

Open Tender Procedure Clarifications No. 2
European Banking Authority Procurement Procedure: Proofreading and Editing Services
EBA/2015/07/COMM/SER/OP
Date: 4th February 2016

No.	Question	EBA Answer
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1	<p>4.3 of the technical specification requires a 'list of the professional qualifications of the subcontractors ...' next paragraph 'EBA reserves the right to request at a later stage documentation in relation to the Exclusion and Selection criteria for any proposed contractor' - which seems to suggest that any potential sub-contractors need only be named (with legal status and address) and listed with qualifications. And that the Declaration of Honour and Legal Entity form, may be required at a later date at the wish of the EBA.</p> <p>Whereas 10.2.2 and 10.3.1 both state 'including any sub-contractor' in relation to the Declaration of Honour and Legal Entity form - which suggest both forms are mandatory. Could you please clarify which is correct?</p> <p>Furthermore, in the last paragraph of 10.3.1 it states 'sub-contractor(s) shall not be required to fill out or provide documents when the services provided represent less than 20% of the contract value'</p> <p>- does this mean no forms if a sub-contractor is providing less than 20% individually, or if sub-contractors collectively are less than 20% e.g. what is required of say 3 sub-contractors each providing 10% = 30% in total?</p>	<p><u>Declaration of Honour</u></p> <p>As stated in Section 10.2.2 each tenderer including any sub-contractor must provide a Declaration of Honour.</p> <p><u>Legal Entity Form</u></p> <p>As stated in Section 10.3.1 each sub-contractor is required to submit a Legal Entity Form unless the services provided represent less than 20% of the contract value.</p> <p>Therefore if a sub-contractor is providing less than 20% of the contract value individually no Legal Entity Form is required.</p> <p>Equally if sub-contractors are providing less than 20% of the contract value collectively no Legal Entity Form is required.</p> <p>Furthermore if three (3) sub-contractors each provide 10% of the contract value i.e. 30% of the contract value no Legal Entity Form is required.</p>