## **Open Tender Clarifications 2.**

**European Banking Authority Tender:** Procurement Procedure for the Supply of Training Services to the European Banking Authority (EBA) (Lots 1-4)

Date: 6 March 2012

No.	Document Ref.	Questions	EBA Response
1	Contract Notice, Instructions to Tender	How have you assessed the Estimated Contract Value?	The Estimated Contract Value is based upon the EBA's estimated number of trainings multiplied by the EBA's estimated cost of the training. The EBA estimates that for each lot it expects to order between 2-4 training events each year.
			It is expected that each training event will be attended by between 25-40 participants. It is expected that each training event will last 2 or 3 days.
		2. What is the significance of the GBP £60,000 and £240,000 figures mentioned in section 8 of the Instructions to tender?	Without it being binding on the EBA, £60,000 and £240,000 are the estimated lower and upper limits of the value of the framework contract for each lot over the four year period exclusive of VAT.
		Will the EBA already know the list of invitees/attendees for each training event?	Yes, the EBA already knows the list of invitees/attendees for each training event. In most cases the audience will be staff of EU National Supervisory Authorities (regulators and supervisors from the EU).

4. Or will each event need to be advertised and promoted individually, at large?	See previous answer. The event will be advertised and promoted only to EU regulators and supervisors. This is already the case for existing EBA training courses. The event will be advertised by the EBA.
5. What are the charges (to the tenderer) for using the EBA's training facilities?	When the EBA's training facilities will be used, the EBA will not charge the provider for using the EBA training facilities. We will pay the provider on a per trainer per day basis for preparing and delivering the training event.
6. How much do the trainers of existing EBA training courses typically charge per day?	Currently the trainers are regulators and supervisors from the EBA and other National Supervisory Authorities who do not charge for their services.
7. What is the standard format for providing course materials to attendees at training events?	The standard format is handout of slides presentation in ring binders. The slides printout must be in colour if it will assist the participants to understand the subject better.
8. How much of the training does the EBA expect to be delivered outside the UK?	Currently, we are expecting most of the seminars to be based in London, UK.
9. Where does the EBA anticipate training to be delivered outside of the UK?	If the training is not delivered in London, it could be anywhere in the EU.

10. What ideally would EBA like from
computer-based exercises in the
training?

By computer-based training we mean simulation that helps participants to better understand how banks operate, movements on the balance sheet of banks, risk management and impacts on the banks' balance sheet when there are changes in market conditions.

11. Please provide a worked example of the application of the price revision formula provided at section 9.3 of your Instructions to Tender document.

Revision shall be calculated in accordance with the following formula:

where

Ar = revised total amount;

Ao = total amount in the original tender;

Io = index for the month in which the validity of the tender expires;

Ir = index for the month corresponding to the date of receipt of the letter requesting a revision of prices.

Worked example: If Ao is equal to £500; Ir is 3.9 percent and Io is 3.6 percent.

$$Ar = £500 \times 3.9/3.6 = £542$$

- 12. We are linked to a consulting firm (although there is not a group of companies but separate legal entities), and most of ours trainers are experts on the areas set in the offer, from their work in consulting services. They are not employed by the school on a full time basis, but they collaborate frequently with us in the courses related to their respective areas. Are we still able to apply for the tender?
- We cannot give prior opinions to potentially interested economic operators. However please kindly note that Section 4.4.1 of the Instructions to Tender gives the necessary details on the subject of eligibility to participate. In addition please note that the selection criteria, which are designed to check whether an operator is capable of performing the contract, are set out in Section 13 and 14 of the same Instructions to Tender and include the following requirement: the tenderer must currently employ at least 3 trainers or experts in the area of the lot on a full time basis.

- 13. It is asked to provide a fixed fee for the organization and delivery of a 2-day seminar under 2 scenarios as well as a price per participant and a price per trainer per day. It is not clear to us what the distinction is between the fixed fee for the scenarios on the one hand, the price per participant and the price per trainer in the other hand. For instance, as we read it, if the fixed fee for scenario 1 was to be £3000, the price per participant would be £3000/30=£100 and the price per trainer per day would be £3000/2=£1500, a calculation which seems a bit pointless. But then, how do we take into account the fixed fee for
- **Scenario 1:** The fixed fee for Scenario 1 is based on EBA's average number of participants (i.e. 30) attending a seminar inclusive of all costs related to that seminar (excluding accommodation costs for participants). We are expecting training providers to charge a wholesale or discounted price for such a scenario given the large number of participants. The Scenario 1 fee will be charged on a pro rata basis when the number of participants is 10 or above.

**Price per Participant:** The price per participant is also an inclusive one and will include all other costs as per the Costing Sheet. However it is not expected that the price per participant will be a wholesale price since the price per participant will be used when the number of participants is below 10. EBA would expect the training providers to charge a retail price.

**Price per Trainer:** It is not linked to either Scenario 1 or price per participant above. The price per trainer is based

scenario 2 when submitting the price per participant and the price per trainer per day?

on the EBA organising a seminar (costs such as venue, catering, equipment etc. will be borne by the EBA). The EBA will only pay the fees related to the trainer to deliver the training. Incidental expenses e.g. travel costs, which must be approved by the EBA, will be reimbursed at cost.

Please note that in the Costing Sheet the fixed fee for Scenario 2 is not linked to price per participant or the price per trainer per day. The only difference between Scenario 1 and Scenario 2 is the inclusion in Scenario 2 of computer based training. For the 2 day seminar described in Scenario 2 computer based training must be provided for 1 day.

14. Moreover, it is our understanding that the seminar is meant to be delivered several times over a number of years. However, the costs of the design of the seminar would only be charged once. The costing sheet doesn't seem to allow dissociating the cost of design and the cost of delivering the subsequent seminars.

At this stage we cannot state whether a seminar will be delivered several times over a number of years. It will depend on the demand for the seminar and changes in regulatory standards. Therefore the overall costs should take into account the design costs.

15. I am writing to inquire about the eligibility of a University to apply for it. Sec. 4.4.1. of the Instruction to Tender states that participation "shall be open on

Please see the answer to question 12. Sections 13 and 14 of the Instructions to Tender describe the mandatory selection criteria. To enable an assessment of capacity, tenderers are required to provide the documentation mentioned in Sections 13 and 14. However, if a tenderer

equal terms to all natural and legal persons coming within the scope of the Treaties". However, Universities may not be able to fulfill the eligibility requirements set forth under sec. 14 (a) as well as the documentations required thereafter. Also, Sec. III.2.3) of the Contract Notice (2012/S 25-039703) makes "workshops, reference to seminar, training" as examples of training events. However it is not clear who the final addresses of such events should have been, i.e. whether professionals, institutions, or the general public. Besides, Universities may not have in their statutory objectives the provision of "training events" (see sec. 14 (a) of EBA Instructions) and for instance they may not have "clients" (see docs required under sec. 14 of the EBA Nonetheless Instructions). Universities and their research institutes employ experts in the field that are very well suited to train your members of staff.

is unable to provide the mentioned documentation, for example because it is not obliged to publish its accounts, it may submit such information as it is willing to provide, to enable EBA to assess whether it meets the selection criteria. EBA will decide, in its sole discretion, whether such information can be accepted as proof of compliance with the selection criteria.

The final recipients of the training events should have been professionals, institutions, or companies.

By "clients" we mean: customers or recipients of services (i.e. professionals, institutions, or companies) to whom your organisation has provided training.

16. Our question relates to Lot 4. On 29 November 2011, the EBA released publicity relating ex-ante forthcoming tenders for services to XBRL taxonomy related XBRL taxonomy development, XBRL review and rendering solutions. To assist our consideration of how to respond to Lot 4, could information made available to parties selected for those tenders and which sets out the background to the EBA's plans for implementing XBRL be provided please? us

Please be aware that the two projects are currently not related. However, your application for Lot 4 should take into account the current version of FINREP and COREP which is referenced in the actual taxonomies of FINREP and COREP. Please note that the training will have to take into consideration the most recent version of FINREP and COREP.