

CLARIFICATION TO THE CONTRACT NOTICE No: 1

Title: **Technical Assistance to Project Preparation for Environment and Climate Change**

Tender publication reference number: EC-ENEST/TGD/2026/EA-RP/0054

QUESTIONS & ANSWERS

Question 1:

For the purpose of selection criterion T1, may training activities delivered during the reference period in the fields of public administration, public management, governance processes or sectoral public policies be considered as falling within the “domain of the contract – EU affairs”, where they were delivered in an international and multicultural context and concerned EU-related matters as described in Section 1.4.2 of the tender specifications?

Answer 1:

This question does not relate to the subject matter or selection criteria of the present procedure. Candidates are invited to refer to the procurement documents of the relevant procedure. The Contracting Authority cannot assess the eligibility of hypothetical reference contracts in advance. Eligibility will be assessed solely on the basis of the information and supporting documentation submitted by the candidate.

Question 2:

May training courses offered under the contract be delivered in another official EU language, in particular French, provided that all training materials and participant information are made available in English?

Answer 2:

This question does not relate to the subject matter, selection criteria or requirements of the present procurement procedure.

Question 3:

For the purpose of selection criterion T1, may training activities meeting the required subject matter and delivered in an international and multicultural context be taken into account if they were delivered in French?

Answer 3:

This question does not relate to the subject matter, selection criteria or requirements of the present procurement procedure.

Question 4:

Could the Contracting Authority please clarify whether contracts related to feasibility studies and preparation of technical documentation for transport infrastructure projects (including railway infrastructure), which include significant environmental components such as environmental impact assessments, mitigation measures, climate adaptation measures, or other associated environmental studies, may be considered eligible under the technical capacity criterion? Furthermore, could the Contracting Authority please clarify which types of infrastructure are considered to fall within the scope of the “environmental sector” for the purposes of this procedure?

Answer 4:

The assessment of selection criteria is the sole responsibility of the Evaluation committee, based on evidence submitted by tenderers, while the Contracting Authority is not in position to anticipate this assessment. The Technical Capacity of tenderers will be assessed against the criterion described under section 16.3 (Technical Capacity) of the Additional information about the Contract Notice, which is to be read in conjunction with the note and explanation provided below this same section and the purpose of this contract as described in the procurement documents.

The Contracting Authority cannot assess the eligibility of hypothetical reference contracts in advance. Eligibility will be assessed solely on the basis of the information and supporting documentation submitted by the candidate.

Question 5:

Could you please clarify whether the request to participate shall be submitted following a free structure based on the requirements established in the tender documentation, or whether there is any additional specific form or template that must be completed and submitted?

Answer 5:

As stated in the Additional information about the Contract Notice, requests to participate must be submitted using the Request to Participate Form. The applicable format and instructions must be strictly observed.

Question 6:

Could you please confirm that, for the submission of the request to participate by post or courier service, the date of dispatch evidenced by the postmark or deposit slip will be considered valid as the submission date?

Answer 6:

Yes. As stated in Sections 19 and 20 of the Additional information about the Contract Notice, for submissions sent by post or courier service, the evidence shall be constituted by the postmark or the date of the deposit slip.

Question 7:

In the case of framework contracts or Long-Term Agreements (LTAs) awarded by international organisations, but whose execution or invoicing has not yet started, could such contracts be considered for the purposes of demonstrating technical capacity, taking into account that their award derives from a competitive procedure and demonstrates the technical capacity required for the provision of the services?

Answer 7:

The assessment of selection criteria is the sole responsibility of the Evaluation committee, based on evidence submitted by tenderers, while the Contracting Authority is not in position to anticipate this assessment. The Technical Capacity criterion described under section 16.3 (Technical Capacity) of the Additional information about the Contract Notice, and specifically the first bullet point, clearly refers to “completed services [...] implemented at any moment during the last four years before submission deadline”. Thus, the award of a framework contract or long-term agreement alone does not constitute evidence of completed services. Only services completed during the reference period and supported by the required documentary evidence may be taken into consideration.

Question 8:

Could you please clarify which will be the main areas of intervention and types of infrastructure foreseen within the scope of the project, as well as the priority sectors in which the technical assistance activities will be developed?

Answer 8:

The scope of the contract is described in the procurement documents. At this stage of the procedure, no further information can be provided beyond what is already published.

Question 9:

The link provided in Additional information document (<https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes>) is not accessible. Please provide accurate link to access the Requests to participate form and other relevant templates.

Answer 9:

The Request to Participate Form and the Declaration on Honour are available through the European Commission platforms referred to in the procurement documents. Access may require authentication in accordance with the applicable European Commission procedures.

Question 10:

While we fully understand the intention to ensure adequate technical capacity for contract implementation, we would like to highlight that the stated technical capacity criterion is relatively high compared to the typical size of contracts for project preparation activities in this sector. Having in mind that such criterion can restrict the level of competition, we suggest the reduction of the minimum contract value to EUR 1,500,000, and extension of the reference period from four to five years. We believe this would facilitate broader and more competitive participation, without compromising quality requirements.

Answer 10:

The Contracting Authority confirms that the selection criteria remain as published in the procurement documents.

Question 11:

Could the Contracting Authority consider extending the reference period from the currently prescribed timeframe to at least five years (June 2021 – June 2026), and preferably six years (June 2020 – June 2026), in order to ensure broader competition and allow the participation of economic operators with highly relevant experience implemented over a longer programming period?

Answer 11:

The Contracting Authority confirms that the reference period remains as stated in Section 16.3 of the procurement documents.

Question 12:

Could the Contracting Authority confirm whether references related to infrastructure preparation assignments in sectors such as: transport, energy, digital infrastructure, education, and other infrastructure development sectors may also be considered eligible in order to ensure broader competition?

Answer 12:

Only contracts meeting the requirements of Section 16.3 of the Additional Information about the Contract Notice will be considered. The completed services must be in the domain of preparation of infrastructure project documentation in the environmental sector.

Question 13:

With regard to the requirement stating that “for each contract, the value of the services completed must not be less than EUR 2,500,000,” could the Contracting Authority consider reducing the minimum threshold to EUR 2,000,000?

Answer 13:

The Contracting Authority confirms that the minimum contract value requirement remains EUR 2,500,000 as stated in Section 16.3. of the Additional Information about the Contract Notice.

Question 14:

Could the Contracting Authority consider broadening the qualification requirement so as to recognize references that include integrated packages of preparatory and institutional support activities in addition to the preparation of infrastructure project documentation? In practice, infrastructure project preparation is frequently implemented together with activities such as project pipeline development, institutional strengthening, investment planning, monitoring systems, coordination, reporting, and support to beneficiaries, which are all essential components of infrastructure development programmes

Answer 14:

Only contracts meeting the requirements of Section 16.3 of the Additional Information about the Contract Notice will be considered eligible. The completed services must have had a primary focus on the preparation of infrastructure project documentation in the environmental sector. The eligibility of each reference contract will be assessed on the basis of the information and supporting documentation submitted by the candidate.

Question 15: According to 16.3 technical capacity, candidates must demonstrate that they have implemented services with a min. value of € 2,500,000 in the specified fields during the last four years preceding submission deadline: “For each contract, the value of the services completed must not be less than €2,500.000.” The reference project in question meets technical criteria related to the scope of work and was implemented in an EU MS. The total value of services implemented in the reference period is €2,500,000 including VAT (21%), and all payments were made with VAT. Is it eligible? For the recent EU funded procedure (request to participate) for similar project in Serbia under the ref. no. EC-ENEST/BEG/2025/EA-RP/0052 we clarified the same issue and the Contracting Authority confirmed that “the contracts value including VAT is acceptable, given that payments in EU countries must include VAT”. Please can you confirm that the contract amount incl. VAT is acceptable for this procedure as well?

Answer 15:

Yes. Contract references including VAT will be accepted, provided that are supported by the relevant evidence documentation and meet the requirements of this procedure.

Question 16:

We could not find the tender document, please advise?

Answer 16:

This is a restricted procedure. At this stage, only the procurement documents published with the Contract Notice are available. The tender dossier will be made available only to shortlisted candidates invited to submit a tender.

Question 17: The link provided under the document “Additional information about the Contract Notice”, which should grant access to “The Request to Participate Form”, appears to be unavailable. We kindly ask you to either restore access to the link or provide an alternative way to obtain the required form, together with the “Declaration on Honour on Exclusion and Selection Criteria”. The unavailable link is: <https://wikis.ec.europa.eu/display/ExactExternalWiki/Annexes>
Thank you in advance for your assistance. Kind regards,

Answer 17:

The Request to Participate Form and the Declaration on Honour are available through the European Commission platforms referred to in the procurement documents. Access may require authentication in accordance with the applicable European Commission procedures.

Question 18:

We propose adjusting definition of eligible services within reference projects, which currently focuses mainly on infrastructure project documentation. In practice, infrastructure preparation is delivered as integrated TA packages combining documentation with other services essential for project development and investment readiness, all within a single assignment. We therefore propose recognizing references where, alongside documentation (feasibility studies, ESIA, detailed design, technical specifications, tender documents) scope included related preparatory and institutional support, e.g. project pipeline development and prioritization; investment planning/programming support; institutional strengthening/capacity building; coordination, monitoring and reporting support. This would enable more complete assessment of relevant experience and reflect integrated nature of infrastructure preparation, while avoiding exclusion of projects where documentation was part of broader TA scope.

Answer 18:

Only contracts meeting the requirements of Section 16.3 of the Additional Information about the Contract Notice will be considered eligible. The completed services must have had a primary focus on the preparation of infrastructure project documentation in the environmental sector.

Question 19: In practice, infrastructure preparation and TA assignments are increasingly implemented through integrated multi-sector frameworks covering transport, energy, digital, education, environmental, and other public infrastructure sectors. These programmes generally follow similar methodological and institutional approaches, including project identification, feasibility analysis, technical documentation, and investment preparation. While sector-specific expertise remains relevant, core preparation activities are largely comparable across sectors in terms of methods, coordination, procurement support, and development processes. We therefore propose expanding eligibility to include related infrastructure sectors, provided that nature, complexity, and methodology of services are comparable to those required under the assignment. This would better reflect the cross-sector nature of modern infrastructure preparation programmes and ensure relevant experience is fully considered.

Answer 19:

The Contracting Authority confirms that the eligibility of references will be assessed against the requirements of Section 16.3. No modification of the selection criteria is envisaged.

Question 20:

While we understand intention of ensuring experience in projects of sufficient scale and complexity, applying fixed financial threshold may unintentionally exclude assignments that are highly comparable in technical content, methodology, and institutional complexity, but implemented under different financing or contracting arrangements. In practice, infrastructure preparation and TA assignments are often structured through different funding modalities, resulting in major variations in contract values despite similar technical scope and implementation requirements. Contract value alone therefore may not fully reflect relevance and depth of experience gained. We propose reducing the minimum contract value requirement or applying it more flexibly to allow inclusion of lower-value contracts that nevertheless demonstrate substantial and directly relevant experience in infrastructure project preparation, including feasibility studies, design documentation, procurement support, and related TA.

Answer 20:

The Contracting Authority confirms that the minimum contract value requirement remains as published in the procurement documents.

Question 21:

We consider the current four-year reference window overly restrictive for infrastructure preparation and TA assignments, which are typically implemented over long project cycles involving preparation, design, procurement support, coordination, approvals, and implementation assistance. In practice, many projects are also extended to complete contractual and administrative closure activities. Consequently, highly relevant assignments under IFI frameworks and regional infrastructure facilities may fall partly outside the defined timeframe despite remaining fully relevant in technical complexity and scope. We therefore propose extending the reference period to five or preferably six years to better reflect market practice and the duration of comparable assignments. This would support broader competition while avoiding exclusion of qualified and experienced applicants due to a narrowly defined timeframe.

Answer 21:

The Contracting Authority confirms that the reference period remains the last four years before the submission deadline, as stated in Section 16.3. of the Additional Information about the Contract Notice.

Question 22:

It is stated in the paragraph Technical capacity, criterion: "The completed services are in the domain of preparation of infrastructure project documentation in the environmental sector". As it is not clearly defined what the environmental sector is, could you confirm that a solid waste to energy plant is considered as part of the environmental sector infrastructure.

Answer 22:

Yes, solid waste to energy plant will be considered as part of the environmental sector infrastructure, but submitted references will be assessed solely on the basis of the information and supporting documentation submitted by the candidate.

Question 23:

1. Could the Contracting Authority clarify the scope of the term “environmental sector” under the technical capacity criterion and confirm whether projects related to water supply, sewerage, water and wastewater treatment, stormwater drainage, flood protection, climate resilience, water resources management, dams/reservoirs, and coastal protection may be considered eligible references? 2. Would the Contracting Authority accept the aggregation of several contracts of similar nature in the environmental infrastructure sector, where the cumulative value of the completed services exceeds EUR 2.5 million, for the purpose of demonstrating compliance with the technical capacity criterion? 3. For multidisciplinary infrastructure projects, would references be considered eligible where environmental and climate-related components represented a substantial part of the assignment, even if the project also included transportation, urban development, or other infrastructure sectors

Answer 23:

The assessment of selection criteria is the sole responsibility of the Evaluation committee, based on evidence submitted by tenderers, while the Contracting Authority is not in position to anticipate this assessment. However, infrastructure related to water supply, sewerage, water and wastewater treatment, stormwater drainage, flood protection, climate resilience, water resources management, dams/reservoirs, and coastal protection are clearly contributing to environment protection. References eligibility will be confirmed based on the information and supporting documentation submitted by the candidate. With regards to your points 2 and 3, please refer to section 16.3 the additional information to CN, and specifically the text under the Note and last paragraph, as this explains the logic will be used by the Evaluation Committee to determine eligibility of candidate’s contracts references.

Question 24:

Considering the very high threshold for the technical capacity criteria, and the fact that criteria in that manner, significantly limits the competition, could you please consider lowering this value?

Answer 24:

The Contracting Authority confirms that the requirements from technical capacity criteria remain as stated in procurement documents.

Question 25:

Considering the demanding nature of the technical capacity criterion, particularly the high minimum contract value, the limited four-year reference period, and the specific requirement concerning the preparation of infrastructure project documentation in the environmental sector, we would be grateful if the Contracting Authority could consider granting an extension to the submission deadline. Such an extension would allow economic operators sufficient time to identify, verify and properly document suitable references, and would further support fair and effective competition.

Answer 25:

The Contracting Authority does not foresee an extension of the submission deadline as the eligibility requirements were set based on standard templates and consolidated practices. Furthermore, the Contracting Authority assesses important to proceed to a timely project implementation given the relevance of this contract to support Montenegro in its preparation for EU accession.

