

# Question Catalogue

**1. What does it mean that the German version is legally binding (isn't the English form legally binding)?**

In the case that we have legal problems and have to go to court, the place of jurisdiction will be Darmstadt. The German courts need German documents. However, upon listening to ILO feedback about this, we might consider other possibilities.

**2. Can the ILOs attend the [tender] negotiation meetings?**

The participation of ILOs is not planned. In special cases, it might be considered, but this is a FAIR/GSI decision.

**3. Are national tenders only open for German suppliers?**

All FAIR and GSI tenders are open for everyone.

**4. Some other research facilities (e.g. ESO) set up limits concerning the size of the turnover of the company (i.e. a company can participate in the tender only if it is max. 60% of its annual turnover) and also for big tenders a minimum annual turnover for last three years etc. is required. Is this or will this be also a case of FAIR?**

This is not the case. However, in day-to-day business GSI/FAIR has observed that companies with little turnover bidding for significant business may not be able to arrange bank guarantees for advance payments. Bank guarantees are mandatory for any prepayment.

**5. Format of info for master bid list?**

FAIR has drafted a suggested format.

**6. In which scenarios is the ELViS platform used to manage tenders at FAIR?**

Only HESR procurements made by FZ Jülich are published via ELViS. FAIR and GSI use DTVP.

**7. Is there a tender value above which a bank guarantee is required? CERN requires them above 200K CHF and ESO above 50K EUR. Or are they required for all FAIR tenders?**

Any pre-financing GSI/FAIR makes needs a bank guarantee to cover risk in case supplier is not able to deliver its obligation in the awarded contract.

**8. Links to DTvP in these slides?**

<https://www.dtv.de/Center/company/announcements/categoryOverview.do?method=search&searchString=GSI#eyJjczZDb2Rlcyl6W10sImNvbRyYWN0aW5nUnVsZXMiOlsiVk9MIiwiVj9ClwiVINWR1YiLCJTRUtUVk8iLCJpVEhFuIjJdLCJwdWJsaWNhdGlvbIR5cGVzIjpbIkV4QW50ZSIiIRlRlbnRlcilslkV4UG9zdCJdLCJkaXN0YW5jZSI6MCwicG9zdGFsQ29kZSI6IiIsIm9yZGVyIjoiMCIsInBhZ2UiOiIxliwic2VhcmNoVG94dCI6IkdTSSIsInNvcnRGaWVsZCI6InJhbmsifQ>

**9. Can ILOs get info about tenders in advance?**

Every AFC and Council has this information. We can share with you, but we should work to improve this information flow without exploding FAIR's workload or sharing sensitive information. We will use 1-to-1s for this, too.

**10. Does the local German company of a big [non-German] company appear as German (example: air liquide)?**

This has not yet happened. As far as we are concerned, Air Liquide is a French company.

**11. What is the timescale for providing data and statistics on bidders' winners and Country of Origin on tenders to ILOs?**

We are able to prepare some data for your 1-to-1. However, FAIR does not have the personnel resources to prepare detailed statistics.

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