

Procurement procedure: EMSA/CPNEG/1/2020 (Phase I)

Questions and Answers 2 - 4

No	Question	Date and time	Reply
2	<p>Ref. Encl R.1 Request Specifications point 11.3 pag. 13/17</p> <p>To prove the economic and financial capacity, candidates must provide:</p> <ol style="list-style-type: none"> 1. The balance sheets or extracts from balance sheets for the last three financial years for which accounts have been closed. 2. Statement of overall turnover and profit & loss account during the last three financial years, if applicable. <p><i>In the case of joint application where a newly established company (year 2020) should apply to the present procurement procedure, such economic and financial data are not available. Please advise whether it is acceptable for the Agency that the required economic and financial capacity evidences relating to the two companies owning the newly established company will be provided.</i></p>	14/04/2020 12:41 GMT	<p>In the case of a joint application, each member of the group submitting the joint application must provide the requested documentation related to the economic and financial capacity (Selection criteria) as listed under point 11.3 of the Request Specifications. The evidence provided by each member of the group will be checked to ensure that the group as a whole fulfils the criteria.</p> <p>Accordingly, yes, please provide the required economic and financial capacity evidence for the two companies owning the newly established company.</p> <p>Regarding the evidence for the newly established company, please refer to the text enclosed under point 11.3 (Economic and financial capacity – Selection criteria) of the Request Specifications which reads as follows:</p> <p><i>“If, for some exceptional reason which EMSA considers justified, a candidate is unable to provide one or other of the above documents, he may prove its economic and financial capacity by any other document which EMSA considers appropriate. In any case, EMSA must at least be notified of the exceptional reason and its justification in the tender. EMSA reserves the right to request at any moment during the procedure any other document enabling it to verify the tenderer's economic and financial capacity.”</i></p>
3	<p>Ref. Encl R.2 Checklist (update 26.03.2020) Encl R.1 Request Specifications point 9 pag.12/17</p> <p>In the part D at point 11 a list of the works related to the field, if appropriate, is required for the shortlisting candidates based on the technical and professional capacity criteria applicable to the company and/or consortium.</p>	14/04/2020 12:41 GMT	<p>The requirements related to the Technical and professional capacity criteria applicable to the company and/or consortium (as part of the Selection criteria) are set out under point 11.4 of Request Specifications as follows:</p>

<p>On the other hand, the aforementioned requirement is not listed in the checklist to be submitted together with all the other documents. <i>Please advise whether the checklist can be considered applicable or the Agency will amend it and will be published a further corrigendum.</i></p>	<p><i>“1. The individual company or at least one of the members of the consortium participating must have a valid Document of Compliance (DOC) for the International Safety Management (ISM) Code. A copy of this document must be attached to the Request together with the related latest external audit report to the company.</i></p> <p><i>2. Overview of the company/consortium’s fleet PSC inspections and, where applicable, detentions for the last three years under the Paris MoU. If the fleet concerned does not have PSC records, the relevant Annual Flag Surveys reports must be submitted. To be considered fulfilling the selection criteria, the company/consortium must have less than three detentions in the last three years.”</i></p> <p>Consequently, the Checklist is in line with Request Specifications and requires the same documents:</p> <p><i>“PART D</i></p> <p><i>9. Valid Document of Compliance (DOC) for the International Safety Management (ISM) Code, including the related latest external audit report to the company.</i></p> <p><i>Ref. EMSA documentation: Request Specifications, points 9 and 11.4 (1)</i></p> <p><i>PART D</i></p> <p><i>10. Overview of the company/consortium’s fleet PSC inspections</i></p> <p><i>and, where applicable,</i></p> <p><i>Detentions for the last three years under the Paris MoU.</i></p> <p><i>(If the fleet concerned does not have PSC records, the relevant Annual Flag Surveys reports must be submitted)</i></p>
---	---

			<p><i>Ref. EMSA documentation: Request Specifications, points 9 and 11.4 (2)”</i></p> <p>Therefore, the Checklist is applicable and does not need to be corrected. On the other hand, reference to “<i>List of works related to the field, if appropriate</i>” under Part D, point 11. on page 12 of Request Specifications, is a typo and should not be considered when preparing your submission.</p>
4	<p>Ref. Invitation to submit a Request to participate (update 26.03.2020) point 3 pag. 1/3</p> <p>The Agency requires to send by email the encrypted request to participate to EMSA having in mind that the size of the email may not exceed 12 Mb per one mail.</p> <p><i>In the case that the request to participate and all required documentation will exceed the maximum allowed file size, please advise whether more than one email can be send including in each one the request to participate splitted in more sections, each suitably compressed and encrypted, with a unique password valid for each 7-zip file.</i></p>	14/04/2020 12:41 GMT	<p>Yes, the candidates can split the zip file and send more than one email if it exceeds the maximum allowed size of 12 MB per message. It is recommended to insert in the body of the first email the total number of messages that will be sent to EMSA so we can track if all of them have been received (e.g. total emails will be x, this is email 1 of x). Then in the next messages please indicate that this is email 2 of x, 3 of x and so on.</p>

Requests for additional information regarding this procurement procedure shall be sent by e-mail to the following address **CPNEG12020@emsa.europa.eu**.

Requests for additional information received less than six working days before the closing date for submission of tenders may not be processed.

The deadline for submission of the requests to participate is 22/04/2020.

The responsibility for monitoring the Agency’s website for replies to queries and/or further information remains with potential tenderers.