

Helsinki, 01/12/2011  
D(2011)

## **CLARIFICATIONS 1**

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

#### **Question 1.1:**

We have identified an important statement in contractual terms which we would like to clarify in order to be able to comply with our internal policies. The statement considers Guarantees that we handle using Parental Company Guarantee. Our question therefore is as follows:

“Does ECHA accept Parental Company Guarantee under Finnish law (*omavelkainen takaus*) instead of the performance and pre-financing guarantees defined in section 1.8 of the tender specifications?”

#### **Answer:**

*A Contractor may use parental company guarantee under Finnish Law as pre-financing or performance guarantee, provided that such parental company guarantee meets the requirements of such guarantees as laid down in Annex V and Annex VI of the draft Framework Contract (Annex 5.2 to the Specifications). Particular attention is drawn to the fact that the Parental Company shall stand as first call guarantor. The tender must include a clear undertaking on the part of the parental company to place the guarantee at the disposal of the Tenderer during the implementation of the contract.*

#### **Question 1.2:**

The average number of staff members given refers to the total team and not for each profile. Is this correct?

#### **Answer:**

*The average number of staff constitutes the basis for assessment of selection criteria 2.1.1 (Lot 1), 2.2.1 (Lot 2), and 2.3.1 (Lot 3) in the Specifications.*

*The tenderer must have on average per year during 2009, 2010 and 2011 a minimum total number of 180 (Lot 1), 50 (lot 2), and 120 (Lot 3) staff members corresponding to the profiles listed in section 4.3. Those figures refer to the overall amount of staff of the tenderer matching the profiles in section 4.3, and not to each profile individually.*

#### **Question 1.3:**

When asking for completed projects, that have closed during the 2009-2011. What does it exactly mean?

- a. Do the projects have to be finalized, meaning they cannot be in process?
- b. If so, do they have to be finalized between 2009 – 2011?
- c. Can the projects start any time, even before 2009?

**Answer:**

- a. *The projects must have been finalised during years 2009, 2010 and 2011. Projects to be completed in 2012 by the deadline for submission of tenders will also be taken into consideration*
- b. *See a)*
- c. *The projects may have started before 2009, provided that they have been completed as in a) above*

**Question 1.4:**

We have seen limitation on pages on AW1; can we assume there is no limitation for AW2?

**Answer:**

*Tenderer's response to AW2 (Section 3.3.2.2 of Specifications) is not limited to a specific number of pages. We make, however, reference here to Award Criterion 3. The submitted Tender must be clear, concise and well structured.*

**ECHA**