

Helsinki, 09/12/2011
D(2011)

CLARIFICATIONS 2

Open call for tender ECHA/2011/103: Provision of IT services for the IT Applications of the European Chemicals Agency (ECHA)

Question 2.1:

In Section 3 of the tender specification document, Assessment and Award of the contract, page 29, it is stated that:

“when bidding for several lots the Tenderer is to be aware that, to be awarded more than one framework contract, he must demonstrate in the offer the aggregated financial and economic, professional and technical capacity defined in the selection criteria for all the relevant lots together.”

Please confirm our understanding of the following:

- a) The aggregated financial and economic capacity for all three lots is demonstrated by an average annual turn over of 40.000.000 Euros over the past three years.
- b) The aggregated professional and technical capacity for all three lots demonstrated by:
 - 350 staff members corresponding to the profiles listed in Section 4.3, as an average number per year, during the last three years
 - 3 years of experience in IT services relevant to the type of services covered by the call, with at least 5 completed projects:
 - Of minimum 6 months duration.
 - Have closed during the period 2009-2011.
 - Minimum 1.100.000 Euros value corresponding to the value undertaken by the tenderer.

Out of these 5 projects, at least 2 of them should have resulted to a software product being used in production by the date of the tender submission deadline.

Answer:

- a) *To be awarded all three lots, the Tenderer must demonstrate the aggregated financial and economic capacity as follows:*
 - *Sufficient economic and financial capacity to guarantee continuous and satisfactory performance throughout the envisaged lifetime of the contract*
 - *Average annual turnover of the Tenderer must be minimum **40.000.000 €** over the past three years*

b) **To be awarded all three lots** the Tenderer must demonstrate all of the following elements related to the aggregated professional and technical capacity:

- The tenderer must have on average per year during 2009, 2010 and 2011 minimum a total number of **350 staff members** corresponding to the profiles listed in section 4.3
- The Tenderer must (at the time the tender is submitted) have a minimum of **3 years** experience in IT services relevant to the type of services covered by this call, with at least **15 completed projects (5 per lot)**
 - of minimum 6 months duration
 - related to software development and involving technology falling into the scope of the framework contracts per Lot
 - that have closed during the period 2009-2011
 - 5 of minimum 500.000€ value corresponding to the value undertaken by the tenderer (as in Lot 1), **AND** 5 of minimum 200.000€ value corresponding to the value undertaken by the tenderer (as in Lot 2), **AND**, 5 of minimum 400.000€ value corresponding to the value undertaken by the tenderer (as in Lot 3)
 - during which the working language was English (i.e. contractual documents, documentation and deliverables were written in English).

Out of these 15 projects, at least 6 of them should have resulted to a software product being used in production by the date of the tender submission deadline.

Question 2.2:

With regards to the average number of staff for the past three years corresponding to the provided profiles, is it possible to count also certain freelancers used in the context of specific projects and if so are there any special conditions that need to be satisfied in order to be able to take them into account when counting the number of staff?

Answer:

Tenderers may rely on experts with whom they maintain a non-permanent relationship in order to prove the ability to provide the necessary human resources to deliver the required services under the contract. The Tenderer shall indicate in the tender the number of permanent staff and staff employed under non-fixed term employment contracts.

As indicated in Section 3.2.3 of the Specifications by submitting an offer the tenderer accepts the possibility of a check being carried out by the Agency on its technical capacities. ECHA reserves the right to require a signed declaration stating the commitment of the non-permanent staff presented by the Tenderer to working for the particular tenderer in the contract implementation in case of contract award.

Question 2.3:

Subcontractors are required to sign the declaration on honour, letter of intent and legal entity form but they are not required to provide the evidence to accompany the legal entity form. Should however some kind of representation document be provided by subcontractors to accompany the declaration of honour or letter of intent?

Answer:

The tender must include per Subcontractor the signed and dated declaration on honour (Annex 5.1), the letter of intent (Annex 5.4) and the legal entity form (the link is on page 26 of the Specifications).

ECHA