

Call for tender - Anthropometric data of children

6th Revised FAQs

1. Is there a template or a form for responding to the call for tender?

No. There is no template or form for responding to the call for tender. Applications may be submitted in any form which complies with the requirements given in the call for tender and provides the necessary information. Applications shall also contain the declarations specified in the call for tender (see Annexes C and D).

2. How many hard copies have to be provided with the application?

One.

3. Is there any additional supplementary information?

Supplementary information to the call for tender will be published on the website of the DIN Standards Committee Ergonomics (NAErg, <http://www.din.de/go/naerg>). These FAQs and the relevant extracts from the FPA 2014 (Framework Partnership Agreement between EC and CEN) have been placed on this website. If needed, the FAQs will be updated/replaced with revised FAQs.

4. Are the projects 100% funded by the EC and EFTA?

On condition of approval by EC and EFTA, costs of external subcontractors such as laboratories are generally funded at 100%, with approx. 95% being borne by EC and 5% by EFTA. Costs have to be in accordance with and justified as defined in FPA 2014 and accepted by EC/EFTA. The payment is usually divided into at least three instalments after completion of defined milestones and approval of the interim/final reports and the justification of costs.

5. Which costs are classified as eligible costs?

FPA 2014 contains a definition of eligible costs (from Page 33). However, only the requirements in Section 19.II.1 lit. (e) and (f) apply to offers by tenderers. This applies to both direct and indirect costs within the meaning of FPA 2014.

6. How will the selection procedure be carried out and when will it be completed?

The selection will be conducted by the selection panel (see clause VIII.5 of the call for tender) on the basis of defined selection criteria (clause VI) and award criteria (clause VII).

The selection procedure begins after completion of the deadline. However, it is presently not foreseeable when the selection will be completed.

As pointed out in the call for tender, the authorization of the European Commission is required before the work starts.

7. What kind of documentation is necessary to prove the economic and financial capacities?

The applicant has to prove that she/he is able to execute the project in economical and financial terms within the given time frame, i.e. sufficient staff, financial means etc. This could be proven by documents such as annual reports or by business/financial figures of the last 3 years (number of staff, revenues, balance sheet totals etc.).

8. Is it possible to submit applications via certified e-mails instead by postal mail? To which address does the application has to be sent? Can DHL or any other courier company be considered as "postal mail"?

According to the call for tender, "Tenders shall be sent by postal mail to the secretary of CEN/TC 122 "Ergonomics" Mr Sebastian Lentz", i.e. to the following address:

DIN Deutsches Institut für Normung e. V.
Normenausschuss Ergonomie (NAErg)
Mr Sebastian Lentz
Am DIN-Platz
Burggrafenstr. 6
10787 Berlin (Germany)

It is not permissible to submit applications via e-mail, certified e-mails or alternative systems. Sending the application via DHL or another courier is considered as "postal mail".

9. Is there any indication of what a suitable budget might be or is there a maximum budget?

In accordance with the principles of public procurement law, DIN is not allowed to make any statements on the maximum price, budget or set/man-day. This would enable applicants to orient themselves to these from the outset, which could undermine the principle of economic efficiency in awarding contracts.

10. How should reporting be done? At physical or online meetings or via e-mail?

Regular reporting should be done at meetings of CEN/TC 122/WG 1 and meetings with the Technical Project Leaders which can take place at different locations in Europe or as web conference. Consequently, it is expected that the Anthropometric Survey Participant attends these meetings.

Additional reporting via e-mail might be necessary, e.g. if the time between meetings is long or if there are important information to report.

Furthermore, according to the draft contract of Anthropometric Survey Participant the delivery of two interim and one final report which will be submitted to the European Commission is required.

11. How will possible delays in the project (in particular the conduction of surveys) caused by the Coronavirus Disease (COVID-19) be considered?

If the Coronavirus Disease (COVID-19) causes significant delays, e.g. due to the need for postponing anthropometric/strength surveys the European Commission will be asked for approval of an extension of the project duration.

NOTE *In the 1st revised version of the FAQs question/answer 12 has been added.*

12. Is it allowed to submit a tender to measure in another country other than the one in which the applicant is based?

Yes, applicants are allowed to submit tenders to measure in any country eligible for the survey (see Table 1 of Annex 1 of the draft service contract, Annex E of the call for tender), irrespective of whether they are based in the country or not.

NOTE *In the 2nd revised version of the FAQs questions/answers 13 to 16 have been added.*

13. There is no requirement in the call for tender regarding the representativity of the data set for the children dimensions in the country. Can a random sample be taken or

should the dataset be representative for children in the country under investigation? If the latter is the case, which strata are used (ethnicity, location in country)?

The objective of the project is to obtain anthropometric data of children representative for Europe. Consequently, the data obtained by Anthropometric Survey Participant should be representative for the country under investigation. Besides the age stratification which is specified in the call for tender, in principle, a “random sample” applies. If relevant, it is up to the tenderer/Anthropometric Survey Participant to provide a concept on how representativity can be ensured which will then have to be confirmed by the responsible working group CEN/TC 122/WG 1 “Anthropometry”.

14. According to laws of certain countries a participant should always be able to withdraw from a dataset. How is this arranged after the transfer of the dataset from the Anthropometric Survey Participant to the Technical Project Leader 1 and to DIN?

If a participant asks for withdrawal of the dataset the Anthropometric Survey Participant shall inform the Technical Project Leader and DIN accordingly who will then take care that corresponding data are also removed from the transferred data set. The exact procedure should be specified after conclusion of the contract, e.g. in the data processing agreement.

15. Is digital data-extraction from the scans part of the survey or will this be done by DIN after transfer of the data?

The Technical Project Leader 1 (Instituto de Biomecanica de Valencia, Spain) is responsible for digital data-extraction, i.e. it is not a task of the Anthropometric Survey Participant. The data format and protocols will be specified by the Technical Project Leader in consultation with the Anthropometric Survey Participant in order to ensure compatibility of the surveys in the data processing phase.

NOTE ***In the 3rd revised version of the FAQs answer 16 has been modified.***

16. Is the Anthropometric Survey Participant allowed to use the data gathered in the survey for his own purposes (educational, research, commercial)?

According to the draft service contract “The CONTRACTOR undertakes to assign to DIN (or as DIN may direct) its patrimonial rights of exploitation and all and any intellectual property rights in the works developed by it under the scope of this Service contract. ...” (for detailed information see clause 8 “Copyright” of the draft service contract (Annex E of the call for tender)). The use of the data for own purposes, therefore, needs to be approved by DIN.

In principle, DIN supports the use of the data (including 3D raw data) for research and scientific purposes and, consequently, will consider such requests favorably if the data use is in line with the ethical approval for the surveys and complies with the GDPR requirements.

NOTE ***In the 3rd revised version of the FAQs questions/answers 17 to 25 have been added.***

17. Are the sample numbers listed those to be achieved? This would imply that additional costs for recruitment on the basis of over-sampling would have to be estimated in order to ensure that the desired sample numbers are achieved.

Yes, the sample numbers specified in the call for tender correspond to those to be achieved.

18. Is the amount of data requested for head, feet, hand and body measurements based upon the same amount of children to be achieved for each one of the countries listed?

Yes, there is no differentiation between the countries in view of the number of data requested. Furthermore, Table 1 of Annex 1 of the draft service contract (Annex E of the call for tender) shows only the eligible countries for which applications can be submitted but there will not be surveys in each of these countries.

19. The end date for data collection is given, but is there an expected start date for data collection?

No, no concrete start date for data collection is given and it is up to the Anthropometric Survey Participant and Technical Project Leader 1 to start and plan the surveys accordingly to meet the target date. As mentioned in the call for tender and in particular clause 2 of the draft service contract (Annex E of the call for tender) the end date and “target dates of [the] contract will be amended upon approval by the European Commission” if required due to delays caused by the COVID-19 restrictions, see question/answer 20.

20. The project timing has been set out to reflect the delay caused by COVID. In the event that the project needs to be delayed due to a subsequent outbreak in 2023/2024, in such an event would there be an extension to data collection or would we require business interruption insurance to cover additional costs in this event?

If surveys have to be (again) postponed due to restrictions related to COVID-19 an extension of the project duration and in particular the deadline of the surveys will be requested at the European Commission. This also applies to e.g. another outbreak in 2023/2024. As delays caused by COVID-19 should be considered as force majeure (see FPR 2014, Article II.14) it is assumed that the European Commission will approve this request.

21. Would the Anthropometric Survey Participant, e.g. if he is an academic institution, be able to publish papers on his findings in the appropriate peer reviewed journals, with accreditation to DIN and the project as appropriate?

In principle, the Anthropometric Survey Participant can publish papers on this findings in appropriate peer review journals. This should, however, be approved by DIN in consultation with the CEN CENELEC Management Centre.

22. What is the role of Technical Project Leader 1 during the data collection phase? Is Technical Project Leader 1 also allowed to submit an own application for the Anthropometric Survey Participant?

Besides the “digital data-extraction” Technical Project Leader 1 (Instituto de Biomechanica de Valencia, Spain) is also responsible for e.g. conducting anthropometric and strength surveys in Spain and for acquiring existing anthropometric/strength data. Based on the acquired data and the data newly measured (in Spain and another country of Table 1 of Annex 1 of the draft service contract, Annex E of the call for tender) he will deliver a draft CEN technical report on anthropometric and strength data of children in Europe. A representative from the Technical Project Leader 1 is also participating in the selection panel.

In principle, Technical Project Leader 1 is not formally excluded from submitting a tender for conducting a survey in one of the eligible countries. In this case he would have to withdraw his representative from the selection panel due to conflict of interest.

23. As stated in Question/Answer 16 “The use of the data for own purposes [...] needs to be approved by DIN”. There is an interest for additional 3D measurements which are not required for the tender specification. Is it possible to use the gathered 3D scans to generate these additional 3D measurements using a different/own 3D software for specific applications and to provide relevant stakeholders/project partners with these additional 3D measurements?

In principle, the 3D scans gathered in this project can only be used for the purpose of the project and other use requires approval by DIN (see Question/Answer 16). Furthermore, if there is a clear stakeholder need for additional 3D measures the possibility of generating such measures (possibly, applying alternative software/procedures) as part of the project will be evaluated by CEN/TC 122/WG 1 in consultation with Technical Project Leader 1 and Anthropometric Survey Participant.

24. Is Anthropometric Survey Participant allowed to keep a copy of the 3D raw data scans from this project, anonymised for GDPR and for research purposes only?

Anthropometric Survey Participant can keep a copy of the 3D raw data scans from this project, anonymised for GDPR and for research purposes only if this is approved by DIN.

25. As stated in Question/Answer 16 “The use of the data for own purposes [...] needs to be approved by DIN”. Is it possible to get prior approval for the use of data for a specific purpose (e.g. for generating certain measures/data which are not within the scope of this project but for which there is a great interest of certain stakeholders/potential non-for-profit project partners) before compiling a tender?

No, it is not possible to get prior approval for the use of data for a specific purpose before compiling a tender.

NOTE In the 4th revised version of the FAQs questions/answers 26 to 28 have been added.

26. Is it possible in this call to involve multiple organisations in the form of a consortium to execute the proposed project? Or is the aim to have a single organization submit a proposal?

Yes, it is possible to involve multiple organisations in the form of a consortium to execute the proposed project.

27. Must a bidding consortium at the time of tendering have a legally binding commitment on the part of the authorized representatives of the bidders to participate in this consortium?

In the tender of the bidding consortium it must be documented that the authorized representatives of every individual bidder have given a legally binding commitment to participate in this bidding consortium.

Acceptance of a tender in the form of an award is, inter alia, on the basis of the composition of the bidding consortium and its professional competence. Once accepted the tender is legally binding. At this point in time the legally binding commitment must be in place.

A legally binding firm commitment may only be given by an authorized representative and not by a non-authorized representative (e. g. the project manager). If the composition of the bidding consortium subsequently changes owing to the commitment not being legally binding (e. g. because the authorized representative does not agree with the project or the participation in a bidding consortium), the tender of the bidding consortium in its new composition would not have been accepted due to the lack of professional competence. In this case open competition would be disrupted.

28. Would it be possible to send (lengthy) supporting documents to accompany a tender on a memory stick together with the paper copy of the tender itself, so as to avoid the significant printing of the supporting documents on paper??

We would allow attachments to the tender on USB stick under the following conditions:

1. the tender itself must be submitted in writing as paper copy,
2. the memory stick must be accompanied by a list of the files stored there. The file name and exact file size must be specified for each file on the list and
3. the memory stick or at least the files stored there must be saved in read-only mode.

NOTE In the 5th revised version of the FAQs question/answer 29 has been added.

29. In VII.3 “Scanning devices” of Annex 1 of the sdraft service contract (Annex E of the call for tender) there are broken links (highlighted by the error message “Fehler!

Verweisquelle konnte nicht gefunden werden.Fehler!"). To which sections does the text refer to?

The text refers to the relevant subclauses of VIII "Scanning postures and conditions" of Annex 1 of the draft service contract (Annex E of the call for tender).

NOTE ***In this 6th revised version of the FAQs question/answer 30 has been added.***

30. Is it possible to negotiate a cap on liability for the tendering organisation?

A cap of liability for the tenders is currently neither intended nor planned.