

**Question 1**

Is the call for Tender open to contractors from non-EU countries as well?

**Answer**

Yes, the call is open to all natural and legal persons registered or having their domicile in a non-EU country which has an agreement with the EU in the field of procurement, on the conditions laid down in the agreement. The most important one is the Agreement on Government Procurement (GPA) concluded within the World Trade Organisation. The list of countries that joined the GPA can be checked here: [https://www.wto.org/english/tratop\\_e/gproc\\_e/memobs\\_e.htm](https://www.wto.org/english/tratop_e/gproc_e/memobs_e.htm).

Art 3.4 of the public procurement regulation available for consultation at <http://www.eui.eu/About/Tenders> regulates access to EUI calls for tender as follows:

4. Participation in the Institute's tender procedures is open on equal terms to all natural and legal persons coming within the scope of the EU Treaties (this includes all economic operators registered in the EU and all EU citizens) and to all natural and legal persons established 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. It shall also be open to international organisations.

The Institute can therefore accept offers from and sign contracts with tenderers from the EU Member States, EEA countries and any other country which has an international agreement with the Union in the field of public procurement as well as from countries which have ratified the Multilateral Agreement on Government Procurement ("GPA").

Under exceptional circumstances duly justified by the responsible officer, the President may decide to allow third-country nationals and legal persons other than those referred in the previous subparagraphs to tender for contracts.

**Question 2**

I am currently a PhD researcher at the EUI, and in September of 2022 I will enter into my fourth and final year of the programme. I am on target to submit and defend my thesis by end of 2023. Can I apply to this tender?

**Answer**

First, as a researcher on a grant you have a limit on paid hours of work you are able to do above and beyond your primary job as researcher. However, the Tender lasts for five years and you are due to finish within a year. Provided you do not do more than a small number of hours per year whilst still a researcher, this should not pose a problem.

See <https://www.eui.eu/Documents/ServicesAdmin/DeanOfStudies/EUI-RulesRegs.pdf> Article 12.5.

Second, you need to have a VAT number or a Partita Iva. See Article 12 of the selection criteria below. Without this, you are not eligible to participate in this tender.

## Article 12 – Selection criteria

To be eligible to participate in this open call for tender, Tenderers must possess all the following requirements.

Tenderers in default of even one of the requirements listed below will be excluded from the procedure.

### 12.1 - General requirements

- a) Participation in this tender is open to both Companies and individual professionals (freelancers) with VAT number – **please be aware that “regime dei vecchi minimi” (articolo 1 co 96 e ss. Legge 24.12.2007, n. 244) and “regimi dei nuovi minimi” (articolo 27 comma 1 D.L. 6.7.2011, n.98) are excluded in accordance with the Italian legislation;**

### Question 3

My partner is a researcher/fellow/staff member at the EUI; is this a problem for the Declaration of Honour in terms of conflicts of interest?

#### **Answer**

No, there is no conflict of interest, as long as your partner is not involved in the evaluation and awarding process.

### Question 4

I have read through the 'Letter of Invitation' and it says that documents should be signed by 'The company's legal representative'. How does this work for bids by individual freelancers not connected to a company?

#### **Answer**

In case of individual freelance workers, they can sign the documentation themselves.

### Question 5

'Insurance policies' are mentioned in the documentation; what does this entail for an individual?

#### **Answer**

Please, disregard the reference to Insurance policy in the invitation letter as it is to be considered as a

typo.

#### Question 6

For the 'antimafia self certification' would a police certificate (documentation attesting to my lack of a criminal record) from my country of origin in English be acceptable?

#### Answer

At this stage of the procurement procedure, any anti-mafia self-certification form signed by the tenderer is accepted (it can be a simple word document dated and signed by the tenderer where he/she declares that she/he has not been prosecuted for any crimes related to mafia/terrorism. However, a police certificate or criminal record from the country of origin is also acceptable.

#### Question 7

When will the Italian version of the Tender be available online?

#### Answer

The Italian version of the Tender documents is online.

#### Question 8

Does the criminal record need to be submitted together with the Tender application?

#### Answer

As indicated in Art. 14 'Award requirements' of the Tender specifications, the criminal record only needs to be submitted by the successful tenderers. Therefore, tenderers are not required to submit it with their tender application.

#### Question 9

The "Annex II C - Self Certification" requests the "tenderer's registration numbers as a contributor to national security and insurance agencies".

Do I need to submit a certification stating that I work under 'gestione separata' or a self-certification where I declare I am not registered with the 'Camera di Commercio' (Italian Chamber of Commerce)?

#### Answer

If you have no obligation to register with the Chamber of Commerce (being a 'natural person'), all you have to do is to tick the appropriate box in Annex II C - Self Certification (see below):

- that the Tenderer is under no obligation to register with the Chamber of Commerce, Industry, Arts and Crafts, and Agriculture (*in case the tenderer is a natural person*);

Concerning the "tenderer's registration numbers as a contributor to national security and insurance agencies", if you do not have any of these registration numbers then you can write that you do not have them using the space in Annex II C - Self Certification (see below):

List below any further registration numbers as contributors with other national insurance or social security entities:

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**Question 10**

In which envelope do the bank reference, the letters of reference, and testimonials need to be included?

**Answer**

Bank references need to be included in envelope 1 – administrative documents.

Letters of reference from previous similar jobs and testimonials need to be included in envelope 2 – technical offer.

**Question 11**

How long should the submitted lesson plan be?

**Answer**

There is no required length; this is at the discretion of the tenderer.

**Question 12**

Is the bank reference on page 15 of the Tender Specifications obligatory?

**Answer**

Bank reference(s) are required to check the economic and financial status; it is a compulsory requirement.

**Question 13**

Do freelancers need a VAT number? (See page 14 of the Tender Specifications) In my country it is not necessary to be registered for VAT if the annual turnover is below a certain threshold, so I do not have a VAT number. Am I still allowed to submit a tender?

**Answer**

Yes, you are allowed to submit a tender. The free-lancer shall comply with the law of the Country of residence; for the EUI it is important that the freelancer, considered a one-person company, can work with the Institute on a regular basis. Please provide in the Envelope no. 1 – Administrative Documents the necessary documents for justifying the specific status.

**Question 14**

Are a total of 5 envelopes required to be sent as follows: an outer envelope, containing the inner envelope; an inner envelope, containing envelopes 1, 2 and 3; envelope 1; envelope 2; envelope 3?

**Answer**

Yes, according to the provisions laid down in the invitation letter, the tender must be submitted using 1 outer envelope including 1 inner envelope that contains 3 different envelopes: 1 envelope for administrative documents, 1 envelope for the technical offer and 1 envelope for the economic offer.

**Question 15**

Is it necessary to insert the contractor's stamp on the document *Annex I – Tender Specifications* on the last page, or is the contractor's signature sufficient?

**Answer**

It is sufficient to submit the Annex I – Tender Specifications including only the signature of the legal representative if no contractor's stamp is available.

**Question 16**

I don't have a partita IVA; would I still be eligible to apply as I can set one up quickly, should I be successful. From my research, it looks as if cost is incurred for me to set one up without any contract. I have the right to work in Italy and to set one up.

**Answer**

Having an active VAT Registration number (Partita IVA) at the moment when submitting a tender is a selection criteria, therefore it is binding for tenderers to have it before the submission of the tender. Any tender submitted by a tenderer who does not have an active VAT Registration number (Partita IVA) at the moment of submission of the tender shall be rejected as not compliant with the selection criteria.

**Question 17**

In Annex II Technical Offer Form Lot C, is the tenderer supposed to adjust the box sizes and provide the necessary information in the boxes marked Response?

**Answer**

As it is indicated in Annex II-A Technical offer, right below the table to be filled, the tenderer can proceed as follows: "Expand the tables as needed in order to submit a detailed technical proposal. It is possible to attach documents that develop points of interest, taking care to indicate specific references in the table." Hence, the tenderer can either expand the boxes of the table as needed in order to submit a detailed technical proposal or provide additional document(s) that develop each point of interest indicated in the table, taking care to indicate specific references in the table itself (e.g. including, as a reference, in the response box of the table the page number of the additional document(s) provided where the that specific point of interest has be developed).