



Vilnius, **02.08.2015**
EIGE/VL/rs D/2015/ **539**

Tender: **Subject: EIGE/2015/OPER/12**

**Study on Terminology and indicators for data collection on rape,
femicide and intimate partner violence**

Subject: **Answer to request for clarifications regarding the Tender**

From a potential tenderer we received a question that might be of general interest.
Please find herewith the answer to this question.

Procurement
EIGE

EIGE/2015/OPER/12. Questions & Answers Nr 1

Question 1:

I work at a research center in Colombia, and was wondering if I could get some clarification on whether we are eligible for the Terminology and Indicators for Data Collection on Rape, Femicide and Intimate Partner Violence project. From the information I got, I am not completely sure if we are allowed to apply.

Answer 1:

Pursuant to the chapter 2.1 *Submission of the Tender* of Tender specifications "Participation in Tendering procedures is open on equal terms to all natural and legal persons from one of the EU Member States and to all natural and legal persons in a third country which has a special agreement with the European Union in the field of public procurement on the conditions laid down in that agreement.

Being launched by an EU Agency, this procurement procedure is not opened to the countries parties to the plurilateral agreement on government procurement - GPA (except those mentioned in the previous paragraph)."

This provision implies that suppliers established in third countries have the right to participate in tendering procedures if an international agreement in the field of public procurement grants them the right to do so. In case there is no such agreement, or the agreement does not apply to the kind of contracts put out to tender, suppliers of third countries are, in principle, not entitled to participate (http://ec.europa.eu/dgs/energy/tenders/doc/2013/2013s_089_150442_access_of_candidates_from_third_countries.pdf).

The Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru (The Agreement), of the other part was signed on 26 June 2012. However, under this agreement economic operators from Colombia have access to tendering procedures of the Commission, the EEAS and the Council only.

Tenderers are free to choose their subcontractors from both eligible and non-eligible countries. Thus, in principle all economic operators can act as subcontractors of eligible tenderers

(http://ec.europa.eu/dgs/energy/tenders/doc/2013/2013s_089_150442_access_of_candidates_from_third_countries.pdf).