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EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS



**Clarifications during tendering
F-SE-13-T12
Data collection and research services on fundamental rights issues**

Questions and Answers IV

Vienna, the 03/09/13
Ref: 2013-outgoing-02/1445

Reference: Open call for tender F-SE-13-T12 Data collection and research services on fundamental rights issues
Subject: Clarifications during tendering

Dear Sir/Madam,

We received questions of general interest from the tenderers. Please find herewith the answers to these questions.

Yours faithfully,

Morten Kjaerum
Director

Morten Kjaerum, Director

European Union Agency for Fundamental Rights

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Clarifications during tendering**F-SE-13-T12****Data collection and research services on fundamental rights issues****Open Call for tender No F-SE-13-T12 (OJ/S 148-256531, 01/08/2013)****Question 11:**

- a) In a case of a consortium composed of a legal person and a number of natural persons involved as partners (or co-contractors) of the former, how the said natural persons should or may prove the economic and financial requirements set up at point 17.2.1. letters a) and b) of the Tender Specifications? May they rely on the evidential documentation of the legal person? Should they declare something to this effect? May the legal person declares something to the same effect?
- b1) In the same case, the requirement set up at point 17.2.2. letter b) of the Tender Specifications should be proved by the consortium as a whole or by each member, included each natural person?
- b2) In the second case, the same requirement should be read as an additional or an alternative one to the requirement set up at point 17.2.2. a) Tender Specifications and A.1. Technical Specifications for each person member of the team and responsible for providing the services or carrying out the works?

Answer 11:

- a) Regarding point 17.2.1 a) of Annex A – Tender Specifications bank statements may be accepted for proving that the economic operator has a sound financial standing. As far as point 17.2.1 b) is concerned the consortium as a whole has to satisfy the minimum overall turnover.
- b.1) The requirement set up in section 17.2.2 b) of Annex A – Tender Specifications shall be met by the consortium as a whole.
- b.2) Sections 17.2.2. a) and b) are independent selection criteria. Both need to be met by the consortium as a whole.
In addition, the persons responsible for providing the services or carrying out the works must possess the minimum educational and professional requirements as set out in Annex A.1 – Technical Specifications.