

Thessaloniki, 31/08/2011  
RS/PRO/DELE/2011/0630**OPEN INVITATION TO TENDER****AO/ECVL/JB-IPS/Cooperation Labour market-VET/007/2011****'Cooperation between education and training and the labour market in renewing VET'****REQUEST FOR CLARIFICATIONS (2) – QUESTIONS AND ANSWERS**

Dear Madam/Sir,

In regards to the above mentioned open Tender Procedure please find below the answer of Cedefop to the Clarification question, which was raised by one potential tenderer.

**Question 1**

We are preparing a tender in response to a Cedefop invitation – Cooperation between education and training and the labour market in renewing VET.

It has come to our notice that another research centre at our university is in discussion with another European university with a view to making a separate bid for the same work.

Can you please advise me whether you are able to consider two separate bids which name different research centres in one university? We plan that our Centre will be the contract holder and lead partner – but we understand that the other centre would, if their bid goes ahead, be named as a sub-contractor or as a partner, and would not be aiming to become the lead contract holder.

Please can you advise as soon as possible what your rules are on this issue.

**Cedefop answer to Question 1**

The critical issue in relation to whether the two (possible) tenders you refer to could be accepted is the one of legal status of the two research centres involved.

If they do have different legal personality, i.e. if they are able to provide Legal Entity Forms - see point 3.3 and Annex D (as well as Financial Identification Forms - see Annex E, in case they both are consortium members) of the Tender Specifications - that show different data, e.g. VAT number, registration number, bank account (if applicable), there would be no problem in their participation to two different tenders, in one as the consortium leader and in the other as a sub-contractor or partner (consortium member), despite their 'organisational' dependence from the same University.

If to the contrary such differentiation of legal personality cannot be proven, participation of the two research centres in two different tenders would be risky for both; in such case, it could possibly be considered to form a larger consortium, in which both research centres participate (and also the other University?), and to choose the consortium form (see point 4.1 and Annex I, model 1 or 2 of the Tender Specifications) that best suits the situation.