



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL  
TAXATION AND CUSTOMS UNION  
Resources  
**Taxation systems & IT compliance**

Brussels,  
taxud.r.1(2013) 3204905

**Subject: Call for tenders TAXUD/2013/AO-03 (TIMEA2) – replies to questions**

Dear Madam, Dear Sir,

Enclosed you will find the replies to the questions received from 23/08/2013 up to 06/09/2013 (questions 19 to 23).

This letter is being posted on the website of the Directorate-General for Taxation and Customs Union, at the following URL (“Questions & Answers” section):

[http://ec.europa.eu/taxation\\_customs/common/tenders\\_grants/tenders/ao\\_2013\\_03\\_en.htm](http://ec.europa.eu/taxation_customs/common/tenders_grants/tenders/ao_2013_03_en.htm)

Questions received subsequently will be answered in further letters which will be placed regularly on the same website. Prospective tenderers are invited to monitor this site attentively.

As mentioned in the invitation letter (ref. Ares(2013)2693873 date 17/07/2013) published with the tender documents, requests for additional information received less than five working days before the closing date for submission of tenders, i.e. after 09/09/2013, will not be processed.

*e-signed*  
Paul-Hervé Theunissen  
Head of Unit

**Question no. 19**

We would like to ask for clarifications on the call for tenders TIMEA2.

Our understanding is that in case a subcontractor is foreseen, they have to provide:

- Letter of Intent
- 1. Questions relating to the identification of the tenderer
- 2. Exclusion Criteria

Is there something else to provide from their side? Do they have to provide evidence related to the section 3 economical and financial capacity?

Could you please clarify the questions above-mentioned without referring to text of the Call for tenders in order to have a clear view?

**Reply**

The replies to questions 13 and 18 published on 21/08/2013 address your questions.

**Question no. 20**

We are trying to download the Updated Questionnaire that has been published in the official website of DG TAXUD for the Call in subject but it seems to be corrupted.

Could you please send it to us or advise us how we shall proceed in order to work on it?

**Reply**

The newly updated questionnaire published on 21/08/2013 is not corrupt. You should be able to download it without any problem.

**Question no. 21**

We understand that tenderers need to provide “proof” of the fact that personnel are under a contractual relationship with the company. We are unable to provide extract of the actual contracts for confidentiality reasons. Would a statement signed by a legal representative of the tenderer, stating that a specific list of staff are permanent employees bound by a work contract, be sufficient to fulfil this point?

**Reply**

In these circumstances, yes it would.

Alternatively, given those confidentiality reasons, you could also provide a copy of the exchanged letters which accompanied those contracts themselves (i.e.: employer’s letter of proposal for entering into contracts with the employee plus letter of acceptance by the employee).

Please note that, as stipulated in Article II.12.1 (g) of the standard framework contract (Termination by the Commission), “The Commission may terminate the Contract where

the Contractor was guilty of misrepresentation in supplying the information required by the Commission as a condition of participation in the Contract procedure or failed to supply this information”.

**Question no. 22**

Could you please clarify whether on-going (i.e. not completed) projects are valid to be presented as Project References (PRFs) in response to question 4.4.3.1 of the Questionnaire, provided that a sufficient (i.e. more than 220 p-days) amount of services have been delivered within the period 2011-2012?

**Reply**

Please refer to the replies to questions 6, 12 and 16.

**Question no. 23**

On 12th August, in answer to question 1, you indicated:

We expect any proof (or extracts of such proof) for such contractual relationship as long as they are valid according to national law (e.g. service/labour contracts).

However, the proof you expect is still unclear to us: in our view, a copy of the employee or freelancer’s contract provides too much private data about that person. In addition, it is not a real proof that the employee is still under contract (he might have left the company recently). Would it be acceptable for you if we provide you with a table (per partner company) with the names of the employees/freelancers and the start date of their contract (with possibly an end for the temporary or freelancers, signed by an authorised representative of the company)?

**Reply**

In line with the reply to question n° 21, yes, it would be acceptable.