

Clarification Note #1

EUSPA internal reference: 325015

Procurement procedure: EUSPA/OP/18/26 (EUSPA/PRG/2026/OP/0012)

Title: 'Provision of Interim Workers to EUSPA'

Question #1: We understand that the gross salary to be paid out to an interim staff within the category "Secretarial/Assistant Profile" Cat. II, Grade 4 (less than 5 years working experience) amounts to EUR 3.995,42. We also understand that this gross salary includes certain allowances, such as household, dependent child, education and expatriation. Is our understanding correct that if the contractor hires staff without any dependent children, without any household (single) or staff being from the Czech Republic (without the right on any expatriation allowances) would also receive a gross amount of EUR 3.995,42 per month?

Answer #1:

The basic gross salary of EUSPA staff member comparable to the requested "Secretarial/Assistant Profile" Cat. II, Grade 4 (less than 5 years working experience) amounts to EUR 2.714.73. This amount then can be increased through application of multiple entitlements stemming from the Staff Regulations and CEOS (see section 3.1.5 of the Tender Specifications).

For detailed mechanism of how the price paid by EUSPA for the services of individual interim workers shall be calculated during the contract implementation, including for what concerns reflection of the relevant entitlements, please refer to Art. I.8.1.2 and I.8.1.3 of the Draft Contract and Annex I.F.2 of the Tender Specifications.

The amount of EUR 3.995,42 presented in Annex I.F.1 of the Tender Specifications is provided for evaluation purposes only and it is based on the most common entitlements of the EUSPA staff of the comparable profile.

Question #2: In Section 10.1.1 – Legal Entity Authorisation Requirement states that "the legal and regulatory capacity shall be proven by the evidence listed below, to be submitted as part of the tender for each economic operator participating in this procurement", including a "valid authorisation, licence, accreditation, or registration to provide temporary work agency services which are the subject matter of the Contract in the Czech Republic". Could the Contracting Authority please confirm that, when submitting a joint tender, it is acceptable for only one consortium member, acting as the employer of record and providing the temporary agency workers, to hold the required licence, whereas the other consortium member, performing contract management, governance and reporting activities and not employing or supplying personnel, is not required to hold the licence?

Answer #2: It is sufficient that the economic operator(s) which will be providing the regulated interim worker agency services under the contract hold the relevant license/authorisation. The entities which will be providing other services (which do not require such a license/authorisation under the applicable law) do not need to provide such a license/authorisation.

Please refer also to the Corrigendum No. 1.

Question #3: Section 10.1 states that all economic operators participating in the procurement, including each group member and subcontractor, must provide a valid authorization, license, accreditation or registration to provide temporary work agency services in the Czech Republic. In accordance with the recent EU procurement precedent law and Czech law governing temporary staffing services, this requirement should apply only to the company that will legally employ and assign the interim workers. Consortium member or subcontractor whose role is limited to tender coordination, contract management, candidate sourcing support or other services that do not constitute temporary agency work under Czech law, does not need the Czech license. Please confirm. We advise you to consult with Czech authorities before answering this question as in a different tender Czech authorities confirmed that the license is needed only for direct employer. Restricting access for international consortiums is not legal.

Answer #3: Please see Clarification Note#1, Question #2 (# 98841 in F&T portal)