



Procurement Procedure for Supply of Interim Staff for IT and General Administration Ref. EBA/2012/018/OPS/IT/RT

Clarifications 1
Date 21th August 2012

No.	Document Reference	Question	EBA Response
1.	PQQ/Contract Notice	Can you confirm that to be successful in lot 1 we must hold a German labour licence?	The German “Arbeitnehmerueberlassungsgesetz” (http://www.gesetze-im-internet.de/a_g/BJNR113930972.html) has exceptions for certain cases, therefore it is optional to hold a German labour license.
2.	PQQ/Contract Notice	Mandatory supporting documentation to be provided in support of responses to declaration upon honour questions 3.4.1 – 3.4.10 – can you advise if a signed statement by our auditors would be acceptable or must we submit a sworn statement made before a notary?	The acceptable proof for legal and natural persons and public entities from the UK is a declaration on oath from a public notary or commissioner for oaths. Declarations counter-signed by company secretaries, auditors or accountants are not acceptable.
3.	PQQ/Contract Notice	Question 3.7.4: You state that ISA 9001 is the minimum quality assurance accreditation requirement. Our organisation operates our own internal Quality Management System, based on the principles of ISO quality standards; and continually assessed by our customers. Will this be sufficient or will we be automatically excluded because we do not hold formal quality assurance accreditation?	ISO 9001 is the minimum quality assurance accreditation requirement. Not holding formal ISO 9001 will automatically exclude.
4.	PQQ/Contract Notice	Does the Agency need to have an office in Frankfurt?	The agency does not need to have an office in Frankfurt am Main.
5.	PQQ/Contract Notice	Do you require the sourcing of German based candidates for the Frankfurt Office?	Contractors will be based in principle in accordance with the Framework Contract and Specific Contract at the EBA offices in London and EIOPA office in Frankfurt am Main.

6.	PQQ/Contract Notice	How many temps per month or year did you have for Lot 2 in the last 12 months?	Following the assessment of the PQQ, the EBA and EIOPA will invite eligible and qualified companies to submit a tender. The detailed resource specifications and other relevant information will be provided to the eligible, qualified companies.
7.	PQQ/Contract Notice	How many temps do you have in place at the moment?	Please see answer to question 6.
8.	PQQ/Contract Notice	For Lot 2 how does the spend breakdown per category (i.e. Human Resource Assistant, Procurement Assistant)	Please see answer to question 6.
9.	PQQ/Contract Notice	Please can you confirm the definition of “interims”, does this include Ltd Company Contractors?	Interims are persons which are hired from an external staff agency for a specific period of time. This could include Ltd Company Contractors. The contracting authorities will sign the contract with the staff agency and never with the interim.
10.	PQQ/Contract Notice	<u>Location of supplier</u> Within the introduction to the PQQ document you state that “Contractors will be based in principle in accordance with the Framework Contract and Specific Contract at the EBA offices in London and EIOPA office in Frankfurt am Main”. Could you please therefore confirm that all recruitment for the EBA and EIOPA will be conducted from London regardless of where the contractor will be based on assignment OR are you also seeking a Frankfurt based supplier for the EIOPA?	EBA and EIOPA will sign separate contracts with the selected Staff Agency. The EBA contract will be managed out of the UK and the EIOPA contract will be managed out of Germany.
11.	PQQ/Contract Notice	<u>Volumes</u> Are you able to give any further breakdown of the spend expressed in headcount of	Please see answer to question 6.

		temporary worker population please?	
12.	PQQ/Contract Notice	What is the percentage split of spend between the EBA and the EIOPA please?	Please see answer to question 6.
13.	PQQ/Contract Notice	<p>We wish to clarify the documentation requirements of section 3.4 – which requires:</p> <p><i>Proof regarding situations mentioned in points 3.4.1, 3.4.2, 3.4.3, 3.4.4, 3.4.5, 3.4.6 and 3.4.9 in the form of a recent extract from the judicial record, or failing that, a recent equivalent document issued by a judicial or administrative authority in the country of origin or provenance showing that these requirements are satisfied. The extract(s) or equivalent documentation must be the most recent available.</i></p> <p>There is no individual document stating as such in the UK. However, our company's position with regard to the above requirements can be evidenced by a report from Companies House where any adverse procedures against the company would be displayed.</p> <p>Would it be satisfactory for the purposes of this tender to provide a copy of the search against our company? If not, what types of documents would you consider for a UK registered company?</p>	The acceptable proof for legal and natural persons and public entities from the UK is a declaration on oath from a public notary or commissioner for oaths.

14.	PQQ/Contract Notice	<p>We have the following question concerning Selection Criteria 3.6: Economic and Financial Capacity:</p> <p>Will the EBA assess the Economic and Financial Capacity on a combined turnover basis for the situation where a tenderer is submitting the PQQ as an individual company using a subcontractor (already identified subcontractor using a "letter of intent")?</p>	<p>An assessment of the combined average annual turnover during the last 3 years will be made for the minimum financial capacity requirement. In addition an individual assessment of each company's financial viability will be made on the basis of the financial information submitted with the PQQ.</p>
15.	PQQ/Contract Notice	<p>We are a company based in Mumbai, India. We are interested in participating in the tender mentioned above hence want to get more information about the same. Also we would like to be informed of future tenders from your organization. Hence, we request you to add our name to your bidder's list and do inform us about upcoming Projects, Tenders. We will be highly obliged if you can send us your complete & latest contact information. This will help us reaching to you faster.</p>	<p>Please note that the PQQ, which contains all presently available information relating to the contracts, is available for downloading from the EBA and EIOPA website at http://eba.europa.eu/Aboutus/Procurement/Current-calls-for-tender-60000.aspx</p> <p>Regarding the countries that are eligible to participate in this tender please note that EBA and EIOPA are agencies of the European Union. Participation in this tendering procedure therefore 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 European Union in the field of public procurement under the conditions laid down in that agreement.</p> <p>Applicants should note that the contract is not covered by the Government Procurement Agreement. The procurement procedure is not open to tenderers registered in India.</p>
16.	PQQ/Contract Notice	<p>I would like to enquire as to whether EBA would consider appointing one supplier to provide services for either each lot</p>	<p>LOT 1 and LOT 2 are independent lots and be awarded independent.</p>

		individually or both lots as one solution? In other words, would EBA consider appointing one provider who would fulfil all EBA's resourcing requirements through third party suppliers?	
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