it acceptable for the figures provided just to be the sum of the last 3 years the accounts are closed for all members, regardless of which months they are in reality?	[22/09/2017 10:48: The Instructions to tenderers point 6 (1) states that the economic and financial capacity criteria is that the tenderer's average annual turnover for the last three years must exceed the amounts indicated in point 6(1) for the lot that they are submitting a tender. The 'last three years' are further defined as 'the last three years for which accounts have been closed.' Therefore, the tenderer will submit the information and evidence for the last three years for which accounts have been closed. The three columns in the table in the declaration attached to the tender submission form that is to be completed and signed by each consortium member should contain, therefore, the financial data for the last three years for which accounts have been closed for the consortium member (and the average). It is understood that this may not match the calendar years 2014, 2015 and 2016 as the accounting period of the consortium member may be different. The column title may be adjusted and/or any clarification or explanation which is judged necessary may also be provided. The amounts in the three columns will match the amounts in the documentary evidence provided by that consortium member. The financial data to be provided in point 3 of the tender submission form should be the total annual turnover for the last three years for which accounts have been closed of the consortium, i.e. each column will be the sum of the amounts in the corresponding column of all the consortium members' declarations. It is understood that this may not match the calendar years 2014, 2015 and 2016 exactly as the accounting periods for the consortium members may be different, and that within the consortium, each member's accounting year may vary. However, this is not a problem as the reference period is 'the last three years for which accounts have been closed'. The column title may be adjusted and/or any clarification or explanation which is judged necessary may also be provided.]
301	Annual accounts period covered. Point "3.Economic and Financial Capacity" of the Tender Submission Form.	In case of a single member of the consortium having the annual accounts covering a different period than the calendar year, please confirm that their results could be presented originally, but equated mathematically in order to convert them to the same basis (calendar year) used by the rest of the consortium members (as specified in the financial data Table).	[22/09/2017 11:04: The annual turnover should be presented for each of the last three years that the accounts have been closed. There is no need to mathematically convert them into calendar years either for the table relating to the individual consortium member or for the total for the consortium in the tender submission form. Question296]
308	Instructions to Tenderers 7.1. (6): Documentary evidence	Will the annual reports of the the past three years suffice as documentary evidence for the financial and economic capacity or should the bidder produce additional documentation?	[22/09/2017 11:29: Annual reports showing the annual turnover for the last three years for which accounts have been closed, approved by the relevant competent auditor/entity, will be acceptable.Question296]
313	Application for a Lot/Tender by a company and its franchisee	•Company A is a corporation with more than 1,000 legally dependent firms. There are also firms that are franchisees of the brand " Company A ". The franchisor grants the franchisee the right to use the Company A -Logo and name as well as the rights to offer A-services under the Name " Company A ".There are no other connections between the franchisor and the franchisee.Is it possible that in an EuropeAid tender the franchisee applies for a certain lot as well as a regular dependent entity does? In other words: Is it theoretically possible that two companies, named e.g. "Company A XY" and " Company A XZ", apply for a lot/tender and both can do so without being excluded from the application process?	[22/09/2017 13:14: Regarding two entities that belong to the same legal group submitting tenders for the same lot, the Instructions to tenderers states that 'A legal group cannot be represented within one lot in more than one tender. A natural or legal person member of a legal group (for example an EEIG), cannot participate individually in a tender and through the legal group in a second tender for the same lot.' The reason for ensuring that a legal group is not represented more than once in a single lot is because the framework contract SIEA 2018 is a framework contract with re-opening of competition, i.e. there will be a competition between the framework contractors for each specific contract. The Contracting Authority wishes to avoid the situation whereby this competition may be distorted due to the presence of two (or more) framework contractors under common or joint control. Whether or not a legal group is represented more than once in a single lot will have to be decided on a case-by-case basis by the evaluation committee, taking into account whether the two (or more) entities are under a common or joint control. The tenderer must complete a declaration attached to the tender submission form which lists all the members of any legal group to which they may belong. The consequence of entities that are under common or joint control submitting tenders (either as leaders or members of consortium) for the same lot may be that both tenders will be rejected. Members of an EEIG will not, per se, be found to be under common or joint control because of their membership of the EEIG. However, if the EEIG submits a tender for a particular lot, all its EEIG members are committed through that tender, and therefore none of the EEIG members can participate in a tender individually for that lot.]
317	References, geographical coverage	When we use a multicountry project, which benefits countries from more than one geographical zone, can we use the respective reference for any of the geographical zones in place?	[22/09/2017 15:45: Yes, the tenderer may select the most appropriate geographical zone, but the reference project can only cover a single geographic zone, and cannot be invoked to cover two or more. The tenderer must indicate clearly in section (b) of the Annex 3 of the Tender submission form which single geographical zone the reference project relates to.]
318	Evaluation Grid	Regarding your clarification 146, can you please tell how much (min and max) of the 1.1 O&M scores will be attributed to the	[22/09/2017 17:02: The rationale will be evaluated together with the organisation and methodology and will receive a single score.]
319	Location of Project Director and Project Director SUbstitute CVs	As the CVs of the Project Director and Substitute are simply an administrative elgibility criteria requirement, please can you kindly confirm that they are to be annexed to the Tender Submission Form and not the Organisation & Methodology?	[22/09/2017 17:07: That is correct. The CVs of the project director and substitute should be included in the evidence for selection criteria, and will not form part of the Global Organisation and Methodology.]
320	List of Sectors/Lot 2	With regards to lot 2/sector 4. "Urban Development and Cities"/4.2 "Social Housing and slum upgrading", kindly confirm whether a project that covers either social housing or slum upgrading is considered eligible for this sub-field.	[22/09/2017 17:12: A reference project that covers either social housing or slum upgrading will be considered as covering B-sector 4.2. of lot 2.]
321	Declaration of Honour - Annex 4 to Annex D	With reference to question 75 in which you indicate "…Regarding section VII 5 (a), (b) and (c), all consortium members including the leader can check the 'N/A' column…". □ Could you kindly indicate if ticking "yes" would also be acceptable.	[22/09/2017 17:16: If the tenderer has ticked yes in those columns, the declaration will still be accepted as it still will serve the principal purpose as declaration of non-exclusion.]
322	B sectors Lot 1	If a project does cover most or all points of a technical heading (ie 2. livestock) would it be allowed to consider this reference as a "2" proejct and not specifically a "2.x" project?	[22/09/2017 17:20: No. The Instructions to tenderers states that the tenderers must have implemented minimum 24 reference projects which together cover at least the minimum number of B-sectors of the lot. According to annex B II b, B-sectors refer to 'sector sub-headings' for the purpose of the tender (e.g. 1.1, 1.1, 1.2). According to the tender submission form, the tenderer must link each reference project to B-sectors, and the B-sector(s) of each reference project must be indicated in point 5 of the tender submission form and in its Annex 3. The tenderer must state the B-sectors of each reference project, not just which sector heading it falls under. The Instructions to tenderers point 6 (4) states also that, as well as covering the minimum 24 B-sectors, the reference projects must also collectively cover 'at least one B-sector in each sector heading of the lot'. This requirement will also be assessed by the committee, but will be done based on the B-sectors proposed in the tender submission form and Annex III.]
326	Professional capacity	The ITT reads: the tenderer must submit a minimum 24 permanent experts who cover at least 54 B-sectors (for Lot 2). Is there any requirement in regards to coverage of Part A? It is our understanding that CVs of these experts must be provided. Is there any specific requirement in regards to the eligibility of work experience: e.g. specific geographic area, specific period in which the Expert should have carried out the task, etc? Is there any requirement in regards to the category of these Experts (minimum years of experience)?	[22/09/2017 19:15: No, for the minimum 24 permanent experts required for professional capacity, there are no requirements concerning coverage of A-sectors or geographic area, only the requirements set out in the Instructions to tenderers and in the tender submission form.Question277]

327	Instructions to Tenderers, point 6.2) "Professional capacity of tenderer" and Tender submission Form – Annex I "Experts"	Must all experts presented in the Tender submission Form – Annex I be of Category I, or can we present a mix of Experts of Category I, II and III?	[22/09/2017 19:19: The instructions to tenderers point 6(2) lists the requirements for the minimum 24 permanent experts to be submitted by the tenderer as evidence of professional capacity (a). It does not require that the experts are of a particular category, and does not impose a minimum level of experience or qualification. Question277]
329	Specific contracts concerning insecure countries	Please clarify if a mechanism is in place where rejections of specific contract request or step back of/ from specific contracts due to instability and security treats in that country/region occurring after the signing of the single contract with significant severe danger for project staff for the contracting service consortium is allowed. If it is in place, please describe or name regulation and recommendations you are relying on for your decision to start/cancel or to continue/ stop the project.	[22/09/2017 19:23: During implementation of the framework contract, the framework contractor must respond to all specific requests received, see Global Terms of Reference point 3.2. The Framework Contractor has the obligation to respond to each request for services sent to him/her. If he/she is not in a position to make an offer, a substantiated justification must be provided as quickly as possible. Regarding cases of 'force majeure', they are covered by Article 38 of the General Conditions Annex B I.]
330	Technical capacity	"For reference projects contracted with a public authority, evidence of performance is also to be added (such as certificates issued or countersigned by the competent authority). For EuropeAid reference projects, the CRIS contract number of the invoked reference project is to be added in the list". □ Could you please provide us with an exhaustive list of documents that could be considered as evidence of performance (letter of completion, closure note, contractor assessment form, proof of final payment, final invoice, e-mail, fax or letter confirming the acceptance of the final outputs etc, auditor report confirming the good administration of the grant)? Some Contracting Authorities do not deliver evidence of performance – e.g. DFID, WB. What can be done if the Contracting Authority does not deliver any evidence of performance? In some cases, the final reports are tacitly approved due to the contractually given delays. Usually for such projects no closure note or contractor assessment form is received from the Contracting Authority, while, the final payment is fully received. Could you please confirm whether we can use the final payment receipt and the final invoice as evidence of performance?	[22/09/2017 19:26: It is not possible to provide an exhaustive list, and depending on the Contracting Authority, different documents may be used to show finalisation of a reference project. A letter of completion, closure note and/or contractor assessment form may be acceptable if they are issued by the contracting authority and show the outputs were approved. Proof of acceptance of the final outputs may be in the form of a letter, email or fax, but it must clearly show the final outputs were approved, and the proof can be clearly linked to the project reference invoked by the tenderer. Proof of final payment is also acceptable]
331	Lots	Could you please clarify once again what is the budget per lot per year? The information presented in this regard in the Tender Dossier does not seem to be accurate, upon calculations.	[22/09/2017 19:28: The amounts of the indicative budget for each lot in Annex B II b 'Detailed description of lots" are the indicative budgets for the entire duration of the framework contract, including renewals, which is a total of four years.]
332	Compliance	Will there be any tie-breaker criteria used for offers which are equally compliant? If so, what that would be?	[22/09/2017 19:36: In terms of compliance with the selection criteria set out in Instructions to tenderers point 6, the evaluation is a yes/no evaluation. It is not possible to be 'equally compliant'. All tenderers whose tenders pass the selection criteria will have their tenders evaluated based on the award criteria. Unlike a restricted procedure, the open procedure (as is the current tender) does not have 'short-listed candidates'.]
333	Implementation	When notified of an award, the new indications are that the FwC Contractor has just until the next day to confirm the availability of their experts. However, due to the majority of the experts' rather high mobility, these might be caught up in areas without access to phone or internet connection for days, in which case it is not feasible to obtain the reconfirmation of their availability by the next day. Can this requirement be revised and the period increased to up to 5 days?	[22/09/2017 19:38: The period of one day is the contractual maximum, so as to ensure speedy contracting.]
334	Instructions	The document "Detailed description of the Lots" mentions "The number of minimum "B-Sectors" indicated hereunder refers to the professional and technical selection criteria indicated in point 6 of the Instructions to tenderers." However, this text is followed by a list of the lots with the indication of amounts of the annual budget. Could you please clarify?	[22/09/2017 19:40: The minimum number of B-sectors (B-sector sub-headings) that must be covered by the permanent experts and the reference projects are stated in the instructions to tenderers point 6.]
335	References, project closure certificates	There are many international donors which do not allow nor issue any type of project closure certificates. In this case, would we be allowed to present copies of the contracts with audit reports or final report approbation etc.? What other alternatives would be considered as valid?	[22/09/2017 19:48: A copy of the contract will not suffice as it does not show the outputs of the contract were approved by the contracting authority. A final audit report will not be accepted as it does evidence performance. Question204]
336	Table of local partners - (EN - B _ IX)/Section B.III "Global Organisation & Methodology".	Are local partners as alluded to in the aforementioned documents required for the purposes of the global framework contract tender cosidered as sub-contractors and as such expected to fulfil exclusion and selection criteria and furnish a statement to this effect?	[22/09/2017 19:55: At the stage of the tender procedure for the framework contract, the local partners listed in Annex IX will not be considered subcontractors, and the tenderer will not be required to provide a statement regarding their exclusion and selection criteria. If the tenderer is successful and is awarded a framework contract, the local partners participating in a specific contract will be considered subcontractors and the relevant rules applying to subcontractors will apply. Please see point 4 of the Global Terms of Reference.]
337	EN-B - IX - Local Partner Network.doc	Your reply to a previous question indicated: Annex B IX Local Partner Network should not contain members of the consortium. The members of the consortium should be listed in the tender submission form point 1. The local partner network annex should contain the local partners and local expertise with which the tenderer has existing and/or planned cooperation-agreements. See section 5 of Annex B III (a) Global Organisation and methodology We understand that sister companies owned totally or partially by consortium members can be included in the list of local partner network, since they are not strictly members of the consortium but they are stronger local partners for the implementation of framework assignments. Can you please confirm?	[22/09/2017 20:04: Sister companies of a tendering company may be proposed as local partners. There are no minimum requirements/limitations to the local partners the tenderer may propose, except that they are not also members of the consortium submitting the tender]
338	EuropeAid/138778/DH/SER/Multi- GENERAL CONCERNING ALL LOTS	In its Global Organisation & Methodology, the tenderer is requested to highlight its existing and/or planned cooperation agreements with local partners/expertise, using the template provided in Part B – IX. a.Kindly confirm whether one local partner may show expertise in more than one B-sector of a given Lot. b.Kindly clarify whether a subsidiary of a legal entity identified in the Service Tender Submission Form can be included in the Local Partner Annex..	[22/09/2017 20:05: Yes, a local partner may show expertise in more than one B-sector of a given Lot. Yes, a subsidiary of a legal entity identified in the Service Tender Submission Form can be included in the Local Partner Annex.]
340	Detailed description of the Lots - Sector Coverage - Lot 2: Infrasucture, sustainable growth and jobs	Under certain sub-sectors, we are presented with X AND Y. For example, under Urban development and cities (sector 4 of Lot 2) sub-sector 4.2 stipulates "social housing" AND "slum upgrading". Does this therefore require that the tenderer needs to cover both social housing AND slum upgrading in a reference or can the tenderer cover social housing OR slum upgrading?	[22/09/2017 20:10: If a project reference and/or permanent expert covers either social housing or slum upgrading, the tenderer may propose the project reference to cover Lot 2 B sector 4.2]
341	General Conditions 14.6: "The Contractor must not retain copies of such documents and data and must not use them for purposes unrelated to the contract without the prior consent of the Contracting Authority."□	Is it allowed to retain copies of the document referred to in section 14.6 for professional documentation purpose only?	[22/09/2017 20:12: It is not clear what is meant by professional documentation purpose. The prior consent of the Contracting Authority cannot be given at this stage, and can only be given at the level of specific contracts during implementation of the framework contract.]
342	General Condidtions, 12.3	Please confirm that the obligations of the contractor in accordance with national labor law shall not be affected by clause 12.3.	[22/09/2017 20:14: The framework contractor will ensure they are compliant with any relevant local employment law in implementation of the contract.]

343	FWC SIEA 2016	Do you plan to establish a helpdesk for these FWC as foe BENEF 2009?	[22/09/2017 20:15: It is foreseen to have a functional mailbox to allow contact between framework contractors and the Framework contract managers.]
344	General Conditions	Article 29 (page5) Payment and interests Option 1 Fee-based contract: Can payment conditions for the six-monthly interim payments be reduced from 60 days to 45 days? Is it possible to have only one expenditure verification at the end of the project? Based in BENEF 2013 experience, clarifications were received from EUD even if the assignment was audited. Is there an added value to continue with the expenditure verifications? Can payment conditions for the final payment be reduced to 90 days to 45 days? in order to speed report approvals and payments. Option 2 Global price contract: Can payment conditions for the final payment be reduced from 90 days to 45 days? in order to speed report approvals and payments. Option 3 Global price contract: Can payment conditions for the interim payment be reduced from 60 days to 45 days? in order to speed report approvals and payments. Can payment conditions for the final payment be reduced from 90 days to 45 days? in order to speed report approvals and payments.	[24/09/2017 15:06: Question267 The terms and conditions concerning payment and approval of reports for specific contracts are those set out in the Special Conditions (Annex B) and in the General Conditions (Annex B I).]
345	References	We understand that a project reference that covers e.g. 6.1 subsector and refers exclusively to its point a) (but not to point b and c) can be considered covering the whole subsector 6.1. Please confirm.	[24/09/2017 15:29: In reference to lot 4, B-sector 6.1 'Public Health', we confirm that reference project will be considered as covering this B-sector if it covers only one of the sub-sub-headings a), b) or c).]
346	Selection Criteria, technical capacity	The technical capacity criteria of the ITT (section 6 Selection Criteria, technical capacity, page 5) indicates that all references must be carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme. Our consortium has very considerable relevant experiences in EU-based projects. For example, our consortium has developed electronic Learning Management Systems that have been used by the European Commission itself and by the governments of several Member States. This experience would appear to be especially important in the context of the knowledge transfer and development instruments that this Lot will eventually finance. Can you confirm whether such relevant EU-based experience will not, in fact, be taken into account in our proposal?	[24/09/2017 15:55: The selection criteria for tenderers is set out in the Instructions to tenderers. For technical capacity criteria, the tenderer must have implemented minimum 24 reference projects covering the minimum number of B-sectors required for the lot for which the tenderer is applying (Instructions to tenderers point 6 (4)). The requirements for each reference project are also set out, one of which is that the reference project has been carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme. The Beneficiary countries can be seen in the Regulations/programmes, agreement and annexes set out also in Instructions to tenderers point 6 (4). Therefore, reference projects will not be eligible if they were not carried out in the interest of one of these countries. They do not include EU member states. Regarding the location where the services were carried out, please see Question230]
348	Project references (Selection criteria - Technical capacity of tenderer)	In the document "Instruction to Tenderers" under section 6 point 4 "Technical capacity of tenderer" it states that references provided must have been finalised within 3 years before the final date for submission of the tenders. There are many references that relate to framework contracts which by definition are multi-year contracting vehicles and contain several individual service contracts. In this case, could the Commission consider allowing tenderers to use framework contract references even if these contracts are still ongoing? The tenderer would then simply have to clarify the exact fees generated under the framework contract as well as the number of individual service contracts performed under the framework contract which are of relevance to the selection criteria. These would nonetheless still fully respect the 3 years rule.	[24/09/2017 16:11: Specific contracts under a framework contract may be presented as a reference project, but the framework contract itself may not. Please see footnote 6 of the Tender submission form. Such reference projects must meet all the requirements set out in the Instructions to tenderers and tender submission form, and must be submitted in the same way as all reference projects (i.e. providing all the evidence and information requested in the Instructions to tenderers and tender submission form). Ongoing reference projects may be submitted see Question9]
349	Lot 5 - sector description - sector 3.7	Detailed description of Lot 5 includes sector 3.7 which relates to internal and external audit. Taking into account other framework contracts related to audit services and potential conflict of interest between audit and consulting assignments could you please clarify the expected workload related to audit services.	[24/09/2017 16:16: It is not possible to provide foreseen workloads for each of the B-sectors. Framework contractors may be requested to carry out specific contracts in any of the B-sectors listed for the specific lot. Conflict of interest will be dealt with on a case-by-case basis at the level of the specific request for services.]
350	No CoI for Contractor of Evaluation Support Services (ESS) to the DEVCO Evaluation Unit?	Global ToR, Section 3.2 clarifies the Contractors' obligation to respond to each RfS. The tender dossier for FWC SIEA 2018 also explains: - "The tenderer must not be affected by any conflict of interest […]" (ITT, Clause 16.b) - "The Contractor shall take all necessary measures to prevent or end any situation that could compromise the impartial and objective performance of the contract." (GC, Clause 9.1) - "the [FWC] cannot make an offer for a [SC] if the envisaged assignment is incompatible with contract(s) executed by them or by any member of the consortium." (Global ToR, Clause 8.5) Almost all DEVCO's project/programme evaluations are contracted through the FWCs BENEF or COM. We estimate that about 25% of all RfS under the FWC BENEF 2013 were related to evaluations. A new service contract (2017-2021) (EuropeAid/137406/DH/SER/MULTI) now provides Evaluation Support Services (ESS) to the DEVCO Evaluation Unit that include: - Advice on evaluation processes, procedures and tools, including: reviewing ToR, evaluation questions, evaluation reports for project/programme evaluations (approx. 80 to 150 per year); - Quality assurance for specific evaluation products (e.g. ToR, Inception Reports, draft Final Reports) for evaluations. Please clarify whether: 1.a) The Contractor (consortium leader and members) for the ESS contract is eligible to tender for a FWC SIEA 2018, despite the	[24/09/2017 16:21: The Contracting Authority cannot provide an opinion to a tenderer on a potential conflict of interest concerning a specific tenderer. Potential conflicts of interest are dealt with on a case-by-case basis by the evaluation committee.]

351	Tender dossier organization	Concerning the CVs and supporting documentation of both the Project Director and his/her substitute, we were wondering if you could clarify where they should be included, because following the Instructions to Tenderers on its point 7.1, page 8 of 15, last paragraph, and I quote: "[..] The tenders must be divided into at least two separate folders/booklets: one containing the tender submission form and supporting documents (including for selection criteria), and the other containing only the Organisation and Methodology and its annexes, management team experts, and local partner network. [..]" On one side, in the same point 7.1, page 8 of 15, section (3), it states and I quote: "[…]No specific individual should be proposed, nor a specific CV submitted as part of the tender (with the exception of the Project Director and the substitute - see above point 6.3). […]" Meanwhile in the Tenders Submission form on its point 4.b - (a), and I quote: "[…] a)the CVs of both the Project Director and his/her substitute, using the template in Annex 5 to this document. Each CV must be no longer than 3 pages. The CVs must show that they meet the minimum requirements for the management team (including the specific requirements for the Project Director) set out in the Global Terms of Reference 6.2.1. If either do not meet the minimum requirements (i.e. qualification and skills, general professional experience and specific professional experience etc.), he/she must be rejected. In such case the entire tender shall be rejected	[24/09/2017 16:30: The CVs and supporting documents of the project director and substitute are to be provided as evidence of selection criteria - professional capacity (b). The CVs should therefore be included in the folder/booklet containing the tender submission form and supporting documents (including for selection criteria). No CVs should be included in the Global Organisation and Methodology and its annexes.]
352	Instructions to tenderers (ITT) Point 7.1.(5) signed declarations	The ITT invites the candidates to provide, page 8/16 : (5) "A signed declaration from each legal entity identified in the tender submission form, using the template found in Annex 4 to the Tender submission form to the effect that they are not in any of the exclusion situations listed in Section 2.3.3 of the PRAG (see point 4 above), as well as the documentary evidence that they do not fall into any of the exclusion situations, that is listed in point VI of the aforementioned declaration, in electronic format only. " Could you please detail which evidence(s) are to be provided concerning natural or legal persons which assume unlimited liability for the debt of the person . Could you please confirm that for natural or legal person who do not assume unlimited liability , nothing (no evidence) has to be provided.	[24/09/2017 16:35: The evidence required to show that the tenderer is not in an exclusion situation is stated in Point IV of the Annex 4 of the Tender submission form. The evidence is required for each of the consortium members if the tenderer is a consortium.]
353	Tender Submission Form Annex 2 (expertise)	The present header of the excel file (annexe2) reads "Matrix of references as per item 21, point 3.1, of the Procurement Notice - EuropeAid/ 127054/C/SER/multi" Could you please confirm we may change and update this header?	[24/09/2017 16:38: Yes, the header may be updated]
355	6. Selection Criteria; 4) Technical capacity of tenderer,	"In 6. Selection Criteria; 4) Technical capacity of tenderer, p6, it is stated that "For the selection criteria (economic and financial. professional and technical capacity) criteria, the tenderer may not rely on the capacities of other entities". Please confirm if an applicant and its parent company (affiliated entities having structural legal and capital links) are considered as the same entities.	[24/09/2017 17:34: If the two entities are separate legal entities, they will not be considered the same entity for the purposes of evaluation of selection criteria. If the tenderer wishes to rely on the capacities of the parent company to satisfy the selection criteria, the parent company must be a member of the tenderering consortium.Question56]
356	Management Team composition	Can management team members be freelance experts?	[24/09/2017 17:44: The Project Director and Substitute, and other management team members, are not required to be permanent employees of the tenderer, so they may have freelance/independent status. Please note that CVs of the project director and substitute are required for selection criteria professional capacity (b), but CVs and individuals should not be proposed for the management team – see Instructions to tenderers 7.1 (3)]
357	Administrative documents compliance	Do the administrative documents (Legal Entity, Duly Authorised Signature, documentary evidence of the Section 2.3.3 of the PRAG etc.) have any validity period?	[25/09/2017 09:06: The tenders will be valid (binding) for a period of 90 days after the deadline for submitting tenders. Please see point 9 of the Instructions to tenderers. For the validity period of the documents related to non-exclusion, please seeQuestion275]
358	Local Partner Table	In the local partner table, do we need to add a column for the B-sector covered?	[25/09/2017 09:11: If the tenderer wishes to give further description of the categories of experts and/or B-sectors of the Local Partners, or how they will use these expertise, they may do so in the column 'Description of the Organisation' in Annex B IX Local Partner Network, or in their Organisation and Methodology section 5 'Local expertise and subcontractors'. Please note, there is no minimum requirements concerning coverage of B-sectors by the local partners.]
359	CV of Permanent Experts and Project Director/Substitute	Please confirm that the only CVs to be submitted as part of our offer pertain to the minimum 24 permanent experts and the Project Director and Project Director Substitute?	[25/09/2017 09:12: We confirm.]
360	Annex 1 (experts)	We assume that years of experience in annex 1 (experts) are linked to general professional experience and not to a specific B-sector. Please confirm.	[25/09/2017 09:21: The tenderer may set out the general years of experience in this column, to give an overview of the expert's professional experience if they wish. Please note that the most important feature of the CV should be that it clearly shows the expert covers the B-sector(s) for which the expert is submitted, as this is the criteria on which the CV will be assessed.]
361	Instructions to tenderers, 7.1.(3): Management Team members	Please confirm that no specific individual profiles should be proposed, neither for the Project Director and Substitute Project Director, any other potential members of the Management Team.	[25/09/2017 09:23: No specific individuals or CVs should be proposed for the management team. The names and CVs of the Project Director and substitute are to be provided, but only for evidence of satisfaction of selection criteria - professional capacity (b).]
362	"ANNEX IV: MANAGEMENT TEAM MEMBERS" and FWC Global O&M: Specific of generic profiles?	In "ANNEX IV: MANAGEMENT TEAM MEMBERS" and in the FWC Global Organisation and Methodology, should we provide: a) the profiles of specific individuals (whose CVs we are submitting, but whose names we do not include in the table or the O&M); or b) generic profiles with requirements for anyone who may one day fill the position, e.g. should someone need to be replaced? For instance, if our proposed Project Director were to have an MSc in Environmental Engineering and speak Cantonese, should we include this in the profile, or would this mean that any replacement would also have to have an MSc in Environmental Engineering and	[25/09/2017 09:39: Annex IV should be completed with the generic profiles proposed by the tenderers for each member of the management team i.e. the qualifications/skills/experience etc of the person they envisage fulfilling this role in the team. The tenderer, if successful, will then be required to ensure this position in the management team is filled by someone with (at least) the requirements of the profile. In the description of the management team, the tenderer, if they consider it beneficial, is free to attribute skills/qualifications etc. also to the whole team, for example, that one member in the team will be able to speak a specific lanaguage, but this could be any member. The tenderer, if successful, would then be required to ensure one member of the team (at least) possessed this skill.]

363	Part B - List of sectors – Lot 4 – Technical description	1.1 reads "All levels and types of education: early childhood education, primary education, secondary education, higher education. Could you please clarify if this means (a) the reference project should compulsory deal with ALL levels and types of education or (b) it is sufficient the reference project deals with only one of the listed levels and types, for example a project only dealing with primary education? What is the correct interpretation: (a) or (b)?	[25/09/2017 09:41: For a reference project to be considered as covering B-sector 1.1 of lot 4, it is sufficient that it covers one level/type of education, and does not need to cover all levels/types.]
364	Template of the contract signed with the experts	Global ToR, section 3.2. states "The Commission may ask to the Framework Contractor a copy of the template of the contract that he/she usually signs with the experts performing FWC assignments" (3.2. - p. 3 of the global ToR). This matter concerns a professional relationship (not only with external consultants, but also with internal staff), hence evidence should only be available for consultation by external auditors and not in a discretionary manner by SC Project Managers. Can you clarify who exactly would be requesting such information, in which cases and for which	[25/09/2017 09:44: Such a document may be requested by the Contracting Authority, either a framework contract level or the specific contract level. It may be requested to assure the fulfilment of the obligations of the contractor set out in 3.2 of the Global Terms of Reference. Please this refers to a template of a contract, and not to the signed contract between an expert and contractor.]
365	Implementation period	2.As per the global terms of reference, the initial implementation period of the Framework Contract is 24 months from the start date (p. 4), with the possibility of extending this period of a maximum of an additional 24 months. The instructions to tenderers (7.2. Financial Offer, p.9) state that the maximum fees defined in the Global Financial Offer will not be revised for the duration of the execution of the Framework Contract. Could you please confirm that this is only valid for the initial implementation period and that fees may be revised for the possible extension?	[25/09/2017 09:47: The maximum fees per category submitted by the tenderers in their Global Financial offer (Annex B V) will become binding on the tenderer in case they are successful and are awarded a framework contract. They will not be revised for the duration of the contract including possible renewals i.e. 4 years.]
366	INVITATION TO TENDER	1.On "INVITATION TO TENDER FOR FRAMEWORK CONTRACT SERVICES FOR THE IMPLEMENTATION OF EXTERNAL AID 2018 ('FWC SIEA 2016')", Can you confirm that when you mention "FWC SIEA 2016" you actually mean "FWC SIEA 2018"?	[25/09/2017 09:48: That is correct.]
367	Tender submission form 4a and 5a - revised treatment for assigning in-house staff and references to B-sectors	The revised tender submission form has removed the limitation of assigning one expert/reference to only one B-Sector. We now kindly request clarification on how the sector coverage compliance for in-house staff and references is evaluated. Is there a maximum of sectors that any expert or reference can cover? For experts, is there a minimum number of years of experience specific to a B-Sector? Is it preferable to propose fewer experts with more general experience or more experts with specific B-Sector experience?	[25/09/2017 10:01: There is no maximum number of B-sectors that an expert or reference project may cover, but the CV or description of the reference project should be able to clearly show that the expert or reference project actually covers all the B-sectors for which they are proposed. Regarding minimum number of years experience of the permanent experts, please see Question277 The tenderer is free to submit as many experts as they wish, and must ensure that they meet the requirements set out in Instructions to tenderers and tender submission form, and that they cover the requisite number of B-sectors and sector headings. The evaluation of the selection criteria is a yes/no evaluation: the tenderer must show they have minimum 24 permanent experts that cover the minimum number of B sectors. The general experience/qualifications of the experts that is not related to the B-sectors for which they are proposed will not therefore be taken into account.]
368	Eligibility	For newly-established companies, is there a minimum period of activity required from the moment of the establishment/ registration until the submission deadline for these to be able to qualify as a Consortium Leader in this tender?	[25/09/2017 10:02: The tender dossier does not contain a requirement of a minimum period of activity for a leader of the consortium.]
369	Evidence of financial and economic capacity	Taking into account environmental impact of printing 4 copies of audited accounts for the last 3 years we would like to ask if it could be possible to lower this impact by providing only one printed set of the requested evidence or inclusion of this evidence in electronic format?	[25/09/2017 10:06: The offer must be an original and 3 copies, as well the electronic version (see Instructions to tenderers point 7). However, please see Question288]
370	Tender submission Form	Can we delete the instructions parts to leave only the tables and information we are to provide?	[25/09/2017 10:44: Yes, the instructions may be deleted as long as all requested information is provided.]
371	Clarification on clauses	Clause 41.4 of the general conditions for service contracts for external actions financed by the European union or by the European development frontCan you confirm our understanding that all contractual relationships will be governed by European Union Law, supplemented by Belgian Law?	[25/09/2017 10:48: As stated in Article 41.1 of the General Conditions, the contract shall be governed by the law of the country of the Contracting Authority or, where the Contracting Authority is the European Commission, by the European Union law supplemented as appropriate by Belgian law. For the definition of contracting authorities, see 1.2 of the Global Terms of Reference.]
372	Clarification on clauses	Clause 13.3 of the general conditions for service contracts for external actions financed by the European union or by the European development frontWe understand that the coverage, as indicated under the title 'Specific issues", article 13.3 a "the contractor shall take out all insurance necessary to cover its liability, both with regard to its professional liability and its liability as provided under article 12" is in relation to the Specific Agreements, which are capped at an amount of 999.999 € per mission, as it would otherwise be impossible to determine up front the required insurance coverage. Can you confirm that, eg. a certificate indicating a coverage of (i) 5 million euros per event and in the aggregate per year for general liability, product liability and professional liability and (ii) 1 million euros for employer's liability / sudden & accidental pollution for anyone occurrence and in the aggregate per year is sufficient under this clause?	[25/09/2017 10:54: The requirements on insurance in the General Conditions do indeed apply to the specific contracts that will be signed with framework contractors during implementation of the contract. The tenderers do not need to provide any evidence of insurance coverage at this stage of the tender procedure for the framework contract itself. It is not possible at this stage to provide a comprehensive answer to what coverage is acceptable at the level of the specific contract, as this will depend on the circumstances of the specific request for services and/or the specific contract.]
373	Lot 2 - Digital Technologies and Services	Regarding the Lot 2 and references on subsector Digital Technologies and Services. These are advanced technologies developped mainly in European Countries. We therefore would like to be allowed to propose european references. Would you agree? Best Regards	[25/09/2017 10:57: All reference projects must meet the requirements set out in the instructions to tenderers and the tender submission form. Question240 Question211]
374	Instructions to tenderers, page 8	We understand that a member of the Management Team should not necessarly owe an employee status, as for the Cvs proving the Professional capacity of the tender (a). Can you kindly confirm?	[25/09/2017 11:02: We confirm the management team members may be freelance experts, but please note that individuals fro the management team should be proposed at this stage.Question356]
375	EuropeAid/138778/DH/SER/Multi - GENERAL CONCERNING ALL LOTS	According to the Global Terms of Reference of the Framework Contract (Section 2: Contract Objectives), the expertise requested by a Specific Contract "may also cover any geographic area in the world, either inside or outside the EU." However, "the Specific Contracts are governed by the EU External Aid Programmes under which they are financed". Kindly clarify whether any requests for services are expected in the EU Member States, as well as in EU partner countries (i.e. Japan, South Korea, etc.).	[25/09/2017 11:08: As stated in the Global Terms of Reference article 2, the expertise may also cover any geographic area in the world, either insider or outside the EU. Therefore, some requests for service may involve contracts carried out in EU member states. Requests for services may also cover any other country in the world. To gain an idea of geographic scope of service contracts for DEVCO, the tenderer may see the financial transparency system, which is searchable by country and DG: http://ec.europa.eu/budget/fts/index_en.htm]
376	Evaluation grid: 1.2 MGMT team	Will the tender be evaluated and awarded on the basis of the elements described in the grid only (profiles proposed, suitability, distribution of tasks and responsibilities) or the CVs of the project director and deputy will also be evaluated under this award criteria. Is it possible to know the under-criteria for this award criteria?	[25/09/2017 11:16: The award criteria for the technical offer is that set out in Annex C 1. This includes evaluation of the section of the organisation and methodology for management team (see annex B III). This is not on the basis of CVs, as no CVs are to be submitted as part of the technical offer. The CVs of the project director and deputy will be evaluated under selection criteria – professional capacity (b) (a yes/no evaluation that they satisfy the minimum requirements, if no, the offer is rejected). The CVs of the project director and substitute will not be taken into account for the evaluation of the award criteria.]

377	Global Terms of reference, Point 8.1 Request for Services	Global Terms of reference, Point 8.1 Request for Services indicates two type of contracts, below and above 300,000 € but below 999,999 €. Would it be possible that a contract that was issued and contracted under 300,000 € modality is extended for an amount above 300,000 €, as long as the maximum amount for FWC is respected?	[25/09/2017 11:21: All specific contracts may be subject to modifications of budget and/or extension, following the rules concerning the amendment/modification of specific contracts, set out in the Annex B – I General conditions (principally article 20) and in Procurement and Grants for European Union external actions – A Practical Guide (PRAG) (principally article 2.10.)]
378	on management team members' profiles	according to one clarification answer provided, it is not necessary to provide the CVs of members of the management team. Are contractors allowed to submit short CVs of management team members ?	[25/09/2017 11:24: No, CVs should not be provided as part of the Global Organisation and Methodology and annex. The generic profiles of the management team members the tenderer foresees fulfilling the positions of the management team are to be described but specific individuals/CVs are not to be proposed (please read carefully Instructions to tenderers point 7.1 (3) and Annex B III point 2
379	Question/Answer No 3 and updated tender submission form	In the answer No 3 issued on 31st July, the Tender Submission Form has been amended, taking away the previously set maximum number of project references and experts than can be submitted to meet the requirements. In order to ensure fair competition and equal treatment between tenderers, would it be possible to maintain the maximum number of references and CVs of permanent experts initially mentioned ? In a situation without a maximum number of references and CVs to be provided, would it be possible to know how would be analyzed in order to be equally and fairly treated : - an offer providing the minimum of number of references and CVs of permanent experts requested for a specific lot, - an offer providing for instance twice the minimum number and references and CVs for the same lot	[25/09/2017 11:37: There is no maximum number of reference projects or permanent experts the tenderer may submit, see revised tender submission form. Tenderers must show they satisfy all the selection criteira, otherwise their tender is rejected. The evaluation of the selection criteria is a yes/no evaluation. No points/marks are awarded. For professional capacity (a) and technical capacity, either the tenderer has the minimum 24 experts/reference projects that meet the requirements, or they do not. If they do not, their tender is rejected. This is the same for the other selection criteria (economic and financial capacity, and professional capacity (b). Two tenderers having 24 and 48 accepted permanent experts or reference projects respectively that cover the minimum number of B-sectors would both satisfy that selection criteria, and there would be no 'advantage' or 'benefit' given to the tenderer with 48. The reason a tenderer may wish to submit more than 24 permanent experts and/or reference projects, is that if the tenderer only submits 24, and one (or more) are found to not meet the requirements and/or cover minimum number of b-sectors, then they would fail the selection criteria and their offer rejected. If they propose 48 and 24 are found to not meet the requirements and/or cover the minimum number of b-sectors, but the other 24 do, they would still pass the selection criteria. If Tenderers are considered as satisfying all the selection criteria (and other criteria, e.g. eligibility and exclusion), then their offers will be evaluated on award criteria (point 15 of the Instructions to tenderers and Annex C I). The number of permanent experts/reference projects will not be taken into consideration in the evaluation of the award criteria.]
380	ToR (page 9) - Transfer of the Database	1) Is it foreseen that the Contracting Authority's database is gradually populated during the implementation of the contract or is it expected, that Framework Contractors transfer data from their existing databases at the beginning of the contract? Transferring data from framework contractors' existing databases is restricted by data protection legislation and the contractors will have to obtain the consent of every expert whose CV is to be transferred. The contractors' databases are not structured to match the B-sectors of the present tender and identifying all experts matching the B-sectors requires therefore manual work. 2) Page 9 of ToR states that the "Contracting Authority will access the database to ensure that the Framework Contractor complies with the Methodology and that the adequate pool of expertise in each B-Sector subsection throughout the duration of the framework contract is available." Can you please specify how it is determined, whether the pool of expertise in each B-sector is adequate? 3) Can you provide further technical specifications of the Contracting Authority's database so that tenderers can evaluate what transfer mechanisms might be required? 4) Can a framework contractor only present experts already registered in the Contracting Authority's Database for a Specific Request for Services?	[25/09/2017 11:59: Please note that the database will not be functional until the relevant IT system has been established, and this will not be from the foreseen start date of the framework contract (January 2018). The technical details are currently in development. In light of this, it is understood that tenderers will not be able to give extensive details in the methodology and should therefore keep the description requested in Annex III succinct. The contractors will be free to register as many experts as they wish, the minimum will be that experts proposed in a specific offer are registered. In this way, the database will be increased incrementally. As a minimum, the information registered should be name, B-sector(s) of expertise and CV. The organisation and methodology proposed by the tenderer will have to give a 'description of the existing and/or planned database used for recruiting the experts' and describe the 'method to recruit experts and ensure their availability up until the Specific contract is awarded and for the duration of the contract;' (see Annex B III a). If a weakness of a particular framework contractor in a particular B-sector in terms of providing experts and/or submitting adequate specific offers becomes apparent over the course of the implementation of the framework contract, the Contracting Authority may assess this in terms of the database, and request that the B-sector in the database is improved. This will not affect the evaluation of a specific offer submitted for a request for service, and the contractor will be free to submit experts not in the database. The data in the database will be accessible to the Contracting Authority. It will not be used to contact experts directly.]
381	Issue 3 (part 2 out of 3)	In addition the requirement is unclear with respect to, at least, the following points : -What is the meaning of the words "complies with the Methodology"? Which aspect of the Methodology, or rather which aspect of the ToR is the CA referring to to-be-matched here? -The term "adequate" cannot be assessed properly without a clear benchmark. -The CA doesn't indicate the action/penalty that would be applied in case the pool would not be "adequate". -The CA doesn't clarify when the check would be made: oIf the check is made during the evaluation of the Specific offers, it is not clear how it would impact the evaluation; it should then be incorporated in the Specific evaluation grid and be clear how it would be evaluated, with guidelines already provided at this tendering stage. oIf the check is made during the implementation of the Specific Contract, it is not clear what impact it could have on the Contractor. -In the Section B.III Global Org. & Methodology, shouldn't the words "Contracting Authority" be replaced by "Contractor" in the sentence ".../... and how the tenderer will guarantee that all B Sector sub-sectors are covered by experts in the Contracting Authority database"? The Contractors cannot guarantee anything for the EC database. Moreover the word "covered" is subject to interpretation.	[25/09/2017 12:03: Question380 The sentence referred to in the question refers to the database maintained by the Contracting Authority, see Global Terms of Reference point 6.]
383	Database, in ref to Paragraph 6.3 of the Global ToRs	Paragraph 6.3 of the Global Terms of Reference states on page 9 that "The Framework Contractor will, throughout the duration of the framework contract, ensure that the experts that have or may be used for the implementation of specific contracts are registered on a database created and maintained by the Contracting Authority, and that the database is regularly updated." and that "The Contracting Authority will access the database to ensure that the Framework Contractor complies with the Methodology and that an adequate pool of expertise in each B-Sector subsection throughout the duration of the framework contract is available." Question 18: Can you clarify what this implies for the Framework Contractor? In particular: 1. Can you confirm that the database will be entirely created by the Contracting Authority, and that no connection of any kind will be required between the Contracting Authority's database and the Framework Contractor's databases, if any? 2. Can you clarify exactly which experts will need to be registered in the Contracting Auhtority's database? i.e. experts who have actually participated in SC implementation, experts who have been proposed by the Framework Contractor but haven't been awarded the contract, other experts...?	[25/09/2017 12:07: There will not be direct connection required between the database of the Contracting Authority and that of the Framework Contractor. Also see Question380]

384	Expert database	The consultancy sector works with both in-house and free-lance experts. Databases on free-lance experts constitute an essential asset of each company, on which it has invested and continuous to invest substantial human and financial resources. These databases belong to the intellectual property of the company. We would welcome to receive clarification on which legal grounds the Contracting Authority can now formally require that information on these databases is transferred to the EC?	[25/09/2017 12:08: The framework contractor will not be required to transfer their entire database - see Question380]
385	Issue 3 (part 3 out of 3)	Additional remarks : -Article 42 of the Draft Framework Special Conditions specifies that "The Contractor shall enter the expert's data in the database referred to in point 6.3 of the Global Terms of Reference having obtained the expert's explicit consent to do so.". Many experts and contractors will not be willing to give their consent to this, which will impact negatively the number of offers and experts to be proposed. -Why should the Contractors feed a database with CV's presented in their offers that have not been retained? -If the wish of the CA is to keep a trace of experts that have not performed well or that have withdrawn from tenders once the Specific Contracts are signed, it is up to the CA to register these rare cases and take the relevant remedies like those indicated for instance in the sub-standard performance point 8.7 of the ToR. It is therefore asked not to require the tenderers to register their CVs in the EC database.	[25/09/2017 12:10: Thank you for your comments. They have been taken into consideration, but they do not constitute a request for clarification of the tender dossier or tender procedure. Please seeQuestion380]
386	Issue 3 (part 1 out of 3) – Requirement to feed and update the EC database of experts	The ToR state on page 9 that "The Contracting Authority will access the database to ensure that the Framework Contractor complies with the Methodology and that an adequate pool of expertise in each B-Sector subsection throughout the duration of the framework contract is available". CVs and contact details of experts are part of the business secrets of framework contractors. One fails to see a valid ground to allow for an exception on these business secrets and even less for a proportionally justified exception. On the contrary even, the requirement defies logic : -The fact that Contractors submit CVs for Specific requests demonstrates in itself that the Contractors have access to relevant experts. -It would only be over time that the EC database would be populated with CVs, and the Contractors have many more CVs in their databases than the ones presented to the CA. So the CVs presented do not reflect the full capacity of the Contractors to submit relevant experts. -The CA is already checking the capacity of the Contractors to have relevant CVs in their databases by the requirements on experts in the ITT page 4 where "The tenderer must employ at the date of the deadline for submission of the tender minimum 24 permanent experts who cover at least the following minimum number of B-Sectors4 of the lot for which the tenderer is making an offer:". -There is no guarantee that expertise from all sub-sectors B will be asked for, so the efforts to be deployed are disproportionate against the results/impact. -The ToR mention that "the costs to the Framework Contractor of	[25/09/2017 12:12: Thank you for your comments. They have been taken into consideration, but they do not constitute a request for clarification of the tender dossier or tender procedure.]
388	Database of the Contracting Authority	In reference to the point 6.3 of Framework Contract Global ToR and especially the passage: "The Framework Contractor will, throughout the duration of the framework contract, ensure that the experts that have or may be used for the implementation of specific contracts are registered on a database created and maintained by the Contracting Authority, and that the database is regularly updated. The Contracting Authority shall establish, maintain and update the database in accordance with Regulation (EC) No 45/2001, and any subsequent legislation6. The Contracting Authority will access the database to ensure that the Framework Contractor complies with the Methodology and that an adequate pool of expertise in each B-Sector subsection throughout the duration of the framework contract is available. The costs to the Framework Contractor of updating the database are included in the fee rates." could you please clarify how the Contractors will be able to access the CA database mentioned and if the database will be accessible for all the Contractors? In addition, what data will exactly be required to be provided by the Cotnractors?	[25/09/2017 12:21: The framework contractor will be aware of which experts it has registered on its database and will be able to see what experts are currently there. It will not have access to the information provided by other framework contractors.Question380]
391	EuropeAid/138778/DH/SER/Multi - GENERAL CONCERNING ALL LOTS	According to the Global Terms of Reference of the Framework Contract (Section 6.3: Facilities to be provided by the Framework Contractor), the Framework Contractor must ensure that any "experts that have or may be used for the implementation of Specific Contracts are registered on a database created and maintained by the Contracting Authority, and that this database is regularly updated". Furthermore, in its Global Organisation & Methodology, the tenderer is requested to describe how the information of its existing and/or planned database for the recruitment of experts "will be regularly transferred to the database of the Contracting Authority". a.Could you describe in more detail the purpose of the Contracting Authority's database, as well as its structure and operational modalities? What kind of information must be submitted to the Contracting Authority by the Framework Contractor? b.How does the information provided in the Specific Offers submitted in response to specific requests for services differ from the information provided to the Contracting Authority's database? Will any information from the Specific Offers feed directly into the database? c.What is meant by "regularly" updated or transferred? d.According to the law, experts registered in a database have the right to have direct access to it and/or to get an extract of all information uploaded, with a view to update the information and/or even permanently cancel their registration in the database. As the database is "created and maintained by the Contracting Authority", how will the Contracting Authority deal with this issue?	[25/09/2017 12:28: The database will be in line with data protection rules – see Global Terms of Reference point 6: The Contracting Authority shall establish, maintain and update the database in accordance with Regulation (EC) No 45/2001, and any subsequent legislation. Question380]
398	organization and methodology	Is there a limit in the number of pages for the annexes?	[25/09/2017 12:56: For Annex B IV, Annex B III b and Annex B IX, no maximum number of pages are given.]

399	Global ToR - Section 1.2	Regarding section 1.2 of the global ToR, can you confirm that in case of a Specific Contract with a Third Beneficiary Country under indirect management solely the framework contract conditions apply and not, on top of it, the respective local provisions of these beneficiary countries?	[25/09/2017 12:57: We can confirm that also when the Contracting Authority is a Third Beneficiary Country only the Framework Contract conditions will apply.]
400	Table B-IIIb - Annex 1: Quality control and quality backstopping function	Table B-IIIb - Annex 1: Quality control and quality backstopping function: Footnote 3: "One single consortium member may cover several B-sectors, and conversely several consortium members may provide quality control in the same B-sector. Most likely, each consortium possesses a quality control function in at least the established minimum number of B-sectors." What is the established minimum number of B-sectors?	[25/09/2017 12:58: For the minimum number of B-Sectors please refer to the Instructions to Tenderers page 5, art 6.2 Professional capacity of tenderer (a).]
401	Instructions to tenderers (ITT)	On page 8/16 of the ITT, point 7.1. e) refers to the duly authorised signature, and requires " an official document (statutes, power of attorney, notary statement, etc.) proving that the person who signs on behalf of the company/joint venture/consortium is duly authorised to do so. " Could you please let us know if in case of a Consortium this document shall be submitted : - Only by the Leader signing on behalf of the consortium, or - by each legal entity Member of the Consortium	[25/09/2017 13:00: Only by the Leader signing on behalf of the Consortium.]
402	EuropeAid/138778/DH/SER/Multi - GENERAL CONCERNING ALL LOTS	According to the Global Terms of Reference of the Framework Contract (Section 6.3: Facilities to be provided by the Framework Contractor), the person identified for the quality supervision function in a particular Specific Contract, as well as the Framework Contractor's Project Director, are required to "sign off" all outputs required under the Specific Contract. Kindly clarify what is meant by "sign off".	[25/09/2017 13:04: The Project Director and the quality supervisor have to approve all the outputs thereby confirming their agreement on the quality and content of these outputs.]
403	Special Conditions	In relation to Article 30.1 of the Special Conditions. Can the amount requested as pre-financing be reduced to an amount equal to or below €300,000, even if the specific contract may entitle the contractor to a higher level of pre-financing?	[25/09/2017 13:04: Yes, the contractor can request a lower pre-financing or even no pre-financing. See article 29 of the General Conditions.]
404	Global Terms of Reference	Section 3.2 of the Global ToR states 'Quality and conformity with the Specific TR for each assignment is one of the key responsibilities of the Framework Contract'. Please can you advise the process by which the Framework Contractor can comment on and seek amendment to improve the quality of any Specific TOR for any given assignment?	[25/09/2017 13:05: The framework contractor is requested to ensure conformity of the work done with the requirements detailed in the ToR and quality of reports and outputs. Framework contractor should seek clarification if parts of the Specific ToR are not clear at the very beginning of the assignment. Efficient communication with the project manager is key in this area.]
405	Global Terms of Reference	Section 6.1 of the Global ToR states that 'The consortium leader is the sole interlocutor for financial and contractual aspects …' Does this mean that other consortium partners can engage with Specific Contract project managers for the purpose of the technical aspects of any given specific contract?	[25/09/2017 13:07: The experts working on a specific project (from whatever member of the consortium) will be in contact with the programme manager on technical aspects.]
406	Global Terms of Reference	Section 6.2.1 of the global ToR states that 'The Framework Contractor's Project Director … (or his/her temporary substitute) is required to react within a working day to any communication made by the Contracting Authority or the Project Managers'. Please could you advise the time limit within which the Contracting Authority and/or the Project Managers must respond to communication from the Project Director (or his/her temporary substitute)?	[25/09/2017 13:08: There is no set time limit for the reply of the Contracting Authority.]
407	Global Terms of Reference	Please could you advise what is meant by 'the State of the Art' on page 9 (1st paragraph) of the Global ToR?	[25/09/2017 13:09: Highest quality and using the latest standards/techniques.]
409	Fees per category	Is there a weight given for fees per category and what would that be, in particular for the three main Categories?	[25/09/2017 13:15: The weighting of the maximum global fees per category for the evaluation of the financial offer are set out in point 15.3 of the Instructions to tenderers.]
410	Global Tors Page 8	Page 8 of the Global Tors state that:" For each Specific Contract, the contract between the Framework Contractor and its expert shall contain a provision which stipulates that the expert's involvement is subject to the approval of the Beneficiary State.". This statement implies that, once awarded a contract, an expert can still be subject to suspension of its assignment, due to a decision of the Beneficiary state. This means that all contractual provisions and agreements between the FWContractor and the experts may be overcome by a decision of the Beneficiary state, after award. We deem that this provision risks to be arbitrary and jeopardize a contractual relationship the FWContractor, established on the legal basis of the award notification of the ECD or CFCU. Could you please clarify the impact and field of application of the aforementioned statement?	[25/09/2017 13:17: In the past a number of specific contracts (in particular Technical Assistance contracts to various Ministries of Beneficiary states) had to be cancelled because the chosen experts were not accepted by the country. There can be political and other sensitivities which lead to such decisions. In order to avoid that a specific contract is cancelled just after the mobilisation of the expert, with the foreseeable costs for both the FWC and the Contracting Authority this provision was introduced. What we can recommend from the FWC side is to check with the expert himself/herself if he/she might foresee any issues linked to the execution of that particular task in that specific country considering various factors (previous assignments).]
411	Translation of the supporting documents in English such as balance sheets, P/L accounts, documetary proof of non-exclusion, completion certificates, diplomas, etc	In order to avoid very heavy files, would it be authorized to present documents established in the other 3 working languages of the FWC (French, Spanish, Portuguese) only without providing an English translation of these documents?	[25/09/2017 13:24: Please refer to point 7 of the Instructions to Tenderer "Offers, all correspondence and documents related to the tender exchanged by the tenderer and the Contracting Authority must be written in the language of the procedure which is English. Supporting documents and printed literature furnished by the tenderer may be in another language, provided they are accompanied by a translation into the language of the procedure. For the purposes of interpreting the tender, the language of the procedure has precedence". However, please also see Question11]
412	References	Regarding the eligibility conditions of the references, the following are explained; "-be finalised within 3 years before the final date for submission of the tenders." Can you confirm if the references completed since January 1, 2014 are valid or the end date from which the references are valid is a different one than January 1, 2014?	[25/09/2017 13:33: No. As indicated they should be finalised within 3 years before the final date, which refers to a specific date, not an entire year. It will therefore be 08/09/2014. See Question198]
413	Financial capacity	In case the individual capacity of the lead tenderer is sufficient to fulfil the requirement, is it necessary to provide the individual financial data for each member of the consortium? If the financial data for the leader is sufficient, are we right in assuming that it is ok to indicate "N/A" in both the table of the Tenderer's Declaration and in the Decl. of Honour, VII (5) (b)?	[25/09/2017 13:34: There is no need to provide additional data if the leader of the consortium's financial capacity already meets the requirements.]
414	EUROPEAID/138778/DH/SER/MULTI - Statement of Exclusivity	The Project Director and substitute are required to sign statements of exclusivity and availability. Kindly clarify whether the duration indicated on the declaration should be from January 2018 to December 2019 or from January 2018 to December 2021	[25/09/2017 13:36: Declarations should cover 4 years (i.e. the entire duration of the contract)]

415	Submission requirements for recently established consortium members	Following on from your answer to question 23 regarding eligibility of legal entities that have recently been established, could you clarify how to proceed on consortium members very recently established in August 2017, which are also a subsidiary of one of the consortium members: - If it is acceptable for a consortium member with no financial information (given there are no years for which financial accounts have been closed) to be included, with a footnote explanation outlining this? - If the usual documentary evidence to be provided regarding situations of exclusion such as certificate of non-bankruptcy, regularity of payment of taxes etc. still needs to be presented, again given that the consortium member has only very recently come into existence?	[25/09/2017 13:39: It is acceptable that the consortium member is included, however the requirements should be fulfilled by the other consortium members. Indeed the requirement to provide the documents applies to all tenderers irrespective of their date of coming into existence.]
416	Global Organisation and Methodology - annexes.	Could we present additional annexes to the methodology, besides the annexes mentioned in the tender dossier (i.e. Quality control and quality backstopping function (Annex 1), Management Team table (Annex III) and CVs of Project Director and Substitute PD, their SoAE and documentary evidence, Table of local partners (Annex IX) and 10-page extract from Database?)	[25/09/2017 13:42: Only the requested Annexes should be submitted. If additional annexes are submitted, they will be considered part of the Global Methodology and Organisation page limit.]
418	EuropeAid/138778/DH/SER/Multi- GENERAL CONCERNING ALL LOTS	As part of its Technical Offer for the Framework Contract, the tenderer is requested to submit a Global Organisation & Methodology, which "may not exceed 25 pages, excluding the annexes." Which documents, tables or other information constitute the "annexes"?	[25/09/2017 13:47: They constitute those annexes explicitly requested and templates provided for. The 25 pages limit refers to the document "SECTION B.III GLOBAL ORGANISATION & METHODOLOGY"Question416]
419	Organisation and Methodology Length	Do the title page and page listing acronyms count towards the 25 page Organization and methodology limit.	[25/09/2017 13:59: The 25 pages limit applies to the entire document "SECTION B.III GLOBAL ORGANISATION & METHODOLOGY". However, a title page/cover page will not be included in this limit.]
420	Methodology's format.	In order to give a better comprehension of the methodology, could you confirm us whether the possibility or not of including some pages (tables, graphics, Log frame, etc) within the maximum of the 25 pages allowed in format A3? Would they be considered as a single A4 format page?	[25/09/2017 14:01: The 25 pages limit refers to the entire document "SECTION B.III GLOBAL ORGANISATION & METHODOLOGY". For text A4 format must be used, for graphics A3 can be used.]
422	Length of Global Organisation & Methodology	If the Global organisation & methodology is for instance 28 pages, out of which 3 pages have whole-page figures/graphs, is this considered acceptable (within the 25 pages limit) as per the practice in other FWC tenders ? Moreover, please advise if tenderers are allowed to include supplementary material in appendixes bearing in mind that this material will not be evaluated	[25/09/2017 14:09: Graphics may be included (see Question420) but pages of graphics are included in the maximum page limit. Only the requested annexes should be included.Question416]
423	Organisation and Methodology	In the organisation and methodology section, would it be possible to use the A3 page format in order to present tables in a more detailed way? And can this A3 page be counted as 1 page of the 25 allowed pages?	[25/09/2017 14:11: Question420 Any A3 page of graphics is included as one page for the page limit.]
424	Section B.III Global Organisation and Methodology	In the Section B.III Global Organisation and Methodology page 3 it is mentioned that "the Organisation and Methodology may not exceed 25 pages, excluding the annexes."□ 1) Do the 25 pages refer to the "Global Organisation and Methodology" or only to its point 2 "Organisation and Methodology" ? 2) Do "annexes" EXCLUSIVELY refer to the following annexes that is to say: - Table B-IIIb - Annex 1: Quality control and quality backstopping function - Annex B- IV Management Team Experts - Template in Part B-IX - Table of Local Partners - Extract of Consortium's database used for recruiting experts (if any)	[25/09/2017 14:29: The 25 pages limit refers to the entire document "SECTION B.III GLOBAL ORGANISATION & METHODOLOGY]
425	Framework Contract Global Organisation and Methodology	Based on the instructions given in Section B.III Global Organisation & Methodology(to be completed by the tenderer), "The Organisation and Methodology may not exceed 25 pages, excluding the annexes" .□ 1) Do "annexes" refer exclusively to those included in the Tender Dossier, that is: - Annex 1 : Quality control and quality backstopping function - Table of Local Partners - possibly the extract of the expert database if available (max 10 pages), as referred to in the document Section B.III Global Organisation & Methodology(to be completed by the tenderer)? 2) Are we allowed to include in the Organisation and Methodolgy other annexes not specifically listed in the Tender Dossier?	[25/09/2017 14:42: Only the requested Annexes should be submitted and they will not be part of the page limit, and neither will the extract of the database (if provided).]
426	Annexes	Should the table "ANNEX IV: management team members", be included in the methodology? Should we include B - VI - b - Bank Guarantee Form? And where?	[25/09/2017 14:45: Annex IV will serve as an annex to the global organisation and methodology, but will not be included in the page limit. No, the bank guarantee template will be used during framework contract implementation, it should not be submitted at this stage.]
427	Eligibility	Can public sector institutions be part of this framework contract?	[25/09/2017 19:49: Participation is also open to International Organisations and to public bodies]
428	Global Organization and Methodology Annex I Quality control and quality supervision function	Annex 1: in the table , second column - Quality control and quality backstopping function - is it correct to understand that: -there are two functions, namely "Quality supervision" and "R&D function" □ -and consequently "Quality supervision" and "Supervising function" are in fact one same function?	[25/09/2017 20:56: "Quality supervision" and "Supervising function" are indeed the same function]
429	Terms of References	Could you please provide us with more details on the role of the admin assistant (p7 ToRs).	[25/09/2017 20:58: His/her job typically consists of administrative support to the team of assessors (principally of grants). The required experience will be limited to language and information technology (Word, Excel, etc.) skills.]
431	Global Organisation & Methodology section B.III	Under Rationale, tenderers are invited to provide an opinion on the issue of linking Part A expertise AND part B sectors. Can you kindly confirm whether we need to provide an opinion on linking part A TO part B or whether we effectively need to focus on the links between all part A sectors (a-j) and then focus separately on the links between the part B sector sub-sectors?	[25/09/2017 21:06: As stated in the Global Organisation and Methodology, the focus should be on the links between part A sectors and part B sectors i.e. linking part A sectors to part B sectors]
432	General Conditions, Art. 24 - Record keeping for Global Price contracts	General Conditions, Art. 24 clarifies what documentation must be kept by the Contractor for Fee-based Contracts. Please clarify what documentation must be kept by the Contractor for Global Price Contracts.	[25/09/2017 21:17: Article 24 of the General Conditions refers to the documents that are concerned with fee-based contracts, not global price contracts.]
433	Special Conditions of the Framework Contract	16.According to Article 30.1 of the Special Conditions of the Framework Contract, no pre-financing guarantee is required "when the pre-financing requested is equal or below EUR 300 000 and subject to a positive risk assessment by the Contracting Authority". What is meant by "positive risk assessment"? How will this assessment be conducted, and which criteria will be used?	[25/09/2017 21:20: The risk assessment for all framework contractors will be given as granted throughout the duration of the FWC unless circumstances are brought to the attention of the Contracting Authority which would require a new assessment of the risk for that specific framework contractor.]

434	Tender submission form:	D - 0 - Tender submission form - Annex 3 (Project References): Could you please clarify how we should calculate the figures to be included in the row "Proportion of overall staff inputs provided by legal entity (in months and percentage)? In many cases the staff input is expressed as workdays. We would like to enquire how many workdays is the requested month? Alternatively, could the overall contract staff input be indicated in working days?	[26/09/2017 20:07: Generally, 22 work days per month constitute a month.]
435	Tender submission form:	Page 2/3: 4.a: professional capacity of the tenderer: Could you kindly indicate which table we should use, the one on page 5, or the one in annex 1? In case we need to use the table on page 5, could you kindly indicate what should be written in the column "Reference"?	[26/09/2017 20:09: Both are to be completed by the tenderer. Question44]
436	Tender submission form:	Page 2: The table under point 3 Indicates 2014, 2014 and 2016 – Should we understand 2014, 2015 and 2016?	[26/09/2017 20:10: Correct. However, please see Question296]
437	Tender submission form:	Page 4: Shall documentary evidences of the technical and financial capacities of the tenderer be provided in hard copy or electronically?	[26/09/2017 20:11: Both. See Instructions to tenderers point 7.]
438	Tender submission form:	Page 6: Evidence of performance is needed for reference projects with public authorities; a) Do we need to present evidence of performance for projects completed for private sector clients? b) What evidence is acceptable as proof of performance for company being a sub-contractor in the project? In case a project was delivered by a consortium, where the company delivered only a certain percentage of the project, will a confirmation letter from the consortium leader be sufficient as proof?	[26/09/2017 20:13: As stated in the tender submission form, for reference projects contracted with a public authority, evidence of performance is also to be added. If the contracting authority is not a public authority, evidence of performance is not required. For evidence for subcontractors, see Question205 The evidence of performance must have been issued by the contracting authority, so a letter from a joint tenderer/consortium leader will not be considered evidence of performance.]
439	Tender submission form:	Page 6: Should project reference description be presented in Landscape or Portrait format?	[26/09/2017 20:13: The tenderer may choose]
440	Tender submission form:	Page 6: it reads under point 5: "For EuropeAid reference projects, the CRIS contract number of the invoked reference project is to be added in the list". Could you kindly indicate which list it refers to, and where to add the CRIS number in the said list?	[26/09/2017 20:14: We suggest in section (g) "Name of client" of the Tender Submission Form Annex 3 template.]
441	Evidence to be provided on Exclusion Situation	In the Instruction to Tenderers there is no indication exactly how to proceed for those legal entities which, due to their nature, cannot fall into the exclusion situations and/or cannot provide the documentary evidences (for instance, national public administrations and international organisations, some NGOs). Please confirm a self-declaration explaining this situation will be accepted.	[26/09/2017 20:21: For international organisations, the contracting authority shall waive the obligation to submit documentary evidence. In other cases where certificates are not issued, please see Annex 4 of the tender submission form point VI 'Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment'.
442	Global Terms of Reference	Page 8 of the Global Terms of Reference states that: 'specific TOR shall not discriminate the experts on the ground of … place of residence' whereas Global TOR page 3 states that 'the Framework Contractor will be supported by the largest possible world-wide network of local expertise' and page 8 also states the Framework Contractors should favourably consider calling on expertise available on the local market. Please could you explain how these statements are compatible.	[26/09/2017 20:23: Framework Contractors should favourably consider calling on the expertise available on the local market, whenever possible and in respect of equal treatment of all experts of eligible nationality.]
443	Technical evaluation grid	In what concerns the technical evaluation grid, can you provide further explanation on why consortium member's involvement is valued with the same scores as the mobilisation of local expertise and subcontractors (not part of the consortium)? It would be expected that the internal consortium composition (professional and technical capacity, coherence, capacity, etc.) would be considered more relevant as it represents the first "Tier" of capacity to mobilise experts and ensure quality.	[26/09/2017 20:26: The award criteria and its weighting for the technical offer is as set out in annex C I]
444	Existance of a FWC Unit with EC	During the implementation of FWC BENEF 2013, some issues came up regarding specific requests for services and contracts in which certain SC Project Managers didn't always apply the general conditions and/or guidelines. Unlike to previous framework contracts, there wasn't a FWC Unit responsible for arbitrating these issues. Will the Framework Contracts Sector within DEVCO be in charge of providing relevant clarifications to Framework Contractors during the implementation of the FWC SIEA 2018?	[26/09/2017 20:29: A means of communication between the Framework contract manager and framework contractors will be assured throughout the duration of the framework contract.]
445	Contract management	Our question concerns point 8.4 of the Framework Contract Global ToR, and especially the following passage: "For fee-based contracts, prior to formal notification to all participating Framework Contractors, the Contracting Authority will request from the Framework Contractor with the highest score in the evaluation confirmation of the availability of the specific experts proposed in the offer. The Framework Contractor must respond by the end of the next working day." Is it possible that this requirement be modified to take into consideration unavailability of consultants to respond to any contact within such a short deadline for various reasons (e.g. health, time difference, intercontinental travelling, etc.)?	[26/09/2017 20:30: The expert which has just been proposed by the FWC are requested only to confirm their availability. This electronic confirmation does not seem to require more that one working day. The text will not be modified]
446	References	In regards to the references to prove the technical capacity, could you clarify if the 30% value is in terms of financial value or working days?	[26/09/2017 21:08: 30% of the overall contract value, see point 6 on page 6 of the Instructions to Tenderers]
447	Inputs under a Global-Price contract	Please clarify: Under a Global-Price contract, as long as the outputs remain unaffected and are approved by the Contracting Authority, may the contractor, without the Contracting Authority's approval: a) Provide less workdays than in the Specific Contract's Financial Offer; b) Shift days from one expert to another, including experts not included in the offer? c) Work less days in the field than in the Offer? Shift budget amounts from one budget line item to another?	[27/09/2017 10:43: The management of a specific contract will be specific to that contract and its terms of reference. Generally, a Global-price contract is designed to produce a defined deliverable. The Contractor is usually allowed to decide the best way to achieve the desired deliverable, which may involve adjusting expert work days, change expenditure etc. as long as the total price is respected. However, this may depend on the specific terms of reference because, for example, they may impose a minimum number of days for a certain category of expert, and the contractor must respect this requirement. See Annex VII b (i).]

448	Evaluation of global price offers	Re. Document EN-B – VII – c (ii) Global Price Specific Contract Evaluation grid. In the evaluation grid for Global-Price offers, no scores are to be given for the experts' CVs. However, in the corresponding template for the Global-Price financial offers, the contractor needs to name specific experts and their category. Can you clarify if, under Global-Price contracts, the Contracting Authority intends to evaluate specific CVs?	[27/09/2017 11:03: When submitting a specific offer Global Price financial offer, the contractor will submit a financial offer that includes the categories of experts and global fees so the Contracting Authority can check the maximum global fees in the global financial offer have been respected. This will be the case for global price contracts, even though the financial evaluation will be done on the basis of total price. Generally, CVs of experts will not be evaluated and awarded points for Global Price specific offers, although they may be verified to check they meet minimum requirements set out in the specific terms of reference (minimum number of years' experience, language skills etc.) However, please note the documents contained in Annex VII b to e are templates that may be adjusted by the specific Contracting Authority depending on the needs of the specific request for services.]
450	Global Organisation and Methodology	According to SECTION B.III GLOBAL ORGANISATION & METHODOLOGY, point 2 ORGANISATION AND METHODOLOGY, The Organisation and Methodology may not exceed 25 pages, excluding the annexes. Please confirm that the CVs to be included and the detailed description of the staff will not be considered within the overall 25 pages.	[27/09/2017 11:53: CVs of the management team ARE NOT to be included as part of the global organisation and methodology GO&M or anywhere in the tender. The tenderer must describe the management team they envisage and give generic profiles for each member (e.g. position X will be filled by someone with 5 years' experience in X sector, have C2 level French etc), see Annex B III a and b, Annex B IV. All profiles must satisfy the minimum requirements for management team members (and specific criteria for the project director and substitute) set out in the Global Terms of Reference or the tender will not be technically compliant and may be rejected. Tenderers may also assign qualifications/skills/ experience collectively to the management team in their GO&M. These will serve as minimum requirements for each of management team members and the team as a whole and the tenderer, if successful, will ensure that an individual matching those requirements is fulfilling the role in the management team, as they will be contractually bound to do so. The identity of the individual should not be revealed in the tender for the framework contract, but will only be requested later in case the tenderer is successful. The exception to this is the project director and substitute, whose names and CVs are submitted as part of the selection criteria. The names, CVs and other evidence of the project director and substitute are submitted in the tender submission form, but their name/CVs should not be included in the GO&M or its annexes. Instead, the generic profile of the Project Director and substitute will be described. Please read carefully Instructions to tenderers point 7.1 (3) and Annex B III point 2 bullet point 2. The description of the management team and its mandate which is submitted as part of the GO&M (Annex B III point 2 bullet point 2) will be included in the 25 page limit, but the information of the management team members in Annex B IV and all other annexes of the GO&M will not.]
451	Technical capacity criteria, eigibility of references fron Northern Cyprus	Please can you clarify whether a reference project with as beneficiary the Northern Cyprus teritory will be counted as eligible reference? Thank you.	[27/09/2017 12:20: To be accepted as reference project, a project must be in the interest of a beneficiary of one of the ongoing EU External Aid Programs as stated in the Instructions to tenderers point 6 (4). The programmes that have 'beneficiary countries' are those stated in Instructions to tenderers point 6(4) page 6, namely Regulation No 232/2014, Regulation No 233/2014, the countries listed in Annex II to the TFEU, Cotonou Agreement, Regulation No 231/2014 The northern part of Cyprus is not such a beneficiary country so reference projects in the interest of northern part of Cyprus will not be eligible.]
455	Instructions to tender item 6.4) geographical zones	In order to avoid misunderstandings, could you please provide a full list of the countries included in the geographical zones covered as per p.6 of the Instructions? Will FPI use this FWC? Are PI countries references eligible?	[27/09/2017 14:43: FPI may use the framework contract when it is operational. Reference projects must be carried out in the interest of a Beneficiary country of an ongoing EU external aid programme. The Partnership Instrument does not have such beneficiary countries. Beneficiary countries are those beneficiaries given in the Instructions to tenderers point 6(4) page 6, found in Regulation No 232/2014, Regulation No 233/2014, the countries listed in Annex II to the TFEU, Cotonou Agreement and Regulation No 231/2014. The beneficiary countries for each geographic zones are those covered by the above regulation/programmes, Annex and Agreement and are set out in the Instructions to tenderers. Please note that countries are exclusive to each geographic region. For example, a Neighbourhood country under (a) cannot also be considered an Asian country under (c). It will be exclusively a Neighbourhood country as listed in the regulation 232/2014 Annex I.]
456	Instructions to Tenderers - Technical capacity of Tenderer (6.4)	Can you please kindly confirm (yes/no) whether reference projects that have been implemented in India, Indonesia, Argentina, Brazil, China and Mexico (i.e. G20 countries) are considered as eligible?	[27/09/2017 14:57: To qualify as an eligible reference projects, the reference project must, inter alia, have been 'carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme'. The Beneficiary countries can be found in the programmes/regulations, Agreement and annex in point 6(4) of the Instructions to tenderers. One of these is Regulation No 233/2014, which states in article 1 (a) that potential beneficiaries are developing countries that are included in the list of recipients of ODA established by the OECD/DAC (http://www.oecd.org/dac/stats/documentupload/DAC%20List%20of%20ODA%20Recipients%202014%20final.pdf), except IPA beneficiaries. Therefore, all those countries on the included in the current list of recipients of ODA established by the OECD/DAC are considered 'Beneficiary countries'. These include India, Indonesia, Argentina, Brazil, China and Mexico. What geographical zone they belong to depends on the location, either in Asia 'c) Asian and Pacific countries' or Latin America 'b) Latin-American and Caribbean countries'.]
457	References	Could you help us identify the geographical group (a, b, c, d or e) to which to attribute the following countries and territories: British Antarctic Territory; British Indian Ocean Territory; Greenland; Saint Pierre and Miquelon; South Georgia and the South Sandwich Islands?	[27/09/2017 15:03: Reference projects carried out in the interest of Greenland, British Antarctic Territory, Saint Pierre and Miquelon and South Sandwich Islands would be eligible as reference project as they are carried out in the interest of a Beneficiary Country of an ongoing EU external Aid Programme (they are included in the list of overseas countries and territories in 'Annex II of the TFEU'. However, they do not fall under any of the geographical zones listed in the Instructions to tenderers point 6 (4) so may not be used to satisfy the requirement of minimum 2 reference projects per geographical zone. British Indian Ocean Territory would fall under 'c) Asian and Pacific countries'.]

459	References and local partners eligibility	We would be very grateful if you can confirm if references implemented in Qatar, Bahrain, Iraq, Kuwait, Oman, United Arab Emirates, Saudi Arabia, Oman or Iran are elegibles. Also, if local partners from some of these countries are eligible.	[27/09/2017 15:07: Question455 Reference projects carried out in the benefit of Iraq and Iran may be eligible as Iran and Iraq are Beneficiary countries of an ongoing EU external aid programmes (Regulation No 233/2014 'DCI', the beneficiaries of which are those countries are included in the list of recipients of ODA established by the OECD/DAC except IPA countries). They are Asian countries, so will be in geographic zone (c). The other countries listed do not feature as Beneficiary countries of DCI, nor of the other programmes/regulations, Agreement or annex listed in the point 6(4) of the Instructions to tenderers, so are not considered Beneficiary countries There is no eligibility criteria for the Local Partners, although please note that if Local Partners are foreseen to become subcontractors for a specific contract during implementation of the framework contract, they will have to satisfy the eligibility criteria of the specific EU external aid programme funding the specific contract.]
460	Instructions to tenderers (ITT) - Point 6.4 Technical Capacity of tenderer – criteria "minimum 2 reference projects per geographical zone"	If missions have been undertaken from Brussels at the request of EEAS for a EU—Syria Technical Assistance project, are these missions eligible and can they be counted as project references for the geographical zone a) Neighborhood countries?	[27/09/2017 15:12: Yes, if the reference project was carried out in the interest of Syria. Syria qualifies as Beneficiary country under Regulation No 232/2014 'ENI' Annex I. As it is in the list of countries in the ENI, it would fall under geographical zone a) Neighbourhood countries.]
461	Definition geographical zones	Under which geographical zone does the Russian Federation fall?	[27/09/2017 15:13: The Russian Federation is not a beneficiary country of an ongoing EU external aid programme as defined in the Instructions to tenderers. Projects carried out in the interest of the Russian Federation would not therefore qualify as reference projects]
462	The instructions to tenderers	The instructions to tenderers mention that „reference projects must fulfil the following conditions: (…) – be carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme (…)." Do we understand it correctly that project references from countries that are benefiting from ongoing EU External Aid Programmes are eligible (as opposed to projects that are implemented in the frames of an ongoing EU External Aid Programme).	[27/09/2017 15:15: To be eligible, the reference project must carried out be carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme. The Beneficiaries are found within the regulations/programmes, Agreement and annex listed in point 6 of the Instructions to tenderers. Question455]
463	INSTRUCTIONS TO TENDERERS 6. Selection criteria 4) Technical capacity of tenderer Reference projects must "be carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme"	- Only projects funded with EU External Aid Programmes serve as references or projects with other funds (from other International Organisations) but in the Beneficiary Countries of that programmes can be included? In case that projects of other funds can be taken into account, - Can we understand that a project contracted from Country A for the promotion of trade to be developed in country B is "in the interest of" the second one?	[27/09/2017 15:17: Reference projects must "be carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme'. The source of the funding of the reference project is irrelevant, as long as it is carried out in the interest of one of the Beneficiary Countries of an ongoing EU external Aid Programmes as defined in the Instructions to tenderers (see question..). For example, a project carried out in the interest of Albania funded by the UN would be acceptable because Albania is a beneficiary country (listed in Annex I to Regulation No 231/2014.)] [27/09/2017 15:26: The reference project will be evaluated on a case by case base to ascertain if they are in the interest of the stated beneficiary country by looking at the nature of the reference project.]
464	Instructionb to tenderers, Pages 5 and 6	Could you kindly indicate whether references of projects implemented in Somaliland are eligible? can we include them under the geographical zone d) Sub-Saharan African countries?	[27/09/2017 16:13: Yes, projects carried out in the interest of Somaliland will be considered eligible, as being considered for the purposes of this tender as part of Somalia. Somalia is considered a beneficiary country of an ongoing external aid. 'the non-EU signatories to the Cotonou Agreement' should be interpreted as including Beneficiary countries covered by that agreement in terms of being an ACP country/beneficiary of the European Development Fund, of which Somalia is one. As Somalia is considered as in Sub-Saharan Africa, projects carried out in the interest Somalia would indeed fall under geographical zone d) Sub-Saharan African countries.]
465	ITTs, 4) Technical capacity of tenderer "d) sub-Saharan African countries: see the countries in Africa listed in the non-EU signatories to the Cotonou Agreement, as well as South-Africa"	This list of countries in the revision of the Cotonou Agreement of 2010 does not mention Sudan, South Sudan and Somalia. Are we allowed to provide project references for South Sudan, Sudan and Somalia for the geographical zone "sub-Saharan African countries", even though these countries do not belong to the "non-EU signatories to the Cotonou Agreement"?	[27/09/2017 16:16: Yes, reference projects carried out in the interest of Sudan, South Sudan or Somalia may be eligible and will fall under the geographical zone 'sub-Saharan African countries'. SeeQuestion464]
466	Geographical Zone of Asia-Pacific Project References	With reference to Section 6.4 (Instructions to Tenderers pp. 6, 'definition of geographical zones' we note that the list of eligible references in the Asia-Pacific region is to be found in Annex I of Regulation No. 233/2014. On review, we are unable to locate such a list in Annex I of Regulation No. 233/2014 'Establishing a Financing Instrument for Development Cooperation for the Period 2014-2020'. Can you confirm the document or resource through which the list of eligible countries in the Asia-Pacific region can be accessed?	[27/09/2017 16:21: Beneficiary countries of DCI Regulation No. 233/2014 are explained in article 1. They include all those countries included in the list of recipients of ODA established by the OECD/DAC, except for those under the Instrument for Pre-Accession (who are still Beneficiary countries of an external aid programme, but under a different instrument, namely IPA II: Regulation No 231/2014) . Those countries on the DAC list located in Asia or the Pacific will fall under geographic zone c) along with Asian/Pacific Beneficiary countries listed in Annex II to the TFEU and beneficiaries of the Cotonou agreement (i.e. ACP countries/beneficiaries of the EDF).]
468	Geographical areas for Nuclear Safety	The paragraph I a) of the Annex to the INSC funding instrument mentioned at the link at page 6 of the Instructions to tenderers indicates: "Cooperation may cover all third countries worldwide". Could you please confirm that United Arab Emirates and Saudi Arabia are eligible?	[27/09/2017 16:46: United Arab Emirates and Saudi Arabia may be eligible as consortium membersQuestion110 However, Reference projects must be carried out in the interest of a Beneficiary country of an ongoing EU external aid programme. The Instrument for nuclear safety cooperation does not have such beneficiary countries. Beneficiary countries are those beneficiaries given in the Instructions to tenderers point 6(4) page 6, found in Regulation No 232/2014, Regulation No 233/2014, the countries listed in Annex II to the TFEU, Cotonou Agreement and Regulation No 231/2014 (see Instructions to tenderers). For reference projects carried out in the interest United Arab Emirates and Saudi Arabia will not be eligible as they are not Beneficiary Countries of an ongoing EU external aid programme as defined in the Instructions to tenderers.]
471	With reference to section 5 (Eligibility) of the ITT, "For the definition of the geographical zones:	"For the definition of the geographical zones: a) Neighbourhood countries: see Annex to Regulation No 232/2014; b) Latin-American and Caribbean countries: see the countries in Latin-America and the Caribbean, listed in Article 1 to Regulation No 233/2014 – Caribbean countries, the non- EU signatories to the Cotonou Agreement and Annex II to the TFEU; c) Asian and Pacific countries: see the countries in Asia and the Pacific, listed in Annex I to Regulation No 233/2014, the non-EU signatories to the Cotonou Agreement and Annex II to the TFEU; d) sub-Saharan African countries: see the countries in Africa listed in the non-EU signatories to the Cotonou Agreement, as well as South-Africa e) Pre-accession countries: see the countries Annex I to Regulation No 231/2014; Details of these EU External Aid Programs can be found at the following website https://ec.europa.eu/europeaid/funding/instruments-programming_en" We have noted discrepancies between the regulations and the EU External Aid Programs Website and attached map. For example is Central Asia part of Asia or not? In order to avoid misunderstandings would it not be more appropriate to publish a list of eligible countries for each region?	[27/09/2017 17:06: Central Asia is indeed part of Asia. Zone c) 'Asian and Pacific countries' covers the entire continent of Asia. However, for the geographic zones in the Instructions to tenderers, please note that Beneficiary countries under Regulation No 232/2014 and Regulation No 231/2014 are exclusive to zones a) and e) respectively, and cannot fall under c). SeeQuestion455]

475	Instruction to Tenderers	We request additional support in identifying the countries eligible for point 6. (4) in the Instructions to Tenderers. Said document states: "For the definition of the geographical zones: a) Neighbourhood countries: see Annex to Regulation No 232/2014; b) Latin-American and Caribbean countries: see the countries in Latin-America and the Caribbean, listed in Article 1 to Regulation No 233/2014 – Caribbean countries, the nonEU signatories to the Cotonou Agreement and Annex II to the TFEU; c) Asian and Pacific countries: see the countries in Asia and the Pacific, listed in Annex I to Regulation No 233/2014 , the non-EU signatories to the Cotonou Agreement and Annex II to the TFEU; d) sub-Saharan African countries: see the countries in Africa listed in the non-EU signatories to the Cotonou Agreement, as well as South-Africa e) Pre-accession countries: see the countries Annex I to Regulation No 231/2014" Q1. Regulation No 233/2014 and Annex II to the TFEU does not list the countries eligible for financing in the said geographical zones. Shall we rely on link https://ec.europa.eu/europeaid/node/37626 for regions (b) and (c)? Q2. Timor-Leste is not listed in the 2005 amendment of Cotonou agreement, only on page https://ec.europa.eu/europeaid/node/37626. Shall we consider them as Beneficiary country eligible for financing under SIEA?	[27/09/2017 17:59: For Beneficiaries countries of Regulation No 233/2014, please see Question466 Which geographic zone they fall under depends on their geographic location (either in Latin America or Caribbean, or Asia and Pacific). Annex II to the TFEU lists the Overseas Countries and Territories, which are Beneficiary Countries for the purposes of this tender. Again, which geographic zone they fall under depends on their location (either in Latin America and Caribbean, or Asia and Pacific). Some may not fall under any geographic zone see question457 East Timor is a signatory of the Cotonou agreement and ACP country/beneficiary of the European Development Fund, so it is indeed a 'beneficiary country' as defined by the Instructions to tenderers. As it is in Asia, it falls under geographic zone c).]
478	Instructions to tenderers:	Page 6: Can you indicate whether "Central Asian countries" and "Middle East countries" are eligible and under which geographic group should project references implemented in those countries be included?	[27/09/2017 19:45: Reference projects carried out in the interest of beneficiary countries of an ongoing EU external aid programme in the Middle East and Central Asia will be eligible if they are beneficiary countries as defined in the Instructions to tenderers Question455 They may fall under geographic zones a), c) or e) depending on which Middle Eastern or Central Asian country it is. Please note that one country may only fall under one geographic zone exclusively. Please see Instructions to tenderers point 6(4) page 6.]
479	Instructions to tenderers:	-Could you kindly confirm that companies, which are part of the same group, can provide eligible references to the member participating in this bidding procedure or shall we understand that such a maneuver could be listed as an undertaking and therefore the member of the Group providing the eligible reference should become official partner of the Consortium, applying for this tendering procedure, in order to consider the reference eligible?	[27/09/2017 19:50: For the reference project to be eligible, the implementing entity must be member of the consortium. SeeQuestion56]
480	Instructions to tenderers:	Page 7: May a Project Director and/or substitute proposed for a certain lot, be proposed as members of the Management teams in other lots in positions different from Project Director and substitute?	[27/09/2017 19:55: Yes, but please note that CVs and individuals should not be proposed for the management team. See Question187 and question450]
482	References	What is considered to be the A-Sector expertise relative to the Technical Assistance type of services?	[27/09/2017 20:08: Technical Assistance type of services may be involved in numerous A-sectors, depending on the type of technical assistance.]
484	Detailed description of lots Part A expertise common to all lots, point "c) Technical inputs (e.g. technical annexes for works and supplies)"	Do these technical inputs, also include the preparation of tender documents for service contracts, such as the identification / design and formulation of projects, the preparation of project Terms of References and any other documents related to each specific stage in the cycle of operations?	[27/09/2017 20:12: Yes, technical inputs also include the preparation of tender documents for service contracts, such as the identification / design and formulation of projects, the preparation of project Terms of References and any other documents related to each specific stage in the cycle of operations.]
485	Detailed description of the lots	Can you please confirm the development of a master plan would fall under the sector A - c?	[27/09/2017 20:26: We confirm.]
486	Detailed description of the lots - PART A - Can you please confirm if a technical audit would fall under sector c or sector a?	Can you please confirm if a technical audit would fall under sector c or sector a? By technical audit we mean technical audit of works and inspection/monitoring contracts.	[27/09/2017 20:29: Without having full detail of the exact nature of a technical audits, as defined, it seems to relate to section c (Technical inputs).]
487	PART A - Expertise common to all lots	Can you please confirm if preliminary project summary would fall under A-a? Would the drafting of a national strategy fall under A-2: policy related design?	[27/09/2017 21:34: In the absence of any detail on "preliminary project summary", this seems to fall under c (Technical inputs). There is not an item A-2. Drafting national strategies could be presented under A sector (b).]
488	A sector 3 "technical inputs".	A sector 3 "technical inputs". Could you provide more information on this subsector? Does this entail as well design review?	[27/09/2017 21:37: Technical inputs refer to the inputs of various nature. The notion of design review is not clear. If this refers to reassessment of an existing design, this could fall under item c or under a ("Analytical studies - e.g. feasibility studies).]
489	Detailed description of the lots:	Page 3: Could you kindly confirm that the preparation of Terms of Reference enters under the part c "technical inputs"?	[27/09/2017 21:39: Yes, the preparation of Terms of Reference could be presented under item c]
490	EuropeAid/138778/DH/SER/Multi - LOT 2	'Works supervision' is not mentioned in the A-sectors common to all lots. However, this is important expertise for assignments in the infrastructure sector. Therefore, could you please confirm that 'works supervision' is considered eligible expertise under A-sector c) Technical inputs?	[27/09/2017 21:40: Yes, Works supervision' could be presented under item c]
491	Detailed description of lots A-Sector g) Investment financing	Could you please detail / explain what is to be understood by "g) Investment financing"? Would it possible to illustrate this g) A-Sector with an example of activities ?	[27/09/2017 21:46: Investment financing covers all expertise related to financing development activities. These include (but are not limited to) such expertise as listed in the B-sectors of Lot 6. In the case of the other lots 1-4, investment financing will be in the context of financing/investing in the specific activities of the B-sectors of the specific lot.]
492	Part A – Expertise common to all lots	g) Investment financing Is a project overseeing the construction of a building, paid under an investment by the European Investment Bank eligible as "investment financing"? If not, can more details be given what is considered as "investment financing" and what not?	[27/09/2017 21:47: No, works supervision would fall under item c. Question491]
494	Pricing methodology document	Could you please clarify why this document should be attached every time that we submit an offer, if the methodology and its elements are the same for each category of expert? Could you please clarify that the expected methodology is only a description/explanation of all elements that are part of the sale prices by category? These rates not only include costs as mentioned in item of the global methodology, the prices included as well our operational margins which are confidential (commercial secret).	[28/09/2017 10:49: The Pricing methodology document should include all the elements that make up the global financial offer maximum global fees per category. The financial offers submitted as part of the tender for the FWC and for the specific offers during contract implementation will be treated as confidential. However, where applicable, the total contract amount of specific contracts may be made public in line with the rules regarding financial transparency (http://ec.europa.eu/budget/fts/index_en.htm). For the framework contract financial offer, the contractor may distribute their foreseen margin among the price references per item appropriately. For the specific financial offers, the margin will be distributed among the management fee items only.]

495	Pricing Methodology - Section 15.1 of ITT	Could you please clarify how the note on pricing methodology will be used: (i) in the evaluation of the global financial offer and also (ii) in the evaluation of the financial offer of the specific request for services. At present it is not clear how it will be used since the only criteria regarding the evaluation of the Global financial offer is the maximum Global fees per category of expert with respective weights (cf Section 15.1 of the Instructions to Tenderers). In the Financial offer for a Specific request for services, be it global price or fee based, this pricing (split between Expert Fee and Management Fee) is required to be indicated as per the new template. How will this information be assessed and according to which objective criteria? The evaluation grid for specific request is limited to technical aspects.	[28/09/2017 10:52: The Pricing Methodology document (PM) attached to the financial offer will not be taken into account in the financial evaluation of the Global financial offer. As stated in the tender dossier it will contain estimated price references per item. The content of the PM annexed to the Global Financial Offer will not affect the scores allocated to the technical and financial offer, which will be done solely on the basis of the award criteria. The PM will be used to assess that the offer is not abnormally low in all the constituent parts that make up the Global Maximum Fees. Furthermore, if a tender, either in its technical part or financial part is totally unrealistic, or is clearly missing vital parts, this may be grounds for rejection. The PM, read with the technical offer and global financial offer, will help evaluators to ascertain if this is the case regarding a tender. In terms of the maximum fees proposed, that cover a wide range of services/costs, the way to establish that they are not completely unrealistic/abnormally low is through a PM. This is important in the case of a FWC which will establishes a contract for a number of years, and a risk of unrealistic/abnormally low offers being submitted in order to win the contract, which may then result in an inability to submit offers of the requisite quality while respecting the maximum global fees initially proposed. Regarding the specific contracts and the submission of the specific financial offer, the same logic applies. In the case of specific offers, which must be evaluated and contracted within limited time, the ease of validation is allowed by submitting expert and management fees separately in the specific financial offer.]
497	Framework Contract Global Terms of Reference, Paragraph 8.1c (budget breakdown)	The Global Terms of Reference, Paragraph 8.1.c, specify the following: "The Budget breakdown will contain amongst others... the daily management fees... including the contractor's profit."□ "For both fee-based and global price, in order to make a consistency check of each contractor's specific financial offer towards the level of services required, contractors will provide their Pricing Methodology regarding the fees for each category of expert in the specific offer through a specific, separate document, attached to the specific financial offer."□ The template annexed to the draft Framework contract (Part B, Annex V) request the same. This is, to our understanding, very sensitive information, part of the specific knowledge, expertise, know-how and very confidential commercial information of a company. Q1: Can you please explain, what exactly, is excepted to be provided in the pricing methodology? In which manner is comparability between bidders ensured? Q2: What do you mean by "consistency check of each contractor's specific financial offer"? □ Q3: In practice, Global Fees for a Specific Contract are often reflecting a mixed calculation / combined costing within one Specific Contract or even between different Specific Contracts: In case that a proposed expert receives an extra high fee rate, which does not allow for a cost covering management fee or profit due to the ceiling for Global Fees set by Maximum Global Fee per working day as defined in the Global Financial Offer, this has to be compensated by higher management fees and profits on other experts, either in the same Specific Contract or in another Specific	[28/09/2017 11:06: Pricing Methodology documents of the tenderers will not be compared between them. The pricing methodology document or template for the specific offer do not place contain any restraints on the contractors methods for formulating their financial offers (both global and specific). Global financial offers submitted for the framework contract should be realistic and allow for the tenderer to implement the framework contract with the requisite quality of services. See question The rules concerning audit and documents to be retained by the contractor are found in the General Conditions. Question495]
499	Financial Offer	According to the "Instructions to tenderers" document, point 7.2 "Financial offer", tenderers need to submit a Pricing Methodology Document as an annex to the Global Financial Offer. We understand that the Pricing Methodology only needs to be addressed as an Annex of the Global Financial offer, without making any further reference to this one within the technical proposal/Organisation and Methodology part. Please confirm our understanding is correct.	[28/09/2017 11:22: The Instructions to tenderers point 7.2 states 'tenderers are asked to provide their pricing methodology regarding the fees for each category of expert through a specific, separate document, attached to the financial offer as an annex.' The Pricing Methodology document will be an annex to the financial offer, and must be submitted along with the financial offer in the sealed financial offer envelope. No reference to prices should be made anywhere in the technical offer, please see point 6 of Annex B III a. Under point 6 of the Global Organisation and Methodology, the tenderer will provide a description of how the tenderer will ensure competitive fees rates in specific offers, but this must not contain any prices/fees.]
500	Pricing Methodology document & Professional Capacity	A) Please clarify whether there is a specific template regarding the Pricing Methodology document B) What kind of documentary evidence regarding the professional capacity of each consortium member is required apart from the data used in the Tender Submission Form and the Annex I Experts ? (i.e. a statement of the overall manpower for the last 3 years?)	[28/09/2017 11:28: As the tender dossier does not provide a specific template for the Pricing Methodology document, there is no specific template. The documentary evidence required for professional capacity is that stated in the instructions to tenderers and tender submission form. A statement of the overall manpower is not required.]
501	G-ToR Point 8.1 c) Annex VII(e) Financial Offer	It says... "in case of a fee-based Specific Contrat will contain... the daily expert fee (remuneration paid to the expert). Are the consortia and their member requested to show their profit margin? Otherwise according to the annex VII(e)(i)&(ii) we are requested to show the experts fee to the Client.	[28/09/2017 11:33: According to Annex B V Framework Contract Global Financial Offer, 'the 'Expert fee' which is composed of the remuneration actually paid to the expert per working day for the services rendered by the expert under the specific contract;' and the 'Management fee' which covers all other costs, such as those listed above except 'the remuneration actually paid to the expert per working day', and the profit of the contractor'. The profit margin of the contractor will therefore be included in the management fee. Therefore, the 'Management fee' covers all other costs AND the profit of the contractor in the single amount submitted as the management fee. Question495]
502	Instructions to Tenderers/Global ToR/Pricing MEthodology document	Point 15.3 says that: 'The annex of the global financial offer (Pricing Methodology Document) will be checked to ascertain if the offer constitutes or not an abnormally low tender. Further details and/or clarifications of the Pricing Methodology Document may be requested from the tenderer by the Contracting Authority.", whereas the Global ToR point 8.1 c) say the following: 'For both fee-based and global price, in order to make a consistency check of each contractor's specific financial offer towards the level of services required, contractors will provide their Pricing Methodology regarding the fees for each category of expert in the specific offer through a specific, separate document, attached to the specific financial offer.'□ Could you please precise at what stage the Pricing Methodology Document should be submitted: now, at the tendering stage or later, after the contract award, while offers for particular projects will be submitted? If now, will there be any relevant annex provided?	[28/09/2017 11:36: Instructions to tenderers point 7.2 states 'tenderers are asked to provide their pricing methodology regarding the fees for each category of expert through a specific, separate document, attached to the financial offer as an annex.' Therefore, the Pricing Methodology document should be submitted with the Global financial offer for the framework contract procedure (i.e. with the tender for the present procedure). There is no specific template, but must be line with the instructions set out in point 7.2 of the Instructions to tenderers The Global Terms of Reference point 8.1 c) stipulates that a Pricing Methodology document will also be submitted with each specific financial offer, submitted following a specific request for services. This will be during implementation of the framework contract and will concern only the successful tenderers who have been awarded a framework contract.]
503	Pricing information in methodology document.	On the Global ToR Pricing, concerning the methodology document. Could you please clarify why this document should be attached every time that we submit an offer, if the methodology and its elements are the same for each category of expert? Could you please clarify that the expected methodology is only a description/explanation of all elements that are part of the sale prices by category? These rates not only include costs as mentioned in item of the global methodology, the prices included as well our operational margins which are confidential (commercial secret).	[28/09/2017 12:33: The Pricing Methodology document must include the information requested in point 7.2 of the Instructions to tenderers. This will include the amounts estimated for each element that makes up the Global Maximum Fees. Question494 Question495]

504	EuropeAid/138778/DH/SER/Multi- GENERAL CONCERNING ALL LOTS	In its Global Financial Offer (Section 2: Global Fees), the tenderer is requested to quote a Global fee rate comprised of a "Management fee" covering several types of costs and the "Expert fee", which is the "remuneration actually paid to the expert per working day for the services rendered by the expert under the Specific Contract". Moreover, according to the Global Terms of Reference of the Framework Contract (Section 8.1: Requests for services), the Framework Contractors "will provide their Pricing Methodology regarding the fees for each category of expert in the specific offer through a specific, separate document, attached to the specific financial offer". However, according to data protection laws, transferring employee information, such as salaries, fees or contractual arrangements, to another entity (e.g. another member of the consortium or even a related corporate affiliate) requires consent to be obtained from the individuals concerned. These individuals have the right to object to the processing of their personal information, thus preventing its disclosure in the Offer. a.Kindly clarify the purpose of this distinction within the Global fee rate and indicate in more detail the information that would need to be shown. b.Kindly indicate how the information provided in the Pricing Methodology in each Specific Offer differs from the information provided in the Pricing Methodology of the tenderer's Global Financial Offer and in Section 6: Value for Money for Specific Contracts of the tenderer's Global Organisation & Methodology. □	[28/09/2017 12:37: The distinction between the expert fee rate and management fee is described in the Annex B V Framework Contract Global Financial Offer. Please note that the tenderer does not need to make any distinction between expert fee and management fee at this stage. The tenderer should only complete the table the 'Maximum Global fee per working day' and attach a Pricing Methodlogy document. The expert and management fee is to be submitted for specific financial offers during implementation of the framework contract. Please note, that regarding specific contracts, it will not be required to submit the salary (weekly, monthly or annual) of any given expert, as the amount paid refers to the specific amount paid or the cost to the consortium member for that specific assignment.] [28/09/2017 12:41: The information in the Pricing Methodology document submitted as an annex to the global financial offer (Annex B V) relates to the pricing methodology of the Global maximum fees submitted by the tenderer. The information in the Pricing Methodology document submitted with specific financial offers during implementation of the framework contract, relates to the pricing methodology of the specific financial offer. Section 6 of Annex B III is part of the methodology the tenderer will present as part of their technical offer. It must not include any figures or prices, but should include the information requested in that section in Annex B III a]
505	request for clarification	According to the "Instructions to tenderers" point 7.2., the Global Financial offer [….] submitted using the template annexed to the draft Framework Contract (Part B, Annex v). Further, in the same point 7.2., it is mentioned that the tenderer must include an original and 3 copies of the Global Financial offer and its annexes must be submitted. Please confirm that the only Annex to be included is the Pricing Methodology Document.	[28/09/2017 12:42: The only Annex to the Global Financial offer will be the Pricing Methodology Document]
507	Global TORs - Pricing Methodology	Could you provide a template for the Pricing methodology document required so the Contracting authority is able to compare the tenderers on an equal base? At the level of the present open tender the experts presented are permanent staff while for specific assignments the teams will include also not permanent experts. you are aware that salary cost structure (social security, taxation, employer costs…) is quite different to companies for permanent and non-permanent staff. So on which basis should the Price methodology document be established at this tender stage?	[28/09/2017 13:09: See Question495Question497Question500 The Pricing methodology document will not be used as basis to compare offers. The Pricing methodology document of the tenderer will not be compared with other that of other tenderers and its content will not affect the score of the score of the technical offer (which will be completed before the opening of the financial offer), nor the financial offer (which is a mathematical calculation). The global financial offer is the maximum fees per category of expert that will apply throughout the duration of the framework contract. For each specific request for services, the contractor will not be able to submit a specific offer with fees that exceed those in their global financial offer (Annex B V). As part of their tender, the tenderer must submit a financial offer (Instructions to tenderers point 7.2) using Annex B V. This will contain the maximum global fees for each category of expert. The Pricing Methodology document should be based on how the tenderer himself has calculated the maximum global fees per category of expert and proposed in the Global financial offer.]
508	Section 6.4) Technical capacity of the tenderer	Section 6.4) state that reference projects must be finalised before the final date for submission of the tenders. For reference projects of service contracts, Could you please confirm that the date of finalisation of the reference projects is date date of the receipt of the final payment for the services delivered?	[28/09/2017 15:03: Please see Question9 Finalised means that the outputs under the contract have been approved by the contracting authority.]
511	Detailed description of lots Lot 3 - Human Rights, Democracy and Peace sub-sub-heading 1.2.a "Support to democratisation" and sub-sub-heading 1.2.d "elections" □	In part B, list of sectors for Lot 3: Human Rights, Democracy and Peace, as part of the sub-sub-heading 1.2.a "Support to democratisation", Electoral processes are included as part of the topics, excluding exploratory missions for election observers and election observers' missions. Also sub-sub-heading 1.2.d "elections" includes Exploratory missions for EU Election Observation Missions, Election Expert missions and Election Follow-up missions. However, all these types of assignments are already covered by Lots 1 (Election Observation Missions and Election Assessment Missions –and Lot2 (Exploratory Missions, Election Expert Missions, Follow-up Missions) of the EIDHR Framework Contract for support to electoral missions (publication ref: EuropeAid/136781/DH/SER/Multi). Could you please specify the type of support that will be given to electoral processes through the Lot 3 taking into account the support already provided by the EIDHR Framework Contracts for support to electoral missions ?	[28/09/2017 15:21: It will be similar support. The inclusion of these B-sectors allows users to use one single contract when contracting election technical assistance services combined with other particular technical assistance in specific areas also covered by the FWC SIEA 2018.]
514	Instructions to tenderers:	Page 2 point g: What do you mean by subcontracting part of the services? Is subcontracting allowed? Could you please specify how thus provision matches the clause in bold on page 6, forbidding any rely on capacities or entities other than the Consortium partners?	[28/09/2017 16:01: Please see point 3 (e) of the Instructions to tenderers: 'Subcontracting of the Management Team services to be provided at the level of the Framework Contract is not allowed. For this purpose, individual experts recruited as Management Team members are not regarded as subcontractors. For services to be provided at the level of the Specific Contract, subcontracting is permitted on condition that no subcontract is given to another FWC Contractor of the same lot.']
515	Instructions to tenderers:	Page 3 Point 4: Could you confirm that all documents proving section 2.3.3 of the PRAG shall be provided only in an electronic form?	[28/09/2017 16:02: Please see point 4 of the instructions to tenderers. The documents pertaining to non-exclusion are to be provided only electronically at this stage.]
518	Modifications of Tender file documents or update of documents following requests for clarifications	Could you please indicate the changes that have been made when you modify or update documents that were released on the 7/7/2017. If possible use a color code or indicate where the changes were made in the new versions. This would be very helpful. Many thanks.	[28/09/2017 16:09: Please note that all previous version of tender documents can be viewed in e-tendering, along with the most current ones.]
519	Changes in the document(s) of the Tender dossier	Further to the answers already published on the e-tendering platform, would it be possible to : 1) indicate using track changes, the changes - when applicable - made in the text of the different documents of the tender dossier , and 2) to have under the window "document library" an additional column indicating the " Last date of modification" , just after the column "publication date"?□	[28/09/2017 16:22: Question518 Please note it is possible to see publication dates of all documents by clicking on the 'All versions' tab in e-tendering. This is the date the modified document was published.]

520	Part B - List of sectors – Lot 4 – Technical description	1.7 Human Resources Development Could you please confirm this relates to HRD of education sector professionals??? (Conform what is clearly mentioned under 6.4 for health officials)?	[28/09/2017 16:24: We confirm.]
521	Part B - List of sectors – Lot 4 – Technical description	2.4 Human Resources Development Could you please confirm this relates to HRD of VET sector professionals??? (Conform what is clearly mentioned under 6.4 for health officials)?	[28/09/2017 16:25: We confirm.]
522	Detailed description of the lots:	Page 14: Under the Sub heading 6.2, there is a part "a)", but no part b and following. Could something be missing?	[28/09/2017 16:26: We confirm nothing is missing.]
523	European Economic Interests Grouping (EEIG)	When a consortium member is an European Economic Interests Grouping (EEIG), are its members required to submit all requested documentation, as consortium members in this tender, (e.g. Declarations, proof of exclusion criteria, economic capacity, etc.), even in the case those EEIG members are not providing any professional, technical and economic capacity?	[28/09/2017 17:17: If an EEIG is submitting a tender, and it is relying on the capacity of its members to satisfy the selection criteria (economic, professional and/or technical), then these members must be committed to the tender and the implementation of the contract. Therefore, these members must be listed as members of the consortium, and must provide all relevant documents/information/declarations that are required from a tenderer. If members of the EEIG are not providing resources to satisfy selection criteria, they will not be required to be listed as consortium member or submit the relevant documents.]
524	Organisation & Methodology - Management Team	We understand form the global terms of reference (page 5) that the Management Team must be composed of - at a minimum the Project Director and a Project Director Substitute. With reference to the global organisation & methodology (point 2) it stipulâtes that the tenderer "should not propose specific individuals as members of the Management Team or submit CV, but instead should indicate the profile of each team member etc." However, Under the tender submission form (point 4b - Professional capacity) we are requested to provide the Cvs of the Project Director and his/her substitute. 1) Please kindly clarify the apparent inconsistency beetween the tender submission form and the global orgnaisation & methodology? 2) 1) What is the rationale for not being able to propose specific individuals for the MT Under point 2 of the global organisation and methodology?	[28/09/2017 17:27: CVs and other evidence of the Project Director and his/her substitute are to be provided for proof of satisfactions of the selection criteria (professional capacity (b)). Their CVs or CVs of the other management team members should not be submitted for the Global Organisation and Methodology or its annexes. Please seeQuestion450]
526	Clarification question regarding in-house experts	For in-house experts beside CVs it is requested to provide evidence (such as an individual salary slip or a statement from an official external body, e.g. the taxation office or a social security secretariat) that they are employed as permanent experts. Please confirm that in salary slips or other official statements we may hide information we consider sensitive, such as e.g. the remuneration actually paid to the expert.	[28/09/2017 17:49: We confirm.]
528	Financial Offer - Pricing Methodology Document	Within the document Pricing Methodology, it is required to include brief reference and description on all elements that constitute the price, including expenditures foreseen for experts, overheads, accommodation, subsistence costs. As the accommodation and subsistence costs were covered by incidental expenditures up to now, kindly inform us whether there will be any changes in this regard in the new FWC round.	[28/09/2017 18:02: Annex B V FWC Global Financial Offer states that the maximum global fees submitted by the tenderer in the global financial offer include, inter alia, 'the administrative costs of employing the expert, such as relocation and repatriation expenses and accommodation'. Accommodation (and other subsistence costs) of the expert during the assignment should therefore be included in the global fees of the specific contracts. The tenderer must budget for these costs in their maximum fees per category proposed in the Global Financial Offer. The annex also states the per diems are the subsistence costs to experts on missions with a duration of 12 hours or more away from the normal place of posting of the specific assignment.' Per diems are described as covering 'all subsistence costs of the experts including meals, housing and intra-city transportation costs (taxi, car rental and/or public transportation)'. This means per diems will only be paid when the concerned expert is away from the normal place of posting. The normal place of posting is specified under art 4. of the Specific Terms of Reference. There are no per diems for the expert in the normal place of posting, these must be covered by the global fees. For travel costs in the normal place of posting, intra-city transportation costs (taxi, car rental and/or public transportation) will be covered by the global fees. In case of experts on missions with a duration of 12 hours or more away from the normal place of posting of the specific assignment, they will be covered by per diems. Travel costs of experts related to inter-city journeys, both international and inside the country, 'on the basis of the most economically advantageous transport possibilities' will be a reimbursable expense, and this may include the travel to and from the normal place of posting from the expert's place of residence. Please see Annex B V.]
530	Instructions to tenderers (ITT) - Point 7.2. Financial Offer - Pricing methodology Global Financial Offer	Based on the ITT, the pricing methodology should include "detailed information regarding the expenditure foreseen for experts , as well as all other elements that have been taken into account to formulate the global financial offer such as overheads , accommodation , subsistence costs etc., accompanied by estimated price references per item". Does the a.m. "accommodation and subsistence cost" refer to the accommodation and subsistence costs covered by the per diems listed in the Global Financial Offer under point4(2) Incidental expenditure which indicates that "The per diems cover all subsistence costs of the experts including meals, housing and intra-city transportation costs "?	[28/09/2017 18:15: No, the pricing methodology does not refer to Incidental expenditure, as defined in Annex B V. It refers to Maximum Global fees per working day per category of expert. However, please note that the global fee covers subsistence costs of expert in the normal place of posting. Please see Annex B V points 2 and 4, and Question528]

531	Global Financial Offer; payment of the Expert	Dear Sir/Madame, While analysing the Global Financial Offer, we noticed that the Contracting Authority have adopted the same approach for the payment of the Expert Per Diem to the one currently applied to restricted service tenders (which foresee that Per Diem to the experts should be paid only when and if the expert works away from the normal place of posting of a specific assignment). While we fail to understand the reasons why the current Per Diem payment approach in the Framework Contract should be modified, we would like to point out that at FWC tender preparation phase it is impossible for any Contractor to calculate a fair and realistic accommodation cost to be paid to the expert out of the global fee considering the large number of beneficiary countries where a specific mission could take place as well as the large living costs difference among these countries. Moreover in the Global Financial Offer, it is not clearly specified how other living costs of the experts (such as meals, local transport etc.) should be covered during the implementation of the missions. We wonder whether only for specific long term FWC assignments (more than 6 months) the Contracting Authority could adopt the same concept of restricted service tenders where the fee rates include an additional budget line for accommodation that Contractor should quote based on their ability to select adequate housing solutions for the experts in the country where the assignment will take place at an affordable cost and use the Per Diem only for missions away from the normal place of assignment.	[28/09/2017 18:24: Please see Question528 Please note that the Maximum Global fee per working day (for Expert Category I, II and III and Administrative Assistant) are maximums, and the contractor will be free to submit specific financial offers of less than the contractually fixed maximums.]
533	Document EN-B - V - Framework Contract Global Financial Offer.doc	Chap. 2 "Global Fees" indicates that the Global fee rate covers: "the Administrative costs of employing the expert, such as relocation and repatriation expenses and accommodation" and "the expatriation allowances (...). Chap. 4 "Incidental Expenditure" indicates that "the per diems are the subsistence costs to experts on missions (...) away from the normal place of posting of the specific assignment". Shall we understand that the Global Fee Rates should include international travel expenses and the per diems paid to experts when staying in the country of the assignment and that Incidental Expenditure referred in chap 4. only applies when an expert is in the country of his assignment but needs to travel outside his normal place of posting (i.e. to another region: in this case per diems, travel, etc., are "reimbursables")?	[28/09/2017 18:57: International travel expenses are not included in the Global fees. SeeQuestion528]
535	Global Financial offer	Reimbursement of perdiems may be made conditional on receiving evidence of its payment to the expert. While this is straitforward with non-permanent experts who are invoicing the amount of the perdiems agreed, this might prove difficult with permanent experts on pay-roll who benefit from different company allowances and benefits when working and traveling abroad and that will not always match 1 to 1 the per diems paid out by the Conreacting Authority. How would you treat these cases and what evidence could be required?	[28/09/2017 19:03: Per diems are an incidental expenditure, and should not be kept by the contractor: they should instead be paid to the expert in full, and evidence of this payment may be requested.]
536	Global fee rate	Global fee rate covers amongst other: ... - administrative costs of employing the expert, such as relocation and rapatriation expenses and accomodation. Can you please explain which more precisely what costs are concerned by this sentence as we understand that travel costs of the experts and their housing expenses (inclusing hotels) are covered by the incidental expenditure budget? Can you please confirm that the cost of mobilisation and demobilisation of experts are not covered by the global fee rates but are part of the incidental expenditure?	[28/09/2017 19:31: 'the administrative costs of employing the expert, such as relocation and repatriation expenses' does not include travel expenses for mobilisation and demobilisation; these travel costs are defined in Annex B V 'Travel costs relate to inter-city journeys, both international and inside the country, of experts, on the basis of the most economically advantageous transport possibilities' and are incidental expenditure. Other costs related to 'relocation and repatriation expenses and accommodation' are included in the global fees. Per diems may cover intra-city travel costs and accommodation when the expert is not in the normal place of posting. See Annex B V and Question528]
538	Per diems - distance from normal place of posting	How far from the 'normal place of posting' (i.e. the office from which the expert normally works) must an expert be, in terms of travel time, for per diems to be eligible?	[28/09/2017 19:37: This must be assessed on a case by case basis. It would normally involve a distance that entails an overnight stay away from the normal place of posting.]
540	Detailed description of Lots - Lot 1 - Sector 2. Livestock - Subsector 2.1. Livestock regeneration plans' definition	Could you please clarify what do you mean with Livestock Regeneration Plans? Do you refer to genetic improvement or enhancement of Livestock sector through improved animal health, better livestock management etc?	[28/09/2017 20:16: 'Livestock Regeneration Plans' should be understood as 'Livestock management, including farm animal genetic resources improvement and conservation, feeding resources and Pastoralism development"]
541	List of B-sectors lot 1	Can you confirm that in the lot 1 Legal aspects (2.5, 4.3) includes laws, decrees and regulation?	[28/09/2017 20:17: Indeed, legal aspects includes all the legislative and regulatory frameworks that facilitate or on the contrary discourage certain practices, but also all individual and collective rights, such as indigenous peoples and local communities rights, as well as ecosystem-based rights.]
542	Detailed description of the Lots. Part B - List of sectors. Lot 1.	Within the sector "3. Sustainable Forestry management and conservation", it has been included the subsector 3.4. "Forestry industry development plans". However in the past years, we are not aware of many (if not any) EC (or other donors) funded projects covering this B sub-sector . Could you please clarify why it has been included as in the Lot 1 and would it be possible to cancel it since no many companies could include relevant projects past experience?	[28/09/2017 20:26: Please note this B- sector includes support to forest related value chains from supporting commercial forestry plantations to wood/timber processing.]
543	List of B-sectors Lot 1	Could you explain to what the B sub-sector 8.1 in Lot 1 "Extension services" refers to ?	[28/09/2017 20:28: Agricultural extension, also known as agricultural advisory services, is the application of scientific research and new knowledge to agricultural practices through farmer education. Extension is an educational process directed toward the rural population aiming to increase the efficiency of the family farm, increase production and generally increase the standard of living of the farm family, also developing farmers' abilities to direct their own future development.]

544	B-Sectors - Lot 2	Can you provide a more broad explanation (some specification) of what type of projects/activities are expected to be covering the 2.5 B-Sector (Digital technologies and services as enablers)?	[28/09/2017 20:41: Digital technologies and services are profoundly changing the way people interact by enhancing the effectiveness of development cooperation activities, offering new solutions across all sectors of the society, the economy and the environment. Response mainly by preparing studies in the following areas (with reference to potential projects/actions, where appropriate): i.Digital 4 Gender Equality (example: elaborate on creation of women's digital communities to facilitate women empowerment) ii.Digital 4 Climate Change, Environment and Sustainable Energy (example: elaboration of innovative business models involving mobile applications to sell and buy electricity particularly in remote areas in order to provide access to sustainable energy for poor people) iii.Digital 4 Secure Identity for All iv.Digital 4 Capacity Building (example: prepare recommendations to assist Governments in partner countries in their effort to mainstream digital technologies into their sector plans and programmes). v.Digital 4 Sustainable Agriculture vi.Digital 4 Education and Human Development (example: draft digital skills and literacy strategies and to adapt curricula to integrate digital skills and literacy into their educational system, including training of teachers). vii.Digital 4 Health Additional areas for actions could be foreseen, providing specific assistance to partner countries for the reinforcement of the policy and regulatory frameworks and practical guidance to introduce digital technologies in strategic sectors.]
546	B-Sectors - Lot 2	Can you provide a more broad explanation (some specification) of what type of projects/activities are expected to be covering the 2.7 B-Sector (Digital Agenda - external projection of EU policy)?	[28/09/2017 20:44: As part of its support to the Sustainable Development Goals, the Commission intends to mainstream the use of digital technologies and services to improve the EU´s Development Policy. The Digital 4 Development (D4D) initiative will promote digital solutions as part of the fight against poverty and inequality, and extend the international outreach of the Start-up Europe initiative into Africa. Response may take the form of preparation of studies assisting externalisation of the Digital Single Market Strategy to partner countries to develop common, open ICT standards (examples: Internet of Things, 5G, cloud computing, big data)]
547	B-Sectors - Lot 2	Can you provide a more broad explanation (some specification) of what type of projects/activities are expected to be covering the 2.8 B-Sector (Data Protection - external projection of EU policy)?	[28/09/2017 20:45: Digitalisation should not be introduced in a vacuum, but as part of a set of structural measures (e.g. laws for personal data protection, digitalisation of civil registers). Reporting, among others, to ways of effective prevention of unauthorised access to electronic communications networks and malicious code distribution is conducive to cybersecurity and data protection and can lead to reduced damages to computer and electronic communication systems]
549	Eligibility	Can an entity, that is also acting as a delegated cooperation agency to the EU, become a Consortium Leader or participate as a Consortium Partner in this opportunity?	[28/09/2017 21:01: In principle, such an entity can submit a tender as consortium leader or member.]
550	EuropeAid/138778/DH/SER/Multi- GENERAL CONCERNING ALL LOTS	In its Global Organisation & Methodology, the tenderer is requested to provide a "description of the existing and/or planned database used for recruiting the experts, including the method to keep their CVs up-to-date and be informed about their availability; if available, an extract of such a database may be added (maximum 10 pages)." Kindly clarify whether this 10-page database description constitutes an "annex" and, as such, is excluded from the 25-page narrative Global Organisation & Methodology.	[29/09/2017 11:39: If an extract of the database is provided, it will not be included in the page count.]
551	Global Terms of Reference	Please can you advise why, in line with section 6.2.1 of the Global ToR 'it is not authorised to propose and contract a Management team Member as an expert for an individual assignment'. We would note that not all management team members are likely to be fully engaged by the FWC. They must therefore have other work to do when not undertaking their FWC responsibilities. As such, it would likely assist their management if they were also able to be an expert, assuming this commitment did not interfere with their management team responsibilities. Further, it increases both the pool of experts available to the FWC and the number of experts able to impart their experience to a management team.	[29/09/2017 11:42: The requirements of the management team are those set out in the Global Terms of Reference.]
553	point 5 Technical Capacity : Evidence of references	In the last paragraph of point 5 Technical Capacity of the submission form : -it is specified that an evidence of performance is required. Do we have to provide evidences for each of the following points of project reference template (annex 3) : 1. c to 1.f (overall contract value, proportion of overall staff inputs ,etc.) or a solemn declaration is sufficient? - Please confirm that CRIS contract number is required for projects where EuropeAid is the client (point 1.g of the template) ? - A private company can be a client and/or the originator of funding for a reference project ?	[29/09/2017 12:00: The tender submission form states 'For reference projects contracted with a public authority, evidence of performance is also to be added (such as certificates issued or countersigned by the competent authority).' The evidence of performance will not need to contain all the information found in Annex 3 of the tender submission form, but must, as a minimum show the contract was performed (outputs have been approved) and the evaluation committee can link this evidence to the reference project for which it has been submitted. The tenderer, by submitting a tender with the information found in Annex III, is declaring that the information contained within is accurate and correct. Failure to do so may result in the sanctions set out in Instructions to tenderers point 3 d) and PRAG point 2.3 As stated in the tender submission form 'For EuropeAid reference projects, the CRIS contract number of the invoked reference project is to be added in the list.' The Instructions to tenderers point 6(4) do not impose any criteria related to the source of funding of reference project, so reference projects funded from private sources are acceptable, as long as they satisfy all other requirements for reference projects set out in the Instructions to tenderers.]
555	Consortium members to carry out any assignment	In past and in current FWC BENEF 2013, some consortium leaders "took over" most requests for services received from the Contracting Authority and didn't enable the consortium members to carry out any assignment. This raises the issues that the rational required by the EC when valuing a wide participation of companies in the tender process is, on occasion, something presented by the leader in that moment (to acquire the general contract", and latter considerably undermined /neglected. Would the new coordination of the FWC be looking at this, perhaps by requiring information in the progress reports on the actual involvement of the various partners (experts submitted, experts selected, projects implemented by each consortium partner).?	[29/09/2017 12:44: Your comments have been noted. The internal arrangements, contractual or otherwise, between members is principally an issue for the consortium. The reporting obligations under the framework contract are stated in the Global Terms of Reference.]

556	Issue 1 – Requirement to provide the daily expert fees paid to the experts in the Specific financial offer.	There does not appear to be any valid (formal) ground to set aside the principle of the protection of business secrets, by imposing a duty to disclose this type of information on the tendering companies. Moreover, this information is irrelevant – as not taken into account – for the selection of Specific contracts by the Contracting Authority (CA). What matters are the daily fee rates proposed in the Specific financial offers. In the present procedure there is no indication that a ratio with a weight between the fees paid to the experts and the management fee is a criterion for selection. On top of this, one fails to understand how the information about the daily fee rate paid to an expert can be properly taken into account by the CA during the implementation of Specific contract. One can add to this that on some occasions, experts are contracted on a lump sum basis. Finally, divulging information on the (daily) fees paid to the experts requires their consent, which inevitably accrues the risk of not only companies, but also experts, not giving such a consent. The requirement could hence lead to a smaller number of both tenderers and experts presenting themselves. It is therefore asked to withdraw this requirement from the procedure.	[29/09/2017 12:48: Thank you for your comments. They have been taken into consideration, but they do not constitute a request for clarification of the tender dossier or tender procedure.]
557	Countries of the projects	Can you clarify if projects developed in the Dominican Republic can be included as references?	[29/09/2017 13:30: According to the Instructions to tenderers, reference projects must, inter alia, fulfil the following condition of being 'carried out in the interest of a Beneficiary Country of an ongoing EU External Aid Programme'. One of these programmes identified in the Instructions to tenderers is Regulation No 233/2014 which covers all recipients of ODA established by the OECD/DAC. The Dominican Republic is on the list, so is considered a Beneficiary Country of an ongoing EU External Aid Programme, and reference projects carried out in its interest would, in principle, be acceptable.]
558	Documentary proof for References	Concerning the documentary proof allowed for the reference projects of each company, could be acceptable to justify the reference projects by providing for each one, documents such as their contract, their proof of payments and any other relevant documentation which altogether prove their validity?	[29/09/2017 14:02: Proof of payment will be considered evidence of performance. A contract alone will not, as this does not evidence performance.]
559	Tender Submission Form	There are two tables to fill in as part of the tender submission form and both require virtually the same information on the in-house experts: the table under the point a) of the chapter 4 Professional capacity and the table contained in the Annex 1 (Experts) that is part of the Tender Submission Form. Can you please clarify whether we are required to double the same information in the two tables or whether one of these will have preference over the other? Can you explain what is the difference between the two tables and what will they be used for in the evaluation process?	[29/09/2017 14:06: The tenderer should complete both. The two tables should reflect each other and there should be no inconsistencies between the two. The tables will be used to assist the evaluation committee in determining that the tenderer satisfies the selection criteria professional capacity (a).]
560	Description of LOTs: PART A - Expertise common to all lots	Please can you advice whether a reference including monitoring of project/programme and elaboration of monitoring report shall be considered as covering point a) Analytical studies and/or point e) Evaluations of part A - Expertise common to all lots?	[29/09/2017 14:26: Please note that monitoring is not evaluation. As described in the question, it is likely to fall under (c) technical inputs.]
561	Tender Submission Form Point 4.a Professional capacity of tenderer (b) Project Director and subsitute - b) Statements of Exclusivity and Availability of the Project Director and his/her substitute	Should the Statements of Exclusivity and Availability of the Project Director and his/her substitute be signed for a period of two years, or should they also include the possible extension of a maximum additional two years?	[29/09/2017 14:32: It should be for the entire duration of the framework contract, i.e. 4 years.]
563	Administrative compliance - further information to a previous question	Do the administrative documents have any validity/ expiration date limitations of any sort? Please note that our question refers to the supporting documents required from each legal entity of the consortium (duly authorised signature, certificate of registration, not-bankrupt certificate etc.)	[29/09/2017 15:28: For non-exclusion documents see Question275 For signatures requested specifically for this tender (signature of declaration, statement of exclusivity and availability etc.) the signature date should be after the contract notice was published. For other documents, such as for registration of the company, there is no expiration date, but the contracting authority reserves the right to request clarification/further evidence in the case of doubt.]
565	Participation and Consortium's composition	Dear Sir/Madam, Could you please clarify whether a newly established GIE (groupement d'intérêt économique) could lead a Consortium for this tender and whether it would be allowed to present as GIE own financial and technical data from the financial and technical data of the GIE partners' companies in order to match the eligibility criteria? Thanks in advance for your attention and availability, Best regards	[29/09/2017 16:13: A new established GIE may participate in the procedure as leader of a consortium If the tenderer will use the economic, professional or technical capacity of a member of the GIE to satisfy the selection criteria, that member must also be a member of the consortium and listed in the tender submission form as such, with the documents that are required from consortium members. Question523]
566	Global Organisation and Methodology	According to SECTION B.III GLOBAL ORGANISATION & METHODOLOGY, point 2 ORGANISATION AND METHODOLOGY, The tenderer should not propose specific individuals as members of the Management Team or submit CVs, but instead should indicate the profile of each team member stating the status, qualifications and experience of the member, along with their specific role and responsibilities in the implementation of the framework contract. We understand that the profiles of the Project Director, Deputy Project director (including both of his/her CVs) and the profiles for the additional Management Team members are part of the Annex 1 - EN-B - III - b - Framework Contract Global Organisation and Methodology and ANNEX IV: MANAGEMENT TEAM MEMBERS and should not be taken into consideration within the 25 pages allocated for the organization & methodology. Please confirm.	[29/09/2017 16:37: The CVs and other evidence of the Project director and substitute are submitted for selection criteria, and should be submitted as part of the tender submission form. No CVs or individual names will be submitted as part of the Global Organisation and Methodology and its annexes. The management team will be described both in the Global Organisation and Methodology, and in Annex B IV, but both these documents will only refer to the profiles of the management team, not to specific individuals or CVs. Annex B IV will not be taken into consideration in the 25 page limit.]

567	Instructions to Tenderers, Section 6.1) and Tender Submission Form Point 3	Tenderers must provide documentary evidence for the turnover of the previous three years (2014, 2015 and 2016) and the evidence provided must be approved by the relevant competent auditor/entity. A statement signed by the tenderer itself will not be considered sufficient. One of the members of our Consortium is an EEIG, and there is no documentation approved by the competent relevant authority regarding the turnover of the EEIG as such. We foresee one of two possibilities: 1)As per same tender submission form, the Contracting Authority will exceptionally accept a statement signed by representatives of the EEIG. 2)Since the consortium as a whole fulfils the requirement of the financial capacity without the financial data of this partner, the consortium can omit the financial data of this partner in the tender submission form. Please confirm which one would be preferred.	[29/09/2017 16:44: If the tenderer is using the resources (economic, professional and/or technical) of a member of an EEIG that is a member of the consortium to satisfy the selection criteria, this member/these members of the EEIG must be listed as consortium members. SeeQuestion523 If the tenderer is a consortium, the consortium as a whole must satisfy all the selection criteria, and as long as the evidence of economic capacity provided shows that the consortium as whole satisfies this criteria, it will be accepted.]
568	Global Terms of Reference - Conditions of implementation	Should section 8.1 a) not read "....The deadline for the submission of offers.... will have a minimum of 14 calendar days for Requests with a maximum budget under 300.000 EUR, and a minimum of 30 calendar days for Requests with a maximum budget of 300.000 EUR or more, ..."?	[29/09/2017 16:45: Correct. This is a typo and will be amended accordingly before signature of the contract.]
569	Global Terms of Reference, section 8 page 10	ToR, section 8 page 10: The resulting Specific Contract is awarded to the Framework Contractor whose offer has been evaluated as having the best value for money among those offers passing the technical threshold of 75 out of 100 points, unless otherwise indicated in the Specific ToR. Point 8.3 Evaluation, page 14: The SC Contracting Authority chooses the offer with the best value for money using an 80/20 weighing between technical quality and price. Can you please clarify?	[29/09/2017 16:49: The following explanation is subject to the information in the tender dossier. If the tenderer satisfies the exclusion, selection and eligibility criteria (and the tender is administratively compliant), the technical offer of the tenderer will be evaluated on the basis of the award criteria in Annex C I. The tender must score at least the minimum points for each sub-award criteria (1.1 to 1.6) and a minimum of 75 overall. Those tenders that do not are rejected. For those that do score at least the minimums for each criteria and overall, their final technical score is evaluated by the following calculation: Technical score = (final score of the technical offer in question/final score of the best technical offer) x 100. The financial offer of tenders not rejected is opened and each category of maximum global fees are evaluated according to the following formula: The tender with the lowest total global fee receives 100 points. The others are awarded points by means of the following formula: Financial score for category = (lowest global fee / global fee of the tender being considered) x 100. Then the overall financial score is calculated according to the weightings in the Instructions to tenderers. The final scores for the technical offer and financial offer are weighted 80% and 20 % for the final score of the offer. For example, a technical offer scoring 90 points with a financial offer scoring 60 points would be calculated (90x0.8) + (60x0.2) = final score of the tender. For more details of the evaluation process, especially concerning the evaluation of technical and financial offers, please see PRAG 3.3.10. Please be aware that this is open procedure and there are specificities to the framework contract tender dossier which are explained in the Instructions to tenderers.]
570	Global Financial Offer.	Point 2 of the template of the Global Financial offer mentions that the Global fee covers also 'the administrative costs of employing the expert such as relocation and repatriation expenses and accommodation'. Could you please confirm that this doesn't mean that the travel and Per Diems of experts should be included in the Global fees, for both the Global Financial Offer (at the proposal stage) and the Global price contracts under Specific offers and that the travel and PD will be always presented in the separate lines?	[29/09/2017 17:17: For both global price and fee-based contracts, the global fees will not include travel costs of experts related to inter-city journeys, both international and inside the country, 'on the basis of the most economically advantageous transport possibilities' made for the purpose of the assignment, nor for per diems (when per diems are applicable, see Question528) This includes the travel to and from the normal place of posting from the expert's place of residence, and travel from the normal place of posting to other cities during the assignment and for the purposes of the assignment (e.g. field trip). See annex B V. For global price specific financial offers, these travel cost will be listed separately in the budget breakdown (but will not be considered incidental expenditure as this is generally does not apply to global price contracts, which are evaluated on the total price).]
571	Instructions to Tenderers - Page 5, point 4) – Technical capacity of tenderer Last paragraph. The project references "…must be finalised within 3 years before the final date for submission of the tenders"	Question 3: For many project references (contracts), at the project end, the consulting company is receiving comments on reports, or requests to further develop some parts or some annexes, etc. Meanwhile, as per contract clauses and PRAG regulations, the consulting company remains legally bound and responsible of the TA services until the final payment. Therefore, and by extension, can we consider that the final project finalization date is, in these conditions, the payment date of the final invoice attesting of the reports/outputs approval?	[29/09/2017 17:21: Question508 If activities continue under the contract until final payment, and the date of final payment is the date of approval of the outputs, this date may be considered the date the reference project is finalised.]
572	Technical capacity	According to ITT, par. 6 4) "Selection criteria of the Instructions to tenderers", all A-sectors shall be covered. However, some of such horizontal sectors are hardly applicable to some of the lots, e.g. the A-sector "investment financing" is hardly applicable to lot 3. To this regard, kindly let us know if the ITT could be revised so to cover only the 90% of the A sectors.	[29/09/2017 17:22: While investment financing is more applicable to some lots than others, it may be applicable to all lots. Please note investment financing is to be interpreted broadly see Question491]
573	Clarification question regarding the management team	ToR '6.2.1 The Management Team' requirement states that "each member must have at least 12 years of professional experience related to the lot and the function he/she is assigned to by the FWC's Methodology. Additionally, for the Project Director, at least 5 years of that professional experience must have been in a senior management position;" Regarding these requirements please clarify the following. oWhat should the 'professional experience related to the lot' cover? A and B sectors are equally accepted? Or if only B sectors, then all or some or one of the headings under a specific Lot B sectors would be sufficient? Is it e.g. sufficient that the proposed person has over 12 years of professional experience, but not all this experience is related to a B sector of the specific Lot? Or is it e.g. sufficient that the proposed person has over 12 years of professional experience in A sectors, but no experience is related to any B sector of the specific Lot? oWhat does a 'senior management position' specifically include? Is e.g. an entrepreneur (owner of an own company, without employees, working with subcontractor experts) considered as a senior manager? Or is a project manager / team leader / project director position considered as senior management experience?	[29/09/2017 17:24: Each lot covers both A and B sectors, so this experience may refer to both. However, B-sectors of the specific lot are a fundamental element of the lot, and the tenderer should bear this in mind when creating the generic profiles for the management team. Senior management refers to holding a high position in an organisation and being responsible for the management of the organisation and personnel.]

574	LOT2, Sector 6. Nuclear safety	Since many of the Nuclear safety related references are clasified as confidential, please can you advice how to proceed in these cases and what would be the minimum data requred for this type of references to be stated in the Tender submission form - Annex 3 (Project Reference) and its supporting closure note. In case the confidentiality encloses as well the overall project budget, would it be possible not to state the budget, just the proportion of overall contract value carried out by legal entity?	[29/09/2017 17:25: Regarding reference profiles, the evaluation committee must be able to check the requirements for an eligible reference project set out in the Instructions to tenderers. In the case of nuclear safety where confidentiality may be an issue, the tenderer should submit the information possible that allows for this evaluation, and the contracting authority reserves the right to request further information/clarification if necessary. Evidence of performance may be redacted to ensure confidential information is not revealed. Please be aware that the evaluation committee may reject a reference project if they are not able to ascertain it meets the requirements.]
575	Proportion of overall contract value carried out by legal entity	With reference to template D-0-Annex 3 (Project References) and more specifically to the requirement to provide under point e. Proportion of overall contract value carried out by legal entity (in EUR and percentage), could you please clarify whether: 1/ the overall contract value implemented by a partner (re. above "legal entity") of the consortium, should be calculated as a sum of all the costs related to the expert provided by the partner (fees, flights, per diem, proportional share of administrative, logistical costs, translations/interpretation, etc.) and as presented in the financial proposal and contracted budget? 2/ the calculation of the overall contract value carried out by legal entity value should be based on the actual fee rates and related costs applied to each expert as per financial offer and contracted value, or, should the overall contract value carried out by legal entity value be reduced by the management fee internally charged by the consortium leader which may vary from one contract to another?	[29/09/2017 17:26: Generally, the percentage implemented by the tenderer will correspond to the price under the original contract of the inputs provided by the tenderer (number 1 in the question). However, if the implementing consortium arranged implementation and payment differently, this may be acceptable if the total amount received by the tenderer was minimum 30%. The tenderer may provide an explanation in case of doubt.]
576	Legal Entities	1.According to the ITT, point 6, last paragraph: "… the tenderer may not rely on the capacities of other entities and the criteria must be satisfied by the tenderer…" i)In our understanding, companies of the same group shall be deemed being separate entities. If they want their capacities to be considered all in all they shall both be part of the tender. Could you please confirm this interpretation? ii)In our understanding a legal and fiscal "transparent" * entity (TE) is not an independent entity from the upper entities (UE) on which it depends, and therefore: a.The TE cannot rely on the capacities of the UE, b.The UE can rely on the capacities of the TE Could you please confirm? * "Transparent" means that the economic, financial and fiscal responsibilities bear in one or several upper entities. That should be the case of the GIEE in Belgium f.i. (see http://economie.fgov.be/fr/entreprises/vie_entreprise/Creer/structurer_projet/formes_societes/groupement-interet-economique/ for details	[29/09/2017 17:29: If the tenderer will use the economic, professional or technical capacity of a member of its group to satisfy the selection criteria, that member must be a member of the consortium and listed in the tender submission form as such, with the documents that are required from consortium members. The entity that has implemented the reference projects, has the permanent experts or provides the economic capacity must be a member of the consortium. Question523]
577	Technical capacity, evidence of performance	In the Service Tender Submission Form, page 9, last paragraph: "for reference projects contracted with a public authority, evidence of performance is also to be added (...). For EuropeAid reference projects, the CRIS contract number (...) is to be added to the list. Do we have to provide evidence of performance for projects contracted with a private entity? Do we have to provide evidence of performance for EuropeAid projects AND the CRIS number or is the CRIS number alone requested?	[29/09/2017 17:30: For reference projects when the contracting authority is a private entity, no evidence of performance is required. Both CRIS number and evidence of performance must be provided for EuropeAid projects. See Tender submission form point 5]
578	EuropeAid/138778/DH/SER/Multi- GENERAL CONCERNING ALL LOTS	According to the Service Tender Submission Form, "For reference projects contracted with a public authority, evidence of performance is also to be added (such as certificates issued or countersigned by the competent authority)". a.Kindly clarify whether such evidence of performance is required for privately funded project references. b.Kindly clarify the types of documents that would be considered eligible evidence (e.g. final invoice, final report approval, etc.).	[29/09/2017 17:53: Question577 Final report approval may be accepted as evidence of performance. A final invoice alone will not, as it does evidence performance]
579	Instructions to Tender - Technical Capacity of Tenderer	In relation to the response to Question 9 "In the case of contracts divided into phases or parts in which the output of each phase/part is finalised and formally approved, each contract phase/part can qualify as a finalised reference project. Would it be possible to clarify if a project, in which there is formal approval of the Inception Phase, can qualify as a finalised reference project?	[29/09/2017 18:04: Question9 If the contract is separated into phases, and the outputs of the phase have been approved by the contracting authority, this may be submitted as a reference project. Please note that this is to allow a contract that has been partially implemented and partially approved to be submitted as a reference project. As stated in the tender submission form footnote 6, a contract coincides with a reference project. Therefore only one reference project can be submitted per contract (i.e. two phases of the same contract cannot be submitted as different reference projects). Question292Question214Question208]
580	Global price contracts	Can you clarify whether - for global price contracts - the CVs of the proposed personnel will NOT be evaluated? If so, can you explain why?	[29/09/2017 18:05: In general, global price specific offers will not involve the evaluation of experts, although the CVs may be checked to ensure they meet any minimum requirements set out in the terms of reference. The specific terms of reference may, however, include provisions that require the evaluation of CVs experts, depending on the needs of the specific contracting authority.]
581	Project references and certificates	If the company A has been bought by another company B and the company A is now trading under the new name of company B could we use the project references & certificates that are still in the name of company A as project references of company B?	[29/09/2017 18:07: If company A has been merged with company B, the reference projects implemented by B (or A) may be invoked by the new entity. The tenderer should include an explanation to assist the evaluation committee in understanding the situation. If A and B are still separate legal entities, then company B must be listed as a consortium member if its reference projects are to be invoked.]
582	Clarifications regarding clauses	Clause 40 of the special conditions: It is our understanding that all contracts concluded with the European Union, regardless on whose behalf these were contracted will be subject to the exclusive jurisdiction of the courts of Brussels. Can you confirm? If not, can you confirm that the arbitral tribunal will be ICC and not only following rules of ICC and that the arbitral panel will be composed of a minimum of three arbiters	[29/09/2017 18:08: As stated in Article 40,'any disputes arising out of or relating to the Framework Contract or a specific Contract which cannot be settled amicably shall be referred to the exclusive jurisdiction of the courts of Brussels, Belgium'. Any disputes arising out of or relating to Specific Contracts concluded with another SC Contracting Authority than the European Union, which cannot be settled otherwise shall exclusively be referred for arbitration to an arbitral tribunal applying the rules of arbitration of the International Chamber of Commerce. Therefore the rules of arbitration of the International Chamber of Commerce will apply.]
583	Clarification on clauses	Clause 6.1 and 7.4 of the general conditions for service contracts for external actions financed by the European union or by the European development front We understand that clause 6.1. and 7.4 relates to legal provisions as they apply to the Contractor in general as service provider and that Contracting Authority will be responsible for complying with regulation as they apply to the Contracting Authority. Can you confirm?	[29/09/2017 18:10: Clause 6.1 of the General Conditions refers to the possibility of the Contracting Authority assisting the Contractor with local regulations. It is an obligation of the contractor to comply with any applicable local regulation. Clause 7.4 indeed refers to the obligations of the contractor – '… any infringement by the Contractor, its employees and their dependants of such laws and regulations.']

584	Clarification clauses	Clause 13.2 of the general conditions for service contracts for external actions financed by the European union or by the European development front as part of a group that negotiates for all members the insurance contracts and taking into account the global coverage, whereas for some countries it may not be possible to obtain such direct confirmation/obligation of the insurance company of any change in insurance, is it foreseeable that the obligation in this clause to communicate change in coverage by the insurance contracts is taken over by the Contractor that will deliver this information as quickly as possible, and in any event at least thirty (30) days before the reduction, cancellation or alteration of the cover is effective. Can you confirm this clause can be read as such?	[29/09/2017 18:11: No evidence regarding insurance arrangements are to be provided for the present tender. Insurance arraignments pertaining to specific contracts will be dealt with at the level of the specific contracting authority, so exceptions to the General conditions cannot be given presently.]
586	Service with a budget over 300,000 EUR	Regarding requests for service with a budget over 300,000 EUR: a.Will the FWC SIEA 2018 become an alternative to the "international restricted tender procedure" foreseen in the DEVCO practical guide to financial and contractual procedures for contracts with a budget between 300,000 EUR and 999,999 EUR? b.Will each specific ToR indicate all the experts' profiles? Or will this only concern key experts, with other non-key experts' profiles being identified during project implementation?	[29/09/2017 18:24: The international restricted procedure is a possible procurement procedure foreseen in Practical Guide of DEVCO and in the Financial Regulation, and will remain so for the foreseeable future. The framework contract does not foresee 'key' experts. Expertise required may be identified in the terms of reference, and specific experts identified in an specific offer. For fee-based, it is foreseen that these experts will be the experts working on the contract.]
587	Global ToR Article 8.1.C	In the Global terms of References article 8.1.C, the future budget breakdown will have to mention the specific remuneration paid to an expert. This information is confidential according the Federal German Data Protection Act (Bundesdatenschutzgesetz). Even if the contracting authority is protected by Regulation (EC) N° 45/2001 on the protection data of individuals with regard to the processing of personal data by the Community Institutions, the Consortium leaders or partners are not. This data can consequently not be share amongst them. Q1: Since this information cannot be shared, can you please consider cancelling the identification of the specific remuneration of experts to be provided in budget template? Q2: In the same sense, can you please confirm we can hide the specific salary data of individuals on the salary slips to be provided for the in-house experts?	[29/09/2017 18:25: The framework contractor will have to ensure that it submits all information required for a specific request for services. How the consortium functions internally is up to the tenderer, it must ensure that all relevant legal provisions are respected and if and when required, consent of an individual is obtained. Please note, that regarding specific contracts, it will not be required to submit the salary (weekly, monthly or annual) of any given expert, as the amount paid refers to the specific amount paid or the cost to the consortium member for that specific assignment. For the evidence requested in the tender submission form 'evidence that they are- at the date of the tender -employed as permanent experts', the salary of the individual or other confidential information may indeed by blacked out or redacted by any means necessary, as long as the document allows the evaluation committee to assess that the specific expert is permanent.]
588	Global ToR, Art. 8.4 Unavailability of an expert under a Global-Price contract	For fee-based contracts, prior to formal notification to all participating Framework Contractors, the Contracting Authority will request from the Framework Contractor with the highest score in the evaluation confirmation of the availability of the specific experts proposed in the offer. In case of the unavailability of any of the experts or non-response, the Framework Contractor with the next highest score may be awarded the Specific Contract, contingent on availability of their experts. In the evaluation grid for Global-Price offers, no scores are foreseen for the experts' CVs. What happens under Global-Price Contracts if a proposed expert is no longer available after notification from the Contracting Authority and before contract award?	[29/09/2017 18:26: Generally, the contractor will be able to propose a replacement expert if certain experts have been included in the specific offer because for Global price contracts, the deliverable is the principle output, and the contractor is free to arrange their resources as they see best to achieve this deliverable. However, the specific contracting authority may decide otherwise, depending on the specific terms of reference and this can only be assessed on a case by case basis.]
589	Question on project references and permanent staff	Kindly clarify whether the project references and permanent staff of each of the legal entities making up a joint venture entity, which has been identified in the Service Tender Submission Form, are eligible to prove the professional and technical capacity of the tenderer, as required by sections 4 and 5 of the Service Tender Submission Form.	[29/09/2017 18:28: Please see Question523Question56. If the permanent experts and/or reference projects of an entity are used to satisfy selection criteria, that entity must be identified as a consortium member in the tender.]
590	Global ToRs, page 14	What will the Contracting Authority do if they see a split "cost of expert" and "management fee" (for instance 70/30 or even 60/40 to take a more extreme case) in a Specific financial offer whereas the Global financial offer was presenting an estimated split of 75/25? As the split is not announced as being part of the evaluation, as the split in the Global financial offer is anyway only an estimate, and as fees paid to experts are internal commercial issues, basically the Contracting Authority will not be able to do anything. So why asking for this split and asking the Contractors to divulge commercial information?	[29/09/2017 18:31: The global financial offer submitted for the present tender will not be split into expert fee and management fee. Only one single fee per category ' Maximum Global fee per working day' will be presented. The global financial offer will be submitted with an annex 'Pricing methodology document' which will contain the breakdown of the global fees per item. The expert fee/management fee distinction only applies for specific financial offers. This split in the specific financial offers does not need to reflect the information provided in the Pricing methodology document provided in the framework contract tender (i.e. the present tender) as each specific contract will entail different costs/arrangements.Question495]
591	Detailed description of the Lots, Lot 3: Human Rights, Democracy and Peace, Technical Description	We kindly ask you to clarify the difference between the Sector 1.2b last bullet point (Penitentiary reform) and Sector 5.6 q) (Prison reform).	[29/09/2017 18:32: The two sub-sub headings can be considered equivalent.]
592	Detailed description of the lots:	Page 11: Under the Sub heading 5.5, there is a part "a)", but no part b and following. Could something be missing?	[29/09/2017 18:35: There is no part missing. The letter a) has been used to indicate that it is a sub-sub sector and not a sub-sector. For the purpose of this tender only the sector sub-headings are referred to as 'B-sectors' for which the minimum number is indicated with the respect to professional technical criteria]
593	EN-B-II-b- Detailed description of lots Lot 3 Human Rights, Democracy and Peace sub-sub-heading 5.6.j, and sub-heading 5.9	Sub-sub-heading 5.6.j, "Logistical support to operations (including planning of complex missions, transport, provision of security, telecommunications)" and sub-heading 5.9 are formulated in the exact same way Could you please clarify if "Logistical support to operations" should be considered as a sub-heading or as a sub-sub heading?	[29/09/2017 18:39: Sub-sub-heading 5.6.j refers to logistical support in the context of the sub heading ('B-sector') Security Sector Reform (SSR) Sub heading 5.9 refers to Logistical support to operations in the context of sector heading 'Conflict prevention and resolution, Peace and Security']
594	EN-B-II-b- Detailed description of lots Lot 3 Human Rights, Democracy and Peace Subheadings 5.7 and 5.8	"Transitional Justice" is referred to in two separate sub-headings 5.7 and 5.8. Should we understand that the subheading 5.7 " transitional justice" includes de facto the " formal and informal/community-based transitional justice processes" referred to in the description of subheading 5.8, which can therefore be removed from sub-heading 5.8 ?	[29/09/2017 18:41: We confirm your interpretation is correct, and it should be acknowledged the existence of overlap between certain B-sectors and sub-headings.]
595	Detailed description of lot 2 - Sub heading	Could you please explain the difference between the following 2 sub-headings:9.5 and 9.7?	[29/09/2017 18:42: One covers conformity assessment and the other standards and norms. It is understood there will be overlap between some B-sectors.]
596	Clarification for Lot 4 - Scope of Sub-heading 7	In Lot 4, Sector heading 7 «Research and Innovation» : does this sector comprise innovation and research in the field of human development exclusively (education, culture, social protection and health)?, or does it include innovation and research in any other domain?	[29/09/2017 18:43: It covers 'research and innovation' in general, not exclusively in the field of human development.]
598	Concernig the point 6 Selection Criteria of the Instructions to tenderers, professional capacity, permanent experts.	Could you please clarify whether an employee of our organisation with the status of official (fonctionnaire) of the European Commission, on "congé de convenance personelle (CCP)" since 16 August 2015, and currently employed full time by our organisation could be included in our proposal as permanent expert?	[29/09/2017 18:47: As the permanent experts are submitted as evidence of technical capacity, an expert with such a status may, in principle, be submitted. It must be ensured that no conflict of interest will arise if he/she partakes in implementation of specific contracts, assessed on a case by case basis.]

599	Conflicts of interest	Does the Framework Contracts entail a conflicto of interest with the ROM (Result Oriented Monitoring) contracts? If a company is between the awarded companies of the FWC 2018. Can this company also bid and implement the next round of ROM contracts? With best regards	[29/09/2017 18:49: Conflict of interest can only be assessed on a case by case basis. It is not possible for the contracting authority to comment on issues surrounding conflict of interest for future tender procedures. Interested tenderers may wish to see how previous cases were dealt with concerning similar framework contracts.]
600	EN-B-II-b- Detailed description of lots Lot 1 - Sub-heading 1.4.	In Lot 1, for the B-sector 1.4. "Alternative production systems (organic farming, agroforestry, permaculture)", are we allowed to include in this sub-heading the strategy for alternative development, reduction of coca crops?	[29/09/2017 18:55: For experts/reference projects, each will be assessed on a case by case basis by the evaluation committee to ascertain if they cover the stated B-sector. In general illegal crops related issues are considered separate to the development of more environmental-friendly farming systems.]