



Invitation to tender ENER/A4 /2014/516 (Open procedure)

Concerning

A SERVICE CONTRACT FOR

**A Framework Contract for Impact Assessments and Evaluations
(Ex-ante, Intermediate and Ex-post) in the field of Energy**

Call for tenders published on OJ S 2014/S 081-140674

FAQ N° 7 - Latest update: 07/07/2014

New Time-limit for receipt of tenders: 30 June 2014

Before submitting any written question to the Commission, the tenderers should consult this frequently asked questions section relating to the invitation to tender. Questions and answers are published here with full respect to the anonymity of the enquiring tenderers.

Question 1: Request for Clarification on Page 3 paragraph 1.2 of the specifications. Please provide complete sentence for understanding

Answer 1: Please read the complete sentence as follows: "The tenderer should bear in mind the provisions of the draft contract which specifies the rights and obligations of the contractor, particularly those on payments, performance of the contract, confidentiality, checks and audits".

Question 2: Your comments on p 6: paragraph 2.3.2 a.3):

We are not sure that potential tenderers can easily comply with these very strict criteria (without forming large consortia) also taking into account that 2010-2014 Framework contract only 9 requests were launched and that only 7 were awarded to date between 8 competing consortia (very few assignment completed to be used as reference)? Aren't these criteria

disproportionate to the ambitions and expected volume of the assignments expected under this contract?

Answer 2: The selection criteria were chosen with the view to address the relative complexity of the topic and the Commission's need for evaluations and impact assessments that could relate to very different subjects of the field of energy. In order to comply with the criteria, the tenderers are authorised to rely on the capacity of consortium members and sub-contractors, according to their best judgement.

Question 3: **Your comments : p 9 paragraph 2.4 b and c:** ..." you mention that the tenderer shall present 1 case study on impact assessment and one case study on evaluation while on p 21 point 3.3.2 you request the presentation of 2 case studies (1 IA and 1 evaluation) in 5 areas (nuclear being mandatory) meaning 10 case studies. Could you please clarify the number of case studies to be prepared? If you require 10 case study, isn't a bit excessive at the stage of the tender considering that in 4 years (2010-2014) only 9 requests were launched. We believe that 2 cases studies in IA and 2 cases studies in Evaluation would be enough to demonstrate the tenderer capacity, tools and methodologies and that the topics or themes of the case studies should be defined by in the TORS to allow comparative assessment of the tenderers (like it was done for the DG MOVE Impact assessment and evaluation tendered in 5 separate lots).

Answer 3: On p 21 point 3.3.2:
Please read: "two case studies only are required, to be presented from five possible areas (mandatorily including nuclear)

Question 4: What are these "possible areas" you are referring to, having in mind that the tender specifications indicate 15 possible areas from a) to o)? Do you have a short list of suggested areas or are we free to choose within the list of 15 areas (other than nuclear which we understand is compulsory)?

Answer 4: Please be informed that you are free to combine your case study within the list of the 15 areas: described on page 21 of the specifications

Question 5: Since we are expected to prepare two case studies, does the above mean that the two case studies should cover 5 areas altogether (meaning more than one area per case)?

Answer 5: Yes, the 2 case studies should cover up to 5 areas altogether (meaning more than one area per case).

Question 6: How do you calculate the price for identifying the tenders that offer the best value for money?

Answer 6:

Thank you for bringing up this point.

The price of the tender will be calculated on the basis of the prices per person-day per staff category as provided in the financial offer. Daily rates will be weighted according to the following table.

Staff category	points
Project Manager	10 points
Expert in Energy	35 points
Expert in impact assessment and evaluation	5 points
Data Collector and Analyst	40 points
Support Staff	10 points

The value of the tender taken into account in order to determine the best-value-for-money will be the weighted price calculated on the basis of this table.

After evaluation of the quality of the tender, the tenders are ranked using the formula below to determine the tenders offering best value for money. A weight of 60/40 is given to quality and price.

Score for tender x = quality score for tender x / 100 * 60 + cheapest price / price of tender x * 40

The Framework Contracts will be awarded to a limited number of the best ranked offers.

Question 7: There seems to be a discrepancy between the reply to question 3 and the corrigendum published on internet:

Answer 7: As a matter of fact there is one mistake in the last sentence of the Corrigendum: “please read” Energy policies instead of Energy efficiency.

The Corrigendum has been modified and published on 12/05/2014

Question 8: The time allocated to submit the present proposal is relatively short (39 calendar day days) if we compare it with the call ENER/C3/2013-484 that provides 66 calendar days to prepare the proposal. In our opinion the amount of work and effort required to prepare a meaning full tender dossier for these 2 tenders is almost equivalent. Could DG ENER consider and accept to extend the proposal deadline by 2 weeks?

Answer 8: Please be informed that the deadline for the submission of tenders will be extended **until June 28, 2014**.

Question 9: are some type and details of contracts awarded under the current the framework contract (<http://ted.europa.eu/udl?uri=TED:NOTICE:40828-2011:TEXT:EN:HTML>) available?.

Answer 9: here are some information concerning the awarded specific contracts awarded under the ongoing Framework contract on evaluations and impact assessments (January 2011 – December 2014)

2011 :

- Evaluation study of 5 completed TEN-E projects – Study conducted by Copenhagen Economics, UK (82.500€): Study PUBLISHED : click here http://ec.europa.eu/energy/evaluations/annual_en.htm

2012:

- Mid-term evaluation study on the impact of EU funded reserach and demonstration project under FP 6 and FP7 programme – study conducted by Technopolis group, FR 449.856€. Study to be finalised : NOT YET PUBLISHED
- Evaluation study on employment effects of selected scenarios of energy roadmap 2050: study conducted by COWI, Sprl Belgium (318.800€) : Study PUBLISHED - click here : http://ec.europa.eu/energy/evaluations/index_en.htm
- Evaluation study on the preliminary results of the Convenant Mayors : study conducted by Technopolis group : click here http://ec.europa.eu/energy/evaluations/annual_en.htm : Study PUBLISHED : click here http://ec.europa.eu/energy/evaluations/annual_en.htm

2013:

Mid -term evaluation of the European Energy efficiency: study conducted by Pricewater House Cooper PWC EU Services, Belgium (153.868€) - Study to be finalised : NOT YET PUBLISHED

2014

Some calls are under process: please go the Ted.europe.eu site for more information.

Question 10:

- a. Please clarify whether it is necessary to present a financial offer for each case study, or whether the allocation of time and resources for each case study should be presented without the associated prices.
If it is necessary to present a financial offer for each case study, is this to be submitted as part of the case study within the envelope of the technical offer or should it be separated from the case study and included within the envelope of financial offer (Part E)?
- b. Page 14, last sentence. Reference is made to ‘Article I.10.1 of the Framework Contracts in Annex 5, on Penalties in the event of inadequate quality of work or delays’.
There is no Article I.10.1 in the Annex 5. Please clarify which article is to be referred to.
- c. Page 15, section 3.1. The duration of the framework is stated as 24 months and may be renewed up to three times (i.e. potentially 8 years in total). The final sentence states “...before expiry of the one-year period” and the following paragraph states that the duration is up to 4 years.
Please clarify the planned duration of the framework contract.

Answer 10:

- a. The (structure of the) financial offer and the case studies are not directly linked. Tenderers must present one general financial offer. The financial offer must contain precisely the information referred to in point 2.6 of the Tender Specifications, to be evaluated according to the point 2.4 of the same document – please see the corrigendum 3.
Tenderers must ensure that their financial offers are clear and unambiguous. A financial offer must be clearly distinguishable from the rest of the tender (Part E of the tender). On the other hand, the case studies will form a part of technical offer of the tenderer.
- b. On page 14, last sentence: please read:II.1.1 instead of I.10.1. Please read carefully the General Conditions of the published draft contract, in particular, the articles II.1, II.3 and II.12, setting the basic requirements for performing the contract and for the contractor's liability.
Please be informed that the Article II.1.1 (entitled general condition for services Framework contract) is a large and exhaustive chapter relative to eventual penalties in the case of inadequate quality of work or delays.
- c. Please follow articles I.2.3 and I.2.5 of the published draft framework contract. The initial duration of the FWC will be 12 months, subject to the automatic renewal of 3 times (unless notified otherwise by either of the parties) – altogether 4 years. As a rule, the EU Financial Regulation will not allow the framework contracts to be concluded for the period longer than 4 years.

Question 11:

On the page 11 of the specifications, we can read:

“2.4.3 Organisation of the work (20 points – minimum threshold 60%)

This criterion will assess how the roles and responsibilities of the proposed team and of the economic operators (in case of joint tenders, including subcontractors if applicable) are distributed for each task. It also assesses the global allocation of time and resources to the project and to each task or deliverable, and whether this allocation is adequate for the work. The tender must provide details on the allocation of time and resources and the rationale behind the choice of this allocation.”

As you have specifically referred to the case studies in the award criteria 2.4.1 Understanding of the background and 2.4.2 Quality of the methodology and not in this award criterion, do we have to understand that you will not assess the quality of the organisation of the work on the basis of the case studies?

Therefore, do we have to understand that we should develop this point in a separate section of the technical tender?

In this case, on which “project” (as written in this criterion) will you assess the allocation of time and resources?

It would be clearer if you would apply the same approach as for the award criteria 1 and 2, i.e. to use the case studies for this assessment, 10 points maximum for each case.

Answer 11:

Indeed, the two case studies proposed by tenderers will be assessed under award criteria 1 and 2 – understanding of background and quality of methodology - as referred to in points 2.4.1 and 2.4.2 of Technical Specifications. The remaining three award criteria are not directly linked to the case studies.

If a tenderer intends to propose the same approach to the organisation of work as in (one of the) case studies, he must make it very clear in its tender. In any case, a tender must cover all aspects as mentioned under the description of award criterion 3, like: roles and responsibilities of the proposed team, allocation of time and resources.

Question 12:

The deadline of the above mentioned tender has been extended to the 28th of June, which is a Saturday. Following the invitation to tender your department is closed on Saturdays. Is this true? When can proposals be delivered at the latest?

Answer 12:

Thank you for bringing it up. We will extend the deadline until 30/06/2014.

Question 13:

The specifications specify (page 21) that the “tenderer should present his understanding of the European energy sector”. “The focus of this description should be on [15] topics” and “the description should not be longer than 4 pages”.

Should we understand that the whole section on the context description should not exceed four pages, i.e. a couple of paragraphs on each topic?

Answer 13:

In line with our specifications, the description should not be longer than 4 pages.

Question 14 (1):

The specifications precise that the two case studies should be “an hypothetical one or based on real-life experience of the tenderer but linked to the purpose of this tender”. By “real-life experience” can we understand previous project(s) that we have successfully conducted for DG ENER?

There is no requirement on the length or structure of the cases. In order to ensure the coherence between the cases you will receive, it would efficient for you and the bidders to have at least an indication on the expected number of pages. Otherwise the risks would be that 2you will receive a full proposal on each case.

Answer 14 (1):

Indeed, it can be a case study previously presented to / related to DG ENER, but not necessarily. If you decide to present a real-life example, it can, e.g. also be related to work for i.e. IEA, Ministry of Energy in Member State, the European Commission or other International Energy Institution i.e. IRENA, IAEA.

Quality counts, not number of pages. Content is more important than length. DG ENER is interested in either real-life experience/expertise examples or hypothetical examples that are relevant in the current context.

Question 14 (2):

Could you please let me know quickly, at least for the question I have raised last week (Sunday 08-June-2014) on the use of previous DG ENER projects for the cases studies.
(Please see p.10 of the specification “case study on impact assessment - an hypothetical one or based on real-life experience of the tenderer but linked to the purpose of this tender”)?

Answer 14 (2):

Please see the previous response.

The Commission makes the best effort to respond to the questions received as soon as possible, depending on the complexity of the question.

In the case of your question, the deadline for the Commission to respond to the question is 6 calendar days before the deadline for the receipt of the tenders.

Question 15:

We are coming to you in order to clarify a point on the deadline. The deadline being on the 28th of June, which falls on a Saturday, the EC central mail services will be closed.

Hence, shall we consider as deadline Friday 27th or can we expect of a corrigendum of the deadline?

Answer 15:

The deadline will be extended until 30/06/2014. Please see the response 12.

Question 16

- a) Is it allowed to allocate more than one profile to team members in the framework proposal?
- b) Is it allowed to include team members in service contracts in a team role that differs from what is specified in the framework proposal?

Answer 16

At this stage of the procedure of the call, the potential tenderer has to prove that the teams of experts are covering as much as possible the needs required in the Specification in point 2.3.2.b.

Later on in 2015 when the 5 best ranked tenderers will be invited to submit their offer in the frame of a specific mandate, it will be necessary (at that

stage only) to reorganize their teams in order to meet as much as possible the needs of the specifications.

Therefore,

To question 16 a)

The answer is yes if the experience and education of the team member is proved (supported by evidences). But the tenderers have to bear in mind the award criterion *Organisation of work* as described under point 2.4.3 of the Tender Specifications and take care that the offered allocation of tasks would look realistic.

To question 16 b)

The answer is yes if the experience and education of the team member is proved (supported by evidences) and given that such a choice will be, for a specific task in question, approved by the Contracting Authority.

Question 17

We understand that the change in the deadline does not affect the time of hand delivery (by 16.00), but could you please confirm that the standard postal/courier submission procedure applies (i.e. no time limit, just the stamp of the day of submission as proof of timely delivery).

Answer 17

In answer to your first question please be informed that the deadline which is now the 30th of June 2014 does not affect the time of hand delivery (by 16.00). We also confirm that the standard postal/courier submission procedure applies as it is described on page 2 of the invitation to tender.

Question 18

At 2.4.2 of the tender specifications you are describing the criterion titled “Quality of proposed methodology”, allocating to it 30 points on the basis of the two case studies. Despite the title, the description only makes reference to aspects that are purely organizational (similarly and redundantly to point 2.4.3) rather than to methodological ones. Could you please confirm the correctness of the text of criterion 2.4.2? Should it, on the contrary, be amended in light of this clarification request, could you also evaluate the opportunity of a further extension of the deadline considering that a substantial element of the tender specification would be altered?

Answer 18

Your observation is correct. Please see the published **corrigendum N° 5** with the description of the criterion "Quality of the proposed methodology" under point 2.4.2 of the Tender Specifications. At this point, we will not consider further extension of the deadline, also because the general award criterion (methodology) and the reference to the case studies were presented correctly.

Question 19

The last corrigendum constitutes a substantial modification of the terms of reference that, occurring at 5 working days from the deadline, would justify an extension of the deadline. In addition, in view of the numerous corrigenda issued for this procedure, the publication of a consolidated version of the Tender specifications would also better allow a correct and compliant preparation of the proposal. Could you please grant an extension of the deadline?

Answer 19

Having considered the issue, we have decided not to extend the deadline any further. The deadline for the submission offers in the frame of this call for tenders remains the 30th of June 2014 and we remain at your disposal to answer to your question until the 26th of June 2014.

As for the new consolidated version of the tender documents – this is unnecessary, taking on one hand into account the small volume of the changes and on the other hand the fact that there have been a few corrigenda already.

Question 20

We understand the tender opening is this afternoon at 15.30 at Rue Demot 24, 1040 Brussels, BELGIUM — Office No 4, 6th floor.

Is it possible to receive the outcome of the tender opening (names of received applicants) by email?

Answer 20

The outcome of the opening will be communicated to all the tenderers as soon as possible after the opening session.