



OPEN INVITATION TO TENDER
AO/RPA/VKVET-NSOFRO/Real-time LMI/010/14
**“Real-time labour market information on skill requirements:
feasibility study and working prototype”**
Request for Clarification (2) – Questions & Answers

Question No 1

One of the purposes of the tender is to develop an actual running pilot web crawler system for Real time labour market information, the full ownership of which is to be transferred to Cedefop. The contract model states that such full ownership shall include a royalty-free license to pre-existing technology and intellectual property (Art. II. 10.3 of Model contract).

Does this mean that the tender excludes existing commercial providers of real time labour market information on the basis of web crawling, who are capable of providing the best solution for the tender, at a reasonable cost, but who are not able to fully transfer pre-existing technology and intellectual property ownership to Cedefop or to provide a royalty-free license for it?

Cedefop's answer to question No 1

One of the main deliverables of this project is the working prototype of the software (web crawler) which is expected to run under the Cedefop technology. It is expected to produce information for restricted number of countries and sectors which will be used for further analysis. We understand that commercial versions might be available and may offer better solutions for a one-time exercise. However, in the case of successful proof of feasibility Cedefop has the intention to extend the analysis for all EU member states and possibly all sectors/occupations, as well as to maintain it to serve the needs of other analyses made in-house. Therefore Cedefop wishes to apply an open source approach, and so the royalty-free license of the prototype is essential.

Question No 2

Is it possible for a contractor to exclude certain pre-existing rights from Art. II 10.3 of the model contract? If yes, how?

Cedefop's answer to question No 2

Considering that the tenderer (single company, or consortium) is expected to produce a working prototype based on technology to which he legally has access (possibly via appropriate licenses), there should be no issue of pre-existing rights that could not be covered by Art. II.10.3 of the contract.

Question No 3

May a consortium that makes use of the data of an existing commercial provider of real time labour market information on the basis of web crawling execute the tender? If yes, which license and ownership conditions apply to the pre-existing data collection technology of such a commercial provider?

Cedefop's answer to question No 3

The analyses are just one part of the assignments. The main motivation of this project is to assess feasibility of how far we can get with this technology. As the main motivation is to develop technology allowing the replication of similar analyses in the future, it is recommended that the data is collected with the web crawler developed for Cedefop.

Question No 4

The tender states (page 20 of Tender Specifications) that "similar low cost solutions such as Website-Watcher are also acceptable". The enterprise license of Website Watcher costs 9990 Euro. What is the definition of "low cost" in this context, and why is the use of such commercial software excluded from the full transfer of ownership requirement?

Cedefop's answer to question No 4

The main motivation for Cedefop is to develop sustainable technology which will be potentially developed further to serve the research needs of the Centre. As Cedefop is working with restricted budget the low costs maintenance is essential, but payment via the contractor for an enterprise license of the value indicated above is acceptable, making the issue of "full transfer of ownership" not relevant.