

Clarification Note #8

GSA internal reference: 224250

Procurement procedure: GSA/OP/32/15 "SUPPORT SERVICES FOR THE GSA"

Question #:20

With reference to the requirements under Annex I.1.3, Section 3.2.2 (Technical and professional capacity), please confirm that the following requirements under point S3 (for Principal Advisor):

- (i) At least 5 years of relevant experience in legal advice provided to public sector entities (such as, but not limited to advising for space activities within EU environment); and/or
- (ii) Experience in devising at least 2 public procurement procedures based on European Union legislation with multimillion euro value per project with comparable level of complexity; and/or
- (iii) Proof of at least 3 years of experience of working with the preparation and management of grants.

may be fulfilled by the following candidates:

- 1) a legal consultant who assisted for 5 years private companies (and not public entities) participating into public tenders.

OR

- 2) a legal consultant who participated to a project under the UE programme Horizon 2020 as member of a consortium whose project was admitted to funding.

Please also confirm whether the above candidates may have the requirements provided for senior advisor (Annex I.1.3, Section 3.2.2, point S4).

Answer: In order to demonstrate compliance with the criterion S3 tenderer should propose advisors who meet one or more of the subcriteria set.

On (1) - sub-criterion (i) states that the proposed principal advisor should provide evidence of "relevant experience in legal advice provided to public sector entities". Therefore an experience in provision of a legal advice to private companies (not public entities), may not serve as a proof of



compliance. Further, sub-criterion (ii) states that “experience in devising at least 2 public procurement procedures based on European Union legislation with multimillion euro value” is required.

On (2) – A compliance with sub-criterion (iii) may be proven if experience of 3 years in preparation and management of grant procedures/agreements is demonstrated, this including as well experience on applicant or applicant advisor side.

Please note as well, that this clarification does not preclude outcome of assessment carried out by a dedicated evaluation committee (appointed for the purpose) on compliance of the offers submitted with the criteria set.

Clarification #21:

There is no Corrigendum #2, the second corrigendum published is Corrigendum #3.

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