

## SILVER\_05 Questions and Answers – update 14<sup>th</sup> May 2013

The Q&A will be regularly updated 1 week before the tender deadline. Tenderers should therefore visit [www.silverpcp.eu](http://www.silverpcp.eu) for the most recently updated version of the Q&A. The latest answered question or clarification will be put in reversed chronological order, to make it easy to find the updates.

<b>Question</b>	<b>Answer</b>
<b>New questions</b>	
Could the benefit of the system decrease be measured by a decrease of the physical or cognitive load for the caregiver, but not time saving itself?	While a decrease in physical and cognitive load of the caregivers is beneficial, time saving is an important evaluation criteria, so the solutions needs to address time savings.
In order to estimate the price for the Phase 2 and Phase 3 it is needed to know how long it is expected to last the testing phases (2 and 3). Information on testing phases duration (and number of prototypes) are essential for a quotation.	The estimated price for Phase 2 and Phase 3 is not binding. We need these prices to make decisions on the budget in Phase 2 and Phase 3 (fixed price, or not). We want companies to estimate the price based upon their assumption of how long they expect the testing for their solution needs to be to in order to make sure that the solution is safe, working properly etc. This depends per solution.
Same problem regarding the number of robots we have to deliver to the testing sites. Information on (testing phases duration and) number of prototypes are essential for a quotation.	The estimated price for Phase 2 and Phase 3 is not binding. We need these prices to make decisions on the budget in Phase 2 and Phase 3 (fixed price, or not). At least 1 robotic solution is needed. But for testing in 5 countries with 5 users per country, you probably may need more than 1 robotic solution in phase 3.  The company makes its own assumptions.
How much text can I enter on the application form	The application form that you are emailed when you register has the limits set in the text box. Additional information may be added as specified in the application form.
What extra information do I need to provide about consortium partners or subcontractors	The Lead should be entered in the Organisation Field and they must agree to the Declaration on the application form and supply any additional information about the Consortium / Subcontractors in the resources field that will support the application.

<p>Is the requirement for 1 Robot to address all 7 specified ADL's or a number of different robots</p>	<p>It is not necessary for a single proposed solution to address all the 7 specified ADLs. Applicants may consider though that some solutions addressing multiple ADLs could provide a better result in terms of addressing the overall goal of caring for 10% more people with the same resources.</p>
<p>Are systems that provide early detection of disease eligible?</p>	<p>The solution must involve robotics and mechatronics movements. Furthermore the solution must be directed at the SILVER target group (elderly people living at home with help).</p>
<p>Would a “preventive” balancing assistance robot be eligible for the “Functional transfer” pADL? Not a robot taking over, but a training device?</p>	<p>If it helps to reduce number of visits it could be eligible. But again please take the target group into consideration.</p>
<p>What is the reason for the timing of activities in the home?</p>	<p>The data is collected from the 5 participating countries and represents a mean time consumption for the respective tasks. This information is to be used to calculate the estimated time saving for the proposed solutions.</p>
<p>There are 6 p-ADLs and a maximum of 8 contracts in Phase 1. Does this mean that there will be more or less 1 contract per p-ADL?</p>	<p>We are looking for the best solutions in one or more of the areas or multiple areas. Not necessarily a contract for each p-ADL.</p>
<p>How many tenders do you expect?</p>	<p>We expect about 30-50 tenders.</p>
<p>Are Phase 2 and phase 3 experiments in lab and real environments within the contract period?</p>	<p>Yes.</p>
<p>If the panel likes a number of features from various solutions would there be a format of collaboration and how would this work?</p>	<p>Any collaborative bids should be agreed before tender submission. Please visit the RAS SIG to help with collaboration.</p>
<p>Should the device be in the market within 24 months?</p>	<p>To reach the goal it should be on the market well in advance 2020.. There is also a call back provision 4 years after the project has finished.</p>
<p>What are the target cost for the robotics solution?</p>	<p>We have no target cost, but it needs to be cost efficient for the procuring authorities. What this means will be explained during Phase 1 and will be assessed in criterion V.1: The extent to which the approach analyses the economic and financial needs of the contracting authorities procuring the to be developed solution and whether it is a realistic analysis.</p>

Is there a definition of a robot?	No not for a robot, but robotics is defined in the Invitation to Tender documents.
With respect to IP use it is mentioned that the local government has the right to the research results. What limitations apply here? What are the specifics or restrictions?	Please check the Framework Contract. If still unclear, contact us again. Article 17 and 18.
In addition can you provide more information on what the minimum of products in the test series is?	Minimum is 1. But for testing in 5 countries with 5 users per country, you probably may need more than 1 in phase 3.
Is it possible to have a pre-discussion to know if the tender is in the right area?	In order to treat everybody equal, no this is not possible but it is possible to write a question to Q&A if publicity to the question is no problem to you.
Can a project exist of an extending functionality of an existing robot?  Should the route to market apply to the new functionality in itself or can it be the route to market for the robot as a whole?	Yes, if it is R&D and the functionality complies with the robotics definition.  The reason we ask for a route to market is that we want R&D-projects that lead to concrete products on the market. How you will realise this, e.g. piggybacking on (making use of) existing products or sales channels is up to you. If what you propose is a good route will be assessed (Criterion V.2).
Is the focus mainly on a solution that in time can provide all of the p-ADLs or a solution that can provide assistance in one of the p-ADLs?	Focus is on time saving. A solution that focuses on all p-ADL will get higher points on this subject in the assessment, but may get lower points on other sub-criteria.
Is there a description of the typical home situation for the care takers?	No, this varies from person to person. In the SILVER_01 Invitation to Tender therefore we have described a case of a typical care situation. We advise tenderers to talk to local homecare service and to care givers for a better understanding of the homecare market, the needs of the elderly and the work that is done by care givers. Understanding of what kind of assistance and how this is given will help the tenderer to make a usable robotics solution that fits the needs of the elderly and will contribute to the SILVER challenge.
Is “labour” price to be quoted at “actual cost to company” or “at commercial rate” (i.e. actual costs plus margin)?	At a ‘fair market value’ – so labour may be quoted at a commercial rate but subject to the total price falling within ‘fair market value’, keeping in mind that the company will retain the IPR.
Why is VAT included only in phase 1 and not in phase 2 or 3?	We ask in all phases for prices with and without VAT. The assessment of the price is based on the price without VAT. We pay the price including VAT.

<p>Can R&amp;D-resources also be allocated through sub-suppliers?</p>	<p>Yes.</p>
<p>What exactly is covered by the term “internal use” (article 17.5 of the Framework Agreement)? Does that also include actual use of the Project IP within the activities of the contracting authorities?</p>	<p>Yes, this might include actual use of the Project IP within the activities of the contracting authorities but only for internal use.</p>
<p>The cross-reference to article 24.7 in article 17.5 of the framework agreement is not clear. Please elaborate.</p>	<p>The point raised is a very fair one. The reference in 17.5 should be to article 24 rather than 24.7.</p>
<p>Is there a consideration/price to be paid if the contracting authorities trigger the call-back provision set forth in article 18.5 of the framework agreement?</p>	<p>No consideration will be paid for the assignment in these specific circumstances – non-exploitation or ‘detrimental’ exploitation by the Contractor.</p>
<p>Is the compulsory license referred to in article 17.5 of the framework agreement an “absolute” (i.e. unconditional) right to the contracting authorities or can we make that conditional (e.g. exclusion for direct competitors)?</p>	<p>No, it cannot be made conditional. It is a license for internal use only, by the Authority and the group of Silver contracting authorities.</p>
<p>The way we read article 24 of the framework agreement is that the contractor is bound by an uncapped liability (and including direct and indirect damages), which of course is very uncommon and not really market standard or practice. On the other hand, the tender documentation is firm about the fact that no reservation can be made with respect to the conditions of the framework agreement. If uncapped liability is key (and non-negotiable), this will have a clear impact on price setting. How can we deal with this issue?</p>	<p>Yes, it is an uncapped liability and as article 24 makes clear that matter should be dealt with by insurance cover. The cost of the insurance cover will be reflected in the Contractor’s price.</p>
<p>Article 25.3 of the framework agreement is not clear. Could you please clarify by using an actual example?</p>	<p>New contracting authorities may join before Phase 2, but those are not entitled to the provisions of the Articles. 17 and 18 but are bound by 10, 11, 12 &amp; 13.</p>

<b>I. Challenge</b>	
Is reduction of cost an objective?	Time savings is most important. In combination with cost reduction this may give you the best business case.
	Cost reduction in itself is not an objective. SILVER is looking for time savings to complete our goal of caring for more care recipients with the same amount of staff.
What do you expect will fulfil these needs?	A broad challenge will stimulate free thinking and not limit ideas. We want solutions that help reach our goal. E.g. will it help the care staff? Will it take less time? Or will it take over tasks completely?
Where are you spending your money on in homecare?	We have an excel to make your own calculations for Phase 1 within a hypothetical city based on our own data. You will be provided with more accurate information – that applies to your specific solution – in Phase 1 and Phase 2.
How about safety?	Compliance of proposed solutions with safety requirements in the 5 countries of the contracting authorities is the responsibility of the contractors and subcontractors. Certification comes after Phase 3 and the SILVER project will not be financing this.
Robot can find an object and bring it back. Would that fit?	This is not a time saving solution, because this is not the job of homecare staff. So this solution would not save time and thus not add to the challenge.
Another example. People store things to high and fall down because they are not aware of the risks. Something to help them get things from high cupboards	In our countries we make 'decoration' changes to ensure reaching is not a problem. We restrict the challenge to the six personal ADLs we have mentioned.
Is control included in robotics definition?	Yes it is.
Is the call only about manipulation and not observation?	Focus is on physical tasks although we would like that the innovation considers that older people also have cognitive impairments as well. As long as it addresses our needs and fits with the robotics definition.
What is the 'value of solving these problems' – what is the cost benefit of solving these problems.	We are interested in time saving. This can of course be translated into value.
What countries are in the consortium?	Denmark, Finland, The Netherlands, Sweden and UK
Where will testing be done in Phase 2?	In a controlled environment, details will be provided during Phase 1.
Where will testing be done in Phase 3?	We have to check if testing can be done in a real environment in all five countries or in a controlled environment. Details will be provided during Phase 2.
Will testing in Phase 3 be done parallel or serial?	We need to think about how to organise the testing in Phase 3. Parallel or serial. This depends on the innovations that will be developed. This is something we cannot define fully up front and is also dependent on

	what the tenderers come up with. The information will be given no later than in Phase 2.
Has the robotics definition changed since the market consultation?	Yes. We have added “through information and commands of operators”, and deleted everything related to “medicine”
<b>II. Tenderers and procedure</b>	
Who can apply?	Tenderers meeting the minimum requirement related to place of performance of R&D services defined in the ITT: being that minimum 60/70/80% of the R&D services in phase 1/2/3 respectively should be performed in the territory defined by the EU Member States or the countries associated to FP7.
Can you step in on Phase 2 or 3?	No, we work with a Framework Agreement covering all three PCP phases, with intermediate call for bids in between phases evaluating and selecting the tenders that continue to provide the best value for money from solution design over prototyping until original development of a first test series.”
How fixed are the budgets?	New procurers could join the consortium, this would increase the budget.
Is my organisation eligible to submit a tender to the PCP?	This PCP is open to all legal entities that locate a relevant portion of the R&D and operational activities related to the PCP contract in the EU member states, or a country that is associated to FP7 and that can demonstrate a route to market for their proposed solution.
I am a Pre-Start-up Company, can I submit tender?	Yes, but contracts must be awarded to legal entities.
I am based at a University, can I submit a tender?	Universities may apply, however they must demonstrate a route to market, i.e. the tender must include a plan to commercialise the results.
Can I submit multiple tenders?	Yes.
My company is a Registered Charity, can I submit a tender?	Yes, registered charities are equally eligible to the PCP via their trading company limited by guarantee. All organisations must demonstrate a route to market.
Can I work in collaboration with other companies?	Yes, tenders from consortia are accepted. Contracts will be signed with all legal entities in the consortia.  Also, tenderers may submit tenders as a consortium or identify components of the work which they wish to subcontract and may also employ specialist consultants or advisers if they believe this will increase the chances of the project being successful. Subcontractor must be stated in the tender. If the tenderer wishes to rely on the resources of a subcontractor, the tenderer is advised to submit a written commitment from such subcontractor to make available his resources to the tenderer for the full duration of the contract. Tenders are

	evaluated on having adequate resources.
And if it is submitted by a consortium?	If the tender is submitted by a consortium that does not in itself constitute a legal entity all consortia members shall sign the tender and, if applicable, the contract, making them jointly and severally liable.
Can I work with other subcontractors or partners in Phase 2 or 3 than in Phase 1?	Yes. An innovative solution is the goal. Subcontractors or partners that are replaced during the contract by other subcontractors/partners will have to prove that they have at least equal expertise as the subcontractors/partners which they are replacing, and are complying with all the other contractual conditions (e.g. complying with the place of performance conditions, respecting the same IPR conditions.
How do I submit my tender?	Instructions on how submit a tender can be found in the SILVER_01 Invitation to Tender.  Details of the challenge and expected outcome of the projects can be found in the SILVER_02 Challenge Brief. You are strongly advised to read all published PCP SILVER tender documents before completing the SILVER_04 Tender Form.
What is the deadline for tenders?	This information will be available on our website and in the published competition documents.
How will the successful tender be chosen?	Tenders will be reviewed by a selected panel of experts according to the scoring model. Each tender will be assessed by 5 experts with knowledge of healthcare , technology and/or general business knowledge.  Based on the experts' assessments, a preliminary ranking of the tenders is made. This preliminary ranking will subsequently be inspected and reviewed by a decision panel consisting of at least two individual independent experts, the Authority and the group of SILVER contracting authorities and any new authorities that may have entered this group after publication of SILVER_01 Invitation to Tender. The decision panel will monitor and safeguard that the assessment of all tenders are consistent and equal, and will have the authority to adjust or override the preliminary ranking and assessment. The decision panel will by unanimity make the final decision on which tenderers are to be awarded contracts.
Is the PCP a subsidy?	No, the group of contracting authorities buys R&D services at market price. Tenderers sign a framework agreement for the procurement of R&D services with contractual obligations to fulfil. Chosen tenderers will be obligated to provide R&D services at tendered prices.
Who owns the Intellectual Property generated by the Project?	Ownership of Intellectual property rights generated by the tenderer during the project are retained by the tenderer although certain rights of usage may be applied by the group of contracting authorities including royalty-free, non-exclusive rights to use the R&D results for

	<p>internal use, the right to require contractors to issue licenses to third parties, at a fair and reasonable market conditions, as well as a call back option for contractors that do not exploit the IPRs within a given time period or use them against the public interest.</p> <p>For further information, see the SILVER_06 Framework Agreement art. 17 and 18.</p>
Is price also taken into consideration of the assessors?	Yes, in all phases the price (excl. VAT) will be part of the assessment.
Should prices include VAT?	Yes. Tender prices shall be stated in Euros, inclusive and exclusive of VAT. Duties, custom fees, taxes or other charges, if any, shall be included in the tender price.
What is meant by 'total contract price with / without intellectual property rights'?	<p>In determining the fair market price for your project, keep in mind that the intellectual property remains with you, but that the procurer acquires certain rights. We therefore ask you to indicate two prices:</p> <ul style="list-style-type: none"> <li>• The price excl. VAT that you would have quoted, if IPR would be fully retained by the Authority, and you did not have the possibility to exploit developed knowledge. (Imagine that after the project you will not be allowed to do anything with the developed knowledge. In that case, for what price would offer your research?)</li> <li>• The price excl. VAT that you do quote, considering that you retain IPR and can exploit developed project knowledge.</li> </ul>
What VAT do I quote?	UK VAT of 20% since it is a service that the Authority is contracting. So not the local VAT of the company but the local VAT of the TSB.
Will my tender be treated confidentially?	<p>People involved in the award process will handle all information confidentially.</p> <p>Tenderers should indicate which parts of the information in the tenders that may be sensitive from a secrecy point of view, and for what reason disclosure of such information may be harmful to the tenderer.</p>
When can I start?	<p>Two copies of the contracts will be sent to the tenderers awarded contracts for signature. The two signed copies should be returned to the Authority as soon as possible. When this is finalised you can start.</p> <p>The time table is given in the Invitation to tender.</p>
Who should I contact if I have any further questions?	Questions on the specifics of this PCP should be sent to <a href="mailto:competitions@silverpcp.eu">competitions@silverpcp.eu</a>