



9 October 2014

Clarification No 5

Reference: Open call for tenders No EEA/COM/14/006

Title: *Translation of SOER 2015 Synthesis into several European languages*

Question 1

In clarification No 2, you mention in the Answer of Question 1 that freelancers are considered to be subcontractors. In this case, all translators-subcontractors should provide a declaration on their honour. Please verify if we understand correctly and if a translator-subcontractor should fill out a legal entity form in case his/her services that he/she provides to the tenderer exceed 20% of the total value of the contract.

Answer 1

Yes, your understanding is correct.

The subcontractors shall provide the following:

- 1) A declaration on honour duly filled in, signed and dated in accordance with the template attached as annex 2 to the tender specifications (scan copy is sufficient at this stage of the process);*
- 2) At the stage of the submission of tender, a legal entity form for the subcontractor will not be required. If your tender is successful and the contract will be awarded, you would then be required to provide a legal entity form with the relevant supporting documents for any subcontractor who are entrusted with tasks representing 20% or more of the total estimated value of the contract.*

Please also refer to [Clarification No 3, Answer 1](#) and [Clarification No 4, Answer 1](#)

Question 2

If translators are considered to be subcontractors, in Annex 1 – Tender Submission Form, in the field “...please specify the name and address of the sub-contractor”, should we list all of our translators-subcontractors for all language combinations?

Answer 2

Yes, your understanding is correct.

If several service providers or sub-contractors e.g. translators/freelancers are involved in the tender, the information of the service providers and sub-contractors are important and should be listed in Annex 1 to the tender specifications.

Question 3

We would like you to confirm whether the topics below are appropriate to mention in the references as translation experience.

Topics:

Environment; climate change (temperature increase, gas emissions, biodiversity, forest exploitation, pollution, pollution, overfishing);

Natural resources (growth of overall environmental use, waste management, recycling, water demand management and water resources, natural resource management)

Health, Road traffic, wastewater treatment.

Answer 3

Please refer to [Clarification No 1](#), answer 2 and [Clarification No 4](#), answer 9. In addition, we would also like to draw your attention to section 6 of the tender specifications, Subject and scope of the contract (page 5 of 11) where it is stated 'In order to get a better understanding of the report, please consult the previous SOER Synthesis report 2010 (http://www.eea.europa.eu/soer/synthesis/synthesis/at_download/file)'.

Question 4

Some of our freelance translators have established and operate through their own company, they issue invoices on behalf of the company.

In this case, how are they supposed to fill in the Annex 2? Are they considered as representing a company or do they have to sign in their own name?

Answer 4

Legal person refers to any entity created under national law of its place of establishment, Union law or International law, which has legal personality and which, acting under its own name, may exercise rights and be subject to obligations.

For legal persons, the declaration on exclusion criteria (annex 2) shall be filled in and signed by the person representing the legal person, whereas for individuals and for legal persons that does not have legal personality, the declaration on exclusion criteria shall be signed by the individual in his own name and the person who has powers of representation, decision making or control over the entity respectively.