



 Agency for the Cooperation  
of Energy Regulators

Ljubljana, 14.09.2012  
ACER/2012/OB/mv/921

**Invitation to tender no. ACER/OP/ADMIN/19/2012**

**Provision of interim services for the Agency for the Cooperation of Energy Regulators**

**Answers to questions from 2 to 3**

**Question no. 2:**

In the invitation to tender ACER, it is stated that the tenderer should submit an offer in one of the official languages of the EU. Does this mean, that the tender can be written entirely in Slovenian? And if so, do the tender forms stay in English or is it possible to get them in Slovenian language?

**Answer no. 2:**

The tender for the above mentioned procedure should be submitted in one of the official languages of the EU; this means the tender can be submitted in Slovene language.

Please note that the working language of the Agency is English; therefore all the forms are in English language. In addition, please note that all communication, all the required services and all documentation with the selected Contract shall be provided in English by the selected Contractor.

**Question no. 3:**

According to Article 62 of the Employment Act, the agency for the recruitment is obliged to provide to the workers the same rights related to work, as your internal employees have. During the latter these entitlements among others include: salary, meals and transportation costs.

Please provide us with indicative figures on gross gross cost of labour for Category I, II, III and IV, or gross gross cost of your internal employee with a similar number of years of required work experience and level of education.

**Answer no. 3:**

Please be advised that according to the tender specifications the Agency may not under any circumstances be considered the interim staff's employer.

Staff members regularly employed by the Agency are subject to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities (Council Regulation Nr. 259/68 of 29 February 1968, amended by the Council Regulation No. 723/2004 of 22 March 2004, which can be downloaded at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:124:0001:0118:EN:PDF>) and are not subject to national employment law, nor are they members of national health and social

security schemes. The Staff Regulations determine basic monthly salaries according to grades and steps and do not provide for any allowances that are foreseen by the Slovenian Employment Act.

The tenderers need to submit the financial offer which corresponds to the hourly price per each interim staff category as described in the tender specifications.

## **SLOVENE VERSION**

### **Povabilo k oddaji ponudb št. ACER/OP/ADMIN/19/2012**

#### **Zagotavljanje začasnih storitev za Agencijo za sodelovanje energetskih regulatorjev**

#### **Odgovori na vprašanja od št. 2 do št. 3**

##### **Vprašanje št. 2:**

V povabilu k oddaji ponudbe je navedeno, da mora ponudnik predložiti ponudbo v enem od uradnih jezikov EU. Ali to pomeni, da se lahko ponudba napisana v celoti v slovenskem jeziku? In če je tako, ali razpisni obrazci ostanejo v angleškem jeziku ali jih je mogoče dobiti v slovenskem jeziku?

##### **Odgovor št. 2:**

Ponudbo za zgoraj navedeni razpis je treba predložiti v enem od uradnih jezikov Evropske unije; ponudba je lahko predložena v slovenskem jeziku.

Delovni jezik Agencije je angleščini, zato so vsi obrazci v angleškem jeziku. Izvajanje pogodbe, to je vsa komunikacija, vse storitve in vsa dokumentacija v zvezi z dodeljeno pogodbo, bo moral izbranih izvajalec zagotoviti v angleškem jeziku.

##### **Vprašanje št. 3:**

V skladu z 62. členom Zakona o delovnih razmerjih, smo kot agencija za zaposlovanje napotenim delavcem dolžni zagotoviti enake pravice vezane na opravljanje dela, kot jih imajo vaši interno zaposleni. Med slednja upravičenja med drugim spada: plačilo za delo, prehrana in prevoz.

Tako vas naprošamo, da nam posredujete okvirne podatke o bruto strošku dela za Category I, II, III in IV, oziroma bruto strošku vašega interno zaposlenega s podobnim številom let zahtevanih delovnih izkušenj in stopnjo izobrazbo.

##### **Odgovor št. 3:**

Ponudniki morajo pri oddaji ponudbe upoštevati, da v skladu z razpisnimi pogoji Agencija ne sme v nobenem primeru šteti za delodajalca osebja.

Uslužbenci redno zaposleni na Agenciji so predmet kadrovskih predpisov za uradnike in pogojev za zaposlitev drugih uslužbencev Evropskih skupnosti (Uredba Sveta št. 259/68 z dne 29. februarja 1968, ki je bila spremenjena z Uredbo Sveta št. 723/2004 z dne 22. marca 2004, ki je na voljo na spletni strani:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:124:0001:0118:EN:PDF>)

in niso predmet nacionalne zakonodaje o zaposlovanju in niso člani nacionalnih zdravstvenih sistemov in socialne varnosti. Kadrovske predpisi določajo osnovno mesečno plačo glede na razrede in stopnje, in ne predvidevajo nobenih pravic, ki so predvidene s slovenskim zakonom o zaposlovanju.

Ponudniki morajo predložiti finančno ponudbo, ki ustreza urni postavki za vsako kategorijo uslužbencev, kot je opisano v razpisni dokumentaciji.