



JESSICA Holding Fund Silesia: Call for Expressions of Interest

VP-965

**Questions and Answers 1**

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<b>Nr.</b>	<b>QUESTION RECEIVED</b>	<b>ANSWER EIB</b>
1.	Should the certificate from KRK (National Criminal Record) which confirms that the person has not been convicted, be submitted only by the representatives who sign the Eol?	The certificate from the National Criminal Record in Poland (KRK) shall be submitted by “the person(s) empowered to represent the applicant and sign the Operational Agreement if the tender is successful”, as stated in section V.1 “Exclusion Criteria” of the Terms of Reference (Annex 3) to the Call for Eol.
2.	Is the certificate from KRK (National Criminal Record) issued for members of a consortium (institutions) required?	Supporting documents as evidence for Exclusion Criteria are required from each partner of the cooperation agreement (members of the consortium).
3.	Is the agreement between consortium members required to attach? If yes, does it have to be translated into English by certified translator?	Yes, should the applicant be a consortium, a cooperation agreement between the members of the consortium shall be concluded (indicating the allocation of roles, responsibilities and the legal structure agreed by them) and enclosed in the application. Translation of the agreement into English by a certified translator is required.
4.	Standard company registering documents in Poland are KRS, NIP, REGON. Are there any other documents required for the first stage?	Applicants shall provide company registering documents that are officially accredited in Poland and necessary to meet the Selection Criteria. Applicants may attach any other supporting documents that they consider relevant at this stage.
5.	How the supporting documents should be confirmed? Is “certified true copy” sufficient?	The supporting documents should include the statement “certified true copy” and be signed by person(s) empowered to represent the Applicant.
6.	There is requirement to deliver “original” and “copy” of the application. In the case of “copy” is it possible to confirm compliance with the original of certified translated official documents by the persons authorized to sign the application or is it required to deliver certified translation of official documents in the “copy” too?	Confirmation of compliance with the original in the “copy” is sufficient.
7.	As the application must be drawn up on paper in duplicate, clearly marked as “original” and “copy” does it mean that all pages including enclosed documents shall be marked as “original” or “copy” or is it	It is sufficient to mention “original” and “copy” on the first page.

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	<p>sufficient that the first page of the application will be marked as “original” or “copy”?</p>	
<p>8.</p>	<p>Does the point “Limitations of Liability” (p. 34) mean that the UDF shall suggest the mechanism such as “recovery floor” or similar?</p>	<p>The Appendix B of the Terms of Reference (Annex 3) to the Call for Eol presents key terms of the Operational Agreement to be negotiated with the selected UDF(s). The negotiations with the preferred bidder(s) are expected to be limited to a fine-tuning of the Operational Agreement.</p> <p>The point “Limitations of liability” means that it is foreseen to include in the Operational Agreement provisions on a risk-sharing mechanism and to define a threshold above which this mechanism will be applied.</p> <p>On the basis of the above, Applicants may provide their proposals concerning for example recovery floor mechanism, that could potentially be established in the Operational Agreement. However, this proposal will be subject to the approval of the Manager of the JHFS.</p>