

BEREC Office ref MC (16) 99

Questions and Answers / Part II

regarding the Open tender procedure 2016-BEREC-OT-02

PROVISION OF REGULATORY INFORMATION SERVICES ON ISSUES RELATED TO ELECTRONIC COMMUNICATIONS AND OTHER TOPICS WITHIN THE SCOPE OF BEREC ACTIVITIES

**Contract notice 2016/S 139-251101 amended by
contract notice 2016/S 156-281937**

Question:

The BEREC Office has received a question from one potential tenderer as to whether it was possible to redraft the current draft service contract since at the moment it does not guarantee a sufficient protection of intellectual property rights for a future contractor. Namely, the potential tenderer indicated that the regulatory information that will be provided by the contractor to BEREC should be solely for BEREC's own use and not disclosed to third parties.

In this context, the potential tenderer has proposed that the following amendments:

- i) part 1.10 of the special conditions shall waive part II.13 of the general conditions;
- ii) in part 1.10 of the special conditions : the BEREC Office can use the results for its own internal purposes only (acts specified under point 1.10.1 (b) and (c) should also be placed under the bullets of point 1.10.1 (a)), and further distribution of the content supplied is permitted under normal copyright exemptions allowed under applicable law.

Answer:

Taking into account the reasoning provided in to this question, the draft service contract was amended and the deadline of tender submission is extended accordingly. A new invitation to tender with all relevant information will be published at www.berec.europa.eu .

signed

Laszlo IGNECZI
Authorising Officer

Riga, 29 August 2016