



EUROPEAN COMMISSION
DIRECTORATE-GENERAL HOME AFFAIRS

Directorate C: Schengen
Unit C.4: Internal Security Fund

Brussels, 22 February 2013
HOME/C4/MK

Subject: Call for tender HOME/2012/EBFX/PR/1001
"Study on the feasibility of the creation of a European System of Border Guards to control the external borders of the Union"

Following a request for clarifications concerning the above mentioned tender, please find the following information (questions and replies):

Question 1:

In the tender specifications on page 8 it is mentioned that one of the tasks of the Contractor is to conduct interviews with the appropriate stakeholders, including with representatives of Member States. Does this mean that representatives of all Member States should be interviewed, or a selection of Member States? If a selection can be made, are there any criteria the Commission would wish to apply to this selection. If all Member States should be consulted, is it possible to use a written / online questionnaire instead of interviews?

Answer of the Commission:

The representatives of the Member States to be interviewed in this context are the Member States applying the Schengen acquis and the Schengen Associated Countries (for the scope refer to Question 9). The method of interviews is favoured although other forms of consultations are possible when they are specified.

Question 2:

On page 7 and 8 of the tender specifications the main questions that should be answered for each model are listed. Could the Commission indicate what level of detail is required to answer each question? Could the Commission also explain what is meant by 'the boundaries' of a European corps of border guards (for instance are legal, political or operational boundaries meant)?

Answer of the Commission:

There are no restrictions to the level of detail of the answers. The notion of boundaries of a European System of border guards refers to the concept as a whole; all relevant issues need to be addressed except the political one.

Question 3:

On page 7 of the tender specifications it is mentioned that the purpose of the study is to identify three models of what a European System of Border guards could be composed

of. Could the Commission indicate to which time frame these three models should apply? For instance, does this study ask for a long term (>15 years), medium term or short term (<5 years) projection of the future of Frontex?

Answer of the Commission:

The tender specifications do not indicate a specific time frame in the future.

Question 4:

On page 7 of the tender specifications it is mentioned that the purpose of the study is to identify three models of what a European System of Border guards could be composed of. Are there any guidelines as to what these three models should entail? For instance, it is possible to suggest a system in which Frontex is fully and exclusively mandated to guard the EU's external borders: would such a far reaching model be a model DG HOME would like to have assessed in this study?

Answer of the Commission:

The tender specifications do not impose a limitation on a specific model. All models can be addressed.

Question 5:

Based on the explanation on the purpose of the contract on page 7 of the tender specification, we conclude that the political feasibility of the three models is not part of this assignment. Is this assumption correct?

Answer of the Commission:

Yes, the political feasibility is not covered by the purpose of the tender specification.

Question 6:

To what extent does the Rapid Border Intervention Teams mentioned article 1 of the EC regulation No 863/2007 differ from the European Border Guard Teams as mentioned in article 2 of EU Regulation 1168/2011?

Answer of the Commission:

The European Border Guard Teams referred to in Article 2 of Regulation No 1168/2011 include the former Rapid Border Intervention Teams, which are further specified as "rapid interventions".

Question 7:

Could the Commission specify what exactly is meant with 'similar studies' (see page 19 of the tender specifications; technical and professional capacity required). Has a minimum number of similar studies been identified?

Answer of the Commission:

There is no reference to "similar studies" on page 19 of the Tender specifications. However, the Commission assumes that the question refers to the list of the principal services of the same type provided in the past five years. There is no minimum number of principal services of the same type provided in the past five years. However, the list of principal services represents an evidence of compliance with the set criteria for the technical and professional capacity.

Question 8:

On page 19 of the tender specifications the technical and professional capacity required is explained. It is explained that the contracting authority shall accept three types of evidence of compliance with the criteria. Does this mean that only one of three types of evidence is required? In other words is it only necessary to submit either detailed Curriculum vitae or a list of the principal services provided? Or should both types of evidence be submitted?

Answer of the Commission:

Both types of evidence (namely detailed curriculum vitae of each staff member responsible for carrying out the work and a list of the principal services of the same type provided in the past five years) should be submitted.

Question 9:

Can you please clarify whether all EU Member States and Schengen associated countries are to be covered by the study or only Schengen EU Member States and Schengen Associated Countries.

Answer of the Commission:

The EU Member States applying the Schengen acquis and Schengen Associated Countries are to be covered by the study.

Question 10:

Please clarify if should Croatia be included.

Answer of the Commission:

Croatia will not be covered by the study.