

Clarification Note #11

EUSPA internal reference: 321953

Procurement procedure: EUSPA/OP/16/25 (EUSPA/PRG/2026/OP/0003)

Title: 'Administrative support services to EUSPA'

Question #61: Can the contracting authority please confirm that Contract Manager for LOT 2 does not need a PSC?

Answer #61: The Tender Specifications distinguish between the Contract manager and the Service Providers proposed for the performance of the services. For Lot 2, the Tender Specifications require a Personal Security Clearance (PSC) for Service Providers expected to carry out tasks involving handing of EU classified information at the required level, whereas the Contract Manager is defined separately as the point of contract for the Framework Contract. The Contract Authority confirms that the Tender Specifications do not impose PSC as a selection requirement for the Contract Manager as such. However, if the same person is also proposed to perform tasks requiring handing of EUCI or access to tools processing such EUCO, the applicable PSC requirement must be complied with.

Question #62: Please extend the deadline at least 10 days as there are some important questions still unanswered. Thank you for understanding.

Answer #62: See Corrigendum No 2.

Question #63: Based on recent information from the National Security Authority (NSA), in order to facilitate Personal Security Clearances, PSC EU Secret is not needed for the person who asks the process to be started on behalf of the Contractor. NSA is processing sensitive information itself and transmits secure data between the counterparts. Therefore, the contractor does not need EU Secret vetted employees for vetting EUSPA temporary staff. Please confirm.

Answer #63: The Contracting Authority cannot confirm this interpretation. The applicable requirements are those set out in the Tender Specifications and the contractual baseline. For Lot 2, the Tender Specifications provide, on the one hand, that each entity expected to handle EUCI at the level of EU RESTRICTED or above must have an appointed Local security Officer (LSO), who acts as the principal point of contact for security matter. On the other hand, any service Provider expected to carry out tasks requiring handing of EUCI at the level of EU CONFIDENTIAL or above, or access to tools processing such EUCI, must possess the required

PSC at the moment of submission of the tender and maintain in throughout the contract duration. The Tender Specifications state that for Lot 2 the classified administrative support services are to be provided by resources having a PSC at EU SECRET level. Compliance is therefore assessed based on the role and tasks to be performed under the tender documents.

Question #64: I would like to kindly inquire when the questions submitted to the system will be addressed, as we have not yet received any responses. We would appreciate your prompt attention to this matter. Thank you.

Answer #64: The responses have been published on the EU Funding & Tenders Portal.

Question #65:

A. There are unanswered questions.

B. Load of complex documents are required by EUSPA, many irrelevant for temporary staffing (IPR declarations etc normally needed for work and engineering tenders). Services in various countries are requested but cost sheet indicates only one profile. (a) It is unclear if we need to prepare country-based cost sheets for each country. (b) It is not clear if temporary staffing permits are needed for all countries now or later. (c) Provided that EUSPA required all exclusion documents immediately (this is very rare, normally it is possible to submit them later in EU tenders), we assume we need to provide licenses also now. However, there is no confirmation by EUSPA to this. (d) 20% subcontracting requirement for a temporary staffing tender is highly unusual and impossible to execute without clarification.

C. Extend the deadline please 10 days.

Answer #65:

A. The responses have been published on the EU Funding & Tenders Portal.

B. (a) First, as regards the financial file, tenderers shall follow the updated documents issued after Corrigendum No 1. For Lot 1, the procedure was amended so that it concerns “Administrative support services too EUSPA HQ” and relevant location is Prague only. (b) Second, as regards permits / licences related to temporary staffing or employment mediation, the Contracting Authority has already clarified in Clarification Note #3, Question #8 (85999 in the F&T Portal), that it is the tender’s responsibility to perform the necessary legal analysis and to undertake the steps required to ensure compliance with all applicable legislation for contract implementation. The Tender Specifications expressly state that it is the Contractor’s duty and sole responsibility to comply will all applicable laws, regulations and legal acts for any part of performance under the contract. (c) Third, the Contracting Authority confirms that all supporting evidences demonstrating compliance to exclusion criteria, requested as part of the Declaration of Honour, are to be submitted as part of the tender. (d) Finally, concerning the 20% subcontracting requirement for Lot 1, and 10% for Lot 2, the Contracting Authority recalls

that this requirement is explained in section 5.2 of the Tender Specifications, and that it is not unusual for EUSPA tenders for provision of support services. If you would like to have clarification on some particular element of the requirement – please let us know.

C. See Corrigendum No 2.

Question #66: There is error in the assumption that the contractor's employees should possess EU Secret clearance for handling requests for EU Confidential and EU Secret. This is done by National Security Agencies. Contractor and its employees are simply facilitating contacts and will not handle sensitive information themselves. We have worked with many EU agencies and EU Secret clearances. There was no need to have EU Secret clearance for the person who was in contact with the NSAs. It is logical that people who work in the premises (interims) are possessing clearances, but not service provider nor its staff.

Answer #66: See Question #63 (87970 on F&T Portal).