


CEDEFOP

 European Centre for the Development
of Vocational Training

Area Resources

Finance and Procurement, Procurement Service

Cedefop Correction 2 - Clarification 1

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Cedefop correction 2

Point l) of Annex C of the tender documents shall read as follows:

l) in case of award of contract of a value greater than **130,000 Euro**, they shall provide the evidence that they are not in any of the situations described in points a), b), d) and e) above.

Clarification 1

One tender has requested the following clarifications:

Question 1:

Menus/options: The core requirement (to produce quantitative projections consistent with those currently available) is clear and unambiguous.

However, given the open ended nature of some of the research questions posed we would like to offer a menu of possibilities (or options) for some other aspects of the proposal.

Can you please confirm that this will not fall foul of clause 1.4: which states that “Tenderers may not offer variant solutions to what is requested in the technical specifications. Cedefop will disregard any variants described in a tender, and further reserves the right to reject such tenders without further evaluation on the grounds that they do not comply with the tender specifications.”

Cedefop answer 1:

As a definition, "a variant is every technical or economic solution submitted by a tenderer in a procedure where the contract is awarded to the most economically advantageous tender which, according to the contracting authority, presents an equivalent alternative to the solution described in the technical specifications". According to point 1.4 of the tender documents, “tenderers may not offer variant solutions to what is requested in the technical specifications”.

However, as part of their methodological offer/technical proposal, tenderers may propose one technical approach including best possible ways (or “options”) to address the requirements of the technical specifications – in particular given the nature of some of the research questions. This does not constitute per se a variant as long as all requirements and deliverables of the technical specifications are addressed and these “options” constitute one proposal on methods and approach to address the research questions at stake.

Question 2:

Fixed price: Section 5.3: states that “The prices quoted must be fixed and not revisable for the first year of the contract (see article I.3.3 of the draft Framework contract in Annex B).”

If we were to offer a range of options in year 1, each for a fixed price, rather than a single total price would this satisfy article I.3.3?

Cedefop answer 2:

The clause you mention as per point 5.3 of the tender documents and Article I.3.3 of the contract refers to the possibility for each contracting party to request a price revision as from the second year of the contract.

The prices (unit and single total price) which will be taken into account for possible price revision, issuance of future order forms but also and primarily for the contract award decision on the basis of best value for money (see formula in point 5.4 of the tender documents) shall be the ones stated by the tenderer in his Financial proposal (Annex H), which must be filled in and included in the tender. These prices must always be in accordance with the technical proposal submitted by the tenderer.