

## Question / Answer

### Question 01 (dated 15/02/2016):

We would require clarification of some of the content of the work requested in order to estimate the fees involved and thereby submit a tender.

First, we note that you would like the *“Development of a questionnaire regarding the impact (or absence thereof) of resolution, reorganisation or winding up procedures in each participating Member State (including confirmation of absence of any other issue)”* at section 3.2, page 16 of the Tender Specifications. By this, do you mean the impact of these procedures on the terms to be included in the Payment Commitment and Financial Collateral master arrangement template to be used from 2016 onwards between the SRB and the contributing institutions, and of the templates mentioned at section 3.2, page 14? Would you also need responses to this questionnaire for the UK (the Tender Specifications refer to needing UK experts at section 2.1, page 9)?

Clarification of this part of the work requested is extremely important as, in order to submit a tender, we will already need to arrange with experts in jurisdictions other than Luxembourg to provide responses to the questionnaire.

Second, you have requested *“Legal advice to the SRB on the legal precautions to take, for example, should the SRB decide to use electronic means for the signature of the contractual arrangements and the transmission of the documents related..”*. Is this legal advice solely under Luxembourg law (the law to govern the contractual arrangements) or would you also like legal advice related to the laws of each Participating State?

Lastly, given the need to already find local experts in all of the Eurozone countries and the UK to be able to submit a tender, we would be most grateful if you could confirm whether or not the deadline for the submission could be pushed back by a week to Friday 26 February (5 pm Brussels time)? Having only issued the invitation to tender on 9 February and given the number of individuals who will be involved in order to cover of the scope of the work requested, the deadline of Friday 19 February is extremely tight.

### Answer to question 01:

Dear Sir,

Please find below the answers to the questions you raised:

Regarding your first question, **yes**, we mean the impact (or absence of an impact) of these procedures on the terms to be included in the Payment Commitment and Financial



Collateral master arrangement template to be used from 2016 onwards between the SRB and the contributing institutions, and on the templates mentioned at section 3.2, page 14

Questionnaire for the UK is not needed since the choice has been made for the Luxembourg law.

Regarding your second question, kindly note that legal advice solely under the law of Luxembourg is necessary.

Regarding your third question, the submission deadline has been extended to **Wednesday, 24th February 2016 at 17:00 Brussels time.**

We would also like to draw your attention to the following: point 3.4 – "Deliverables" of the Tender Specifications is an presentation of the estimative timeframe for the deliverables specified in point 3 of the Tender specifications. The definitive timeframes shall be adapted to the award of the Contract.

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Requests for additional information regarding this tender should be sent by e-mail to the following address [SRB-PROCUREMENT@ec.europa.eu](mailto:SRB-PROCUREMENT@ec.europa.eu). The Contracting Authority is not bound to reply to requests for additional information received less than five working days before the final date for submission of tenders.

The deadline for submission of the bids of this tender is **24/02/2016**

Responsibility for monitoring the Agency's website for replies to queries and/or further information remains with potential applicants.