

Administration – FRA, A-1040 Vienna,  
Schwarzenbergplatz 11

Vienna, 31/08/10  
Reg. 1380

**Subject: F/SE/10/03- Data collection and research services on fundamental rights issues**


**Contract notice: 2010/S 134-205087 of 14/07/2010, as amended**

Ref.: Additional information regarding the specifications of the tender.

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

## QUESTIONS & ANSWERS (III)

### Data collection and research services on fundamental rights issues Open Call for tender No F/SE/10/03 (OJ/S 134- 2010/S 134-205087, 14/07/2010)

#### **Question 21:**

Does "Data collection and research services on fundamental rights issues" mean the same as the RAXEN national focal point, or is it about providing information to the FRA annual report, or is it about both and additional reports?

#### **Answer 21:**

Please see section 3 General description of obligations in Annex A.1 Technical Specifications of the call for tender. This call for tender goes beyond the RAXEN network in the past, because it is not limited to racism and xenophobia, but covers any potential fundamental rights issue from a multidisciplinary perspective which the agency might wish to work on in the coming years. Information requested from contractors might also feed into the FRA annual report or other reports and/or products of FRA.

#### **Question 22:**

Is it possible to apply to carry out some but not all of the deliverables, eg the bulletins and ad hoc information requests but not the thematic studies?

#### **Answer 22:**

No, it is not possible to apply to carry out only some of the deliverables requested under one lot.

#### **Question 23:**

In the first year, how much funding is allocated to Lot 27 UK?

#### **Answer 23:**

No estimates for the amount of the requested deliverables per year regarding each format and/or lot can be provided as it relates and depends on the Annual Work Programme adopted by the Agency's Management Board.

#### **Question 24:**

What kind of organisations can apply (we are an NGO and charity registered in the UK)?

#### **Answer 24:**

Please see section 6 of Annex A – Tender Specifications:

Participation in tendering procedures is open on equal terms to all natural and legal persons coming within the scope of the Treaties and to all natural and legal persons in a third country which has a special agreement with the Communities in the field of public procurement on the conditions laid down in that agreement.

Where the Plurilateral Agreement on Government Procurement concluded within the WTO applies, the contracts are also open to nationals of the countries that have ratified this Agreement, on the conditions it lays down. In that connection, it should be noted that the services under Annex IIB to

Directive 2004/18/EC and the R&D services listed in category 8 of Annex IIA to that Directive are not caught by the Agreement.

**Question 25:**

Will you be awarding contracts to more than one organisation per country?

**Answer 25:**

As stated in section 2 of Annex A – Tender Specifications at least three (3) and maximum five (5) multiple framework service contracts per Lot, in cascading<sup>1</sup> and descending order will be awarded for the provision of the services of Lot 1 – 30 as specified in Annex A.1 Technical Specifications, provided that there is a sufficient number of economic operators that satisfy the selection criteria or a sufficient number of admissible tenders which meet the award criteria.

**Question 26:**

Can you provide guidance on how we can assess the time and amount of funding to include in our application?

**Answer 26:**

Please see Section 18.4 of the Tender Specifications regarding the financial evaluation. Prices are part of the competition of this tender and must be calculated by tenderers. Information on deadlines for the submission of deliverables are included in the document: Annex A. 1 TECHNICAL SPECIFICATIONS.

**Question 27:**

Why the 'Reports of various sizes' listed among the deliverables that might be requested in Lot 29 (EU and international level) at point 5.2.6 (page 9) of the Technical Specifications are not listed among the deliverables / tasks for which a fixed price must be given in the Financial Proposal (Annex C.3)? How their price will be calculated?

**Answer 27:**

The sizes of these reports and format will be "variable", as the title of the deliverable indicates, therefore the price will also be variable based on a price per person/work day needed to produce the deliverable under the category of quoted times and means specific contracts.

**Question 28:**

Given that a fixed price for each typology of deliverable has been requested, what is the 'price per man-day at the contractor's premises' requested in the Financial Proposal (Annex C.3) for?

**Answer 28:**

The price per man-day at the contractor's premises' will be used for e.g. "reports of various sizes". Please see also answer 27.

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<sup>1</sup> In a "cascade" multiple framework contract, the contracting authority ranks contractors in descending order representing the sequence in which they will be offered specific contracts. Before placing orders, the contracting authority contacts the contractor at the top of the list and, if they are unavailable, it contacts the second contractor, then, if necessary, and under the same conditions, the third one and so on.

**Question 29:**

I have another question: it seems that gender and gender discrimination is in the focus when it comes to this call, is that correct?

**Answer 29:**

The European Agency for Fundamental Rights (FRA) and the European Institute for Gender Equality ("the participating Agency") collaborate in this Call for Tender. Gender is the focus of the work of the European Institute for Gender Equality and is mainstreamed in the work of FRA.

**Question 30:**

For lots 1-29, it is required that the Legal Expert and Social Expert have at least two scientific publications "relevant to the Lot the tenderer applies for".

Does this mean that an expert, who has carried out relevant research (say, in France), but not in the country the tenderer applies for (for example, Spain), does not fulfill the educational qualifications/professional experience?

**Answer 30:**

The requirement for scientific publications with relevance to the country (Lot) they apply for is necessary as evidence of their expertise for that particular country (Lot), as they will be required to carry out research, collect data and draft relevant reports for that country (Lot).