



EUROPEAN UNION

DELEGATION TO THE REPUBLIC OF SERBIA

Belgrade, 1/9/2011
Ref. (D) 3047 ID/RF

CONTRACTING AUTHORITY'S CLARIFICATIONS No. 1

Law enforcement in the field of industrial pollution control, prevention of chemical accidents and establishing the EMAS system

Publication ref.: EuropeAid/131555/C/SER/RS

Tender no: 11SER01/18/11

No	Question	Answer
1.	<p>According to the Service procurement notice, the contract completed by the candidate mentioned in point 21.3) 1. has to be completed in an EU candidate country or EU potential candidate country, while in point 21.3) 2. and 21.3) 3. those references are also accepted which has been completed in an EU Member State.</p> <p>Do we understand well that referring the point 21.3) 1. you will not take into consideration the contracts has been completed in an EU Member State?</p>	<p>Yes, your understanding is correct. As regards 21.3.1. only relevant contracts carried out in EU potential candidate and candidate countries are taken into consideration. The exception to this rule are relevant contracts completed within said 3 year period prior to closing of this tender in Romania and Bulgaria after their accession to the EU in 2007 but which commenced prior to those countries becoming EU member states.</p>
2.	<p>According to the SPN, projects that are eligible/qualifying under the selection criteria are those "completed [...] within the last 3 years, (2008, 2009 and 2010)". Would you be so kind as to provide us with an explanation as to whether projects completed in the year 2011, prior to the deadline for submission of the current EoI, would also be considered as eligible?</p>	<p>Completion date in 2011, prior to the deadline for submission of the applications, would be considered acceptable.</p>
3.	<p>Section 2.4.11.1.3 of the PRAG states "<i>for service contracts it is possible for the candidate/tenderer to refer to a part of a project where the contract is not yet terminated, but then, only the part which is successfully completed may be used as reference and the candidate/tenderer needs to be able to submit documentary evidence of this part's successful completion (e.g. statement from the entity which ordered the service)</i>". In light of this article, would you be so kind as to clarify whether the completed activities/proportion implemented to date on ongoing projects will be taken into account/considered as eligible provided that they correspond to the SPN requirements in terms of the content of the completed part of the services and budget utilised.</p>	<p>Completion of clearly defined activities/sections/components of a contract, meeting the requirements of the selection criteria of the SPN, would be considered eligible only upon the condition that the successful completion of such activities/sections/components is demonstrated through an approved specific report or equivalent, clearly identifying the services and the associated budget. However, partial completion (proportion implemented) of an activity/section/component, even if meeting the budget requirements, would not be considered eligible.</p>