

FREQUENTLY ASKED QUESTIONS

Contract notice: OJEU 2015/S 060-104704

**Invitation to tender No. ENER/C1/2015-542 concerning
*Framework Contract for Assessment of voluntary schemes and agreements used
for sustainability claims***

Time-limit for receipt of tenders: 04/05/2015

Last update 16/04/2015

Question 1. One of the consortium partners participating in the call for tenders is a certification company providing services of certification in accordance with two of the approved voluntary schemes. Is this considered a conflict of interest?

Answer 1. In our opinion there is a potential conflict of interest.

Question 2. The minimum criteria for the profile of the project manager include "experience in project of a similar coverage (geographical scope at least half of the one subject to this call for tenders)". Can you specify what is the geographical scope of this call for tenders, i.e. what are the minimum requirements for experience of the project manager in relation to this criterion?

Answer 2. The tender does not set out the geographical scope and therefore no minimum requirements for experience of the project manager in relation to this criterion (coverage of geographical scope) apply.

Question 3. Would owners of already recognized voluntary schemes be excluded due to general conflict of interests?

- If yes, would that be true, if the scheme is only a partial scheme (e.g. limited to GHG calculation)?
- If yes, would that be still true, if the scheme owner is one of two partners jointly participating this tender procedure and the scheme owner will not be involved in tasks dealing with the assessment of voluntary schemes including criteria covered by the scheme owner's partial scheme (e.g. only GHG calculation) and / or the scheme owner is only subcontractor within the tender?

Answer 3. In our opinion the involvement of a contractor, partner, or subcontractor in an existing voluntary scheme is a potential conflict of interest regardless whether the scope of this scheme is only partial or it has already been recognised. This in our view holds for all tasks covered by this framework contract.

Question 4. Is a joint tender possible (as laid down in the tender specifications point 1.3) whereas the TED portal explains under II.1.4) **Information on framework agreement:** Framework agreement with a single operator.

Answer 4. A joint tender is possible. The provision referred to above provides that the framework agreement will be concluded only with one operator who can also represent a consortium. All specific contracts to be concluded under this framework agreement can only be concluded with this single operator.