



EUROPEAN UNION

DELEGATION TO THE REPUBLIC OF SERBIA

Belgrade, 22.08.2013
AES (2013) 2916634

CONTRACTING AUTHORITY'S CLARIFICATION No. 2

"IT Expert to support in programming, implementation and monitoring of IPA projects with IT components" – Republic of Serbia

Tender ref.: 13ATA01/01/11

No	Question	Answer
1.	I would also like to ask as a clarification question whether there are any rules that might apply to the exclusion of our firm's resources from Key Expert or Non Key Expert positions in future EuropAid projects if our firm is awarded with the contract on this tender.	<p>The Contracting Authority is not in a position to provide preliminary opinion in any potential conflict of interest or unfair advantage issues.</p> <p>Any potential conflict of interest or unfair advantage issues will be analysed on a case by case basis by the appointed Evaluation Committee for each tender procedure.</p> <p>As a general guidance, please read carefully Section 2.3.6 of the Practical Guide to contract procedures for European Union external actions (PRAG), paying special attention to the following sentence:</p> <p>"For instance, any firm or expert involved in preparing a project (e.g. drafting the Terms of Reference) must, as a rule, be excluded from tendering for services that are based on those preparations, unless they can prove to the Contracting Authority that their initial involvement does not constitute unfair competition."</p>

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