

# QUESTIONS AND ANSWERS

INVITATION TO TENDER NO. ACER/OP/DIR/10/2013

Provision of printing services for the Agency for the Cooperation of Energy Regulators

Contract notice: OJEU S 2013/S 146-252823 of 30/07/2013

**Last update: 09/09/2013**

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## Question 1:

I would appreciate your collaboration in sending us all the necessary documentation – in Spanish if possible – concerning the call for tender called: “Provision of printing services for the Agency for the Cooperation of Energy Regulators”.

## Answer 1:

The tender documentation for the provision of printing services for the Agency for the Cooperation of Energy Regulators is available at in Agency’s website:

[http://www.acer.europa.eu/The\\_agency/Public\\_Procurement/Pages/Open-calls.aspx](http://www.acer.europa.eu/The_agency/Public_Procurement/Pages/Open-calls.aspx)

Please note that the tender documentation available at the Agency’s website is only in English language.

According to section 15 of the tender specifications tenders may be drawn up in any of the official languages of the European Union. Nevertheless please note that the working language of the Agency is English and according to point 4.6 the language of communication between the Agency and the selected contractor will be English.

## Question 2:

Should the tenderer submit a bid together with another entity, is it mandatory for both organizations to submit the balance sheets or extracts? Or is it mandatory only for the tenderer?

## Answer 2:

According to section 17, Annex I Tender specifications, where the tender is submitted by a consortium or group of service-providers, the economic and financial capacity must be provided at the level of each economic operator forming part of the consortium or group; therefore each member of the consortium or group of service-providers must provide balance sheets or extracts from balance sheets for at least the last three (3) years for which accounts have been closed, where publication of the balance sheet is required under the company law of the country in which the economic operator is established. In case of a consortium, audited accounts for each consortium partner shall be presented.

Where the tender is submitted by a tenderer who intends to subcontract part of the tasks or entrust them to another economic operator, the subcontractors or economic operators

involved must demonstrate upon the request of the Agency that they have the requisite economic, financial, technical and professional capacity.

Evidences of financial and economic capacity listed in point 17.2 of Annex I of Tender specifications are mandatory for the tenderer, all members of the consortium and all members of the group of service-providers.

**Question 3:**

With regard to the second requirement (overall turnover concerning the services..), the grouping will not have the form of a consortium: What documentation can be provided instead of audited accounts?

**Answer 3:**

According to section 17, Annex I Tender specifications, where the tender is submitted by a consortium or group of service-providers, the economic and financial capacity must be provided at the level of each economic operator forming part of the consortium or group; therefore each member of the consortium or group of service-providers must provide a statement of the annual turnover for the last two (2) financial years for which the accounts have been closed. The average annual turnover of the tenderer shall be minimum EUR 80,000.00 over the past two (2) years. In case of a consortium, the annual turnover for each of the partners shall be presented.

Where the tender is submitted by a tenderer who intends to subcontract part of the tasks or entrust them to another economic operator, the subcontractors or economic operators involved must demonstrate upon the request of the Agency that they have the requisite economic, financial, technical and professional capacity.

Evidences of financial and economic capacity listed in point 17.2 of Annex I of Tender specifications are mandatory for the tenderer, all members of the consortium and all members of the group of service-providers. In case the documents mentioned above are not available, the tenderer may prove his economic and financial capacity by other means which will be analysed by the contracting authority.