



Thessaloniki, 08/09/2011  
RS/PRO/YSIRAK/2011/0657

## 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 (3) – 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 questions, which was raised by one potential tenderer.

#### Question 1

I understand that the main tenderer should supply full details of capacity – including evidence of average turnover (Appendix G). I understand that all sub-contractors should be identified (if more than 40% of whole is subcontracted) and that they must submit appendices J and C.

#### Cedefop answer to Question 1

Article 4.2 of the Tender Documents clearly stipulates that:

*“The tenderer must clearly indicate:*

- *the identity of those subcontractors only undertaking between 10% and 40% of the work by value,*
- *the identity of each and every subcontractor if the total subcontracting is above 40% of the work by value, independently of his contribution to the work by value.*

*For each subcontractor, identified as per any of the above two bullet-points, the tenderer should submit with the offer:*

- *the Declaration on exclusion criteria and absence of conflict of interest (Annex C) filled-in and signed by the respective subcontractor;*
- *the required documents to show the economic/financial and technical/professional capacity of the subcontractor as described in points 3.2.1 and 3.2.2;*
- *the Form in Annex J (Model of Letter of Intent for Subcontractor/s) duly filled-in and signed by each respective subcontractor, stating his unambiguous undertaking to collaborate with the tenderer if the latter wins the contract. Also should be stated the roles, activities and responsibilities of the subcontractor(s) and the extent of the resources that the respective subcontractor will put at the tenderer’s /contractor’s disposal for the performance of the contract.*

*N.B.: The subcontractor(s) (if any) have to provide the documents to prove their capacity only for the parts of the contract that are relevant to them. The evidence provided will be checked to ensure that the tenderer with the subcontractor(s) altogether fulfil the criteria.*

*Where no subcontractor is given (meaning that possible individual subcontracting is below 10% by value), the work will be assumed to be carried out directly by the tenderer (single tenderer or group of tenderers (consortium)).”*

**Question 2**

It appears, however, that proposed sub-contractors are not required to supply evidence of turnover – at least not at this stage.

**Cedefop answer to Question 2**

The documents to be submitted by the Tenderer for each subcontractor identified as per point 4.2 of the Tender Specifications are the same as the documents to be submitted by the Tenderer himself.

Please note that in the case of a consortium (grouping) or subcontracting, each member of the consortium and all subcontractors (in line with points 4.1 and 4.2 of the tender specifications) must provide the required evidence for the economic and financial capacity, but the assessment of whether the minimum requirement is met will bear on the consortium as a whole or the tenderer together with his subcontractors.

In case of financial capacity, as per point 3.2.1, the Tenderer must submit for each of the above mentioned subcontractor/s (identified as per point 4.2 of the Tender Specifications):

- Signed Statement(s) of turnover of the tenderer (for a single tenderer, or statements for each consortium member, in case of a grouping/ consortium) concerning the type of services similar in nature to those making the subject of this call for tenders during each of the last three financial years, to prove that the tenderer's average turnover over that period meets the minimum required (please fill in Annex G – Questionnaire 2);
- For consortium members or subcontractors who are natural persons / freelancers - a Tax Declaration for the last three financial years is sufficient.

In case of contract award the winning tenderer will be requested to prove the above by submitting Audited Financial Statements (Audited Profit and Loss Account/ Statement or equivalent) if these are foreseen by the respective national legislation.

If, for some exceptional reason the tenderer is unable to provide the above requested documents, he is required to justify the non provision and may prove his economic and financial capacity by any other document which Cedefop considers appropriate. Cedefop reserves the right to request any other document enabling it to verify the tenderer's economic and financial capacity.

**Question 3**

Sub-contractors only have to provide evidence in relation to the parts of the contract which they are undertaking. It follows that you do not expect evidence of turnover for each subcontractor to meet the minimum of 210,000 euros – that will be evidenced by the tenderer.

Given that this overall responsibility is met by the tenderer – do you still require sub-contractors who may be contributing less than 5% of the total value individually to provide tax declarations or profit and loss accounts for the last 3 years - in the case where the total share of the work done by all of the sub-contractors together exceeds 40% ?

**Cedefop answer to Question 3**

Yes –please refer to “Cedefop Answer to Question 1” above.

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