



EXECUTIVE AGENCY FOR HEALTH AND CONSUMERS

CFS Unit

Luxembourg,
EAHC (2011) D/LB/SM/DL

**Subject: Call for Tender EAHC/2011/CP/01 concerning the conclusion of multiple Framework Contract(s) with reopening of competition for the provision of behavioural studies.
Contract notice 2011/S 130-214986 of 9/07/2011.**

Dear Sir/Madam,

1. I enclose the call for tenders relating to the above-mentioned contract.
2. If you are interested in this contract, you should submit a tender in quadruplicate (one original and 3 copies) in one of the official languages of the European Union.

Please note that the working language of the Executive Agency is English.

3. Tenderers may choose to submit tenders:
 - 3.1. a) either by registered mail or by a courier service not later than **09/09/2011 (Friday)**, to the following address:

Executive Agency for Health and Consumers
CFS Unit
For the attention of Mr Jean Jacques Amity
Jean Monnet Building
Rue Alcide de Gasperi
L-2920 Luxembourg

In case of delivery by registered mail or by courier, the evidence of the date of dispatch shall be constituted by the postmark/the date of the deposit slip or by the receipt of dispatch issued by the courier service.

The tenderer shall obtain the receipt of delivery issued by the postal or courier service clearly indicating the date and time of dispatch. By the deadline indicated in this point, the tenderers are kindly requested to send a copy of this receipt to the Executive Agency by e-mail (EAHC-CP-CALLS@ec.europa.eu) or by fax (+352 4301-30359), specifying the title and reference number of this procurement procedure, together with the name, email address, the telephone number of the tenderer and the language of the submitted offer.

b) or delivered by hand to the following address:

Executive Agency for Health and Consumers
CFS Unit
For the attention of Mr Jean Jacques Amity
Jean Monnet Building
Rue Alcide de Gasperi
L-2920 Luxembourg

not later than 16.00 on **09/09/2011 (Friday)**. In this case, an acknowledgement of receipt must be obtained by the tenderer as proof of submission, signed and dated by the staff member in the Executive Agency who took delivery. The Executive Agency is open from 09.00 to 17.00 Monday to Thursday, and from 09.00 to 16.00 on Fridays. It is closed on Saturdays, Sundays and Commission holidays.

- 3.2. An Opening Board will be set up to open the tenders and to check whether the procedures for the submission of tenders have been complied with. The Opening Board will open the tenders on **15/09/2011 (Thursday)** at 10:00 a.m. in L-1882 Luxembourg, 12, rue Guillaume Kroll (Drosbach Building), room A3/043.

A representative of each tenderer may attend the opening of the tenders. In this case, the interested tenderers are kindly requested to register not later than **12/09/2011** by e-mail or by fax (as indicated in point 3.1). At the opening, the representative of the tenderer may be asked to present his/hers credentials/power of attorney to be checked by the Executive Agency.

The representative of the tenderer must present him/herself at the reception of the building referred to in 3.2. no later than 9:45 am CET on 15th of September 2011 with a piece of identification in order to gain access to the building. A representative of the Executive Agency will be present in order to escort him/her to the designated room for the purpose of the opening.

4. Tenders must be submitted using the double envelope system – i.e. one outer envelope and three inner envelopes – in order to guarantee the confidentiality and the integrity of data.

4.1. The **three inner envelopes** shall be composed of and shall be indicated as:

- **Envelope A ‘Evidence on the eligibility and capacity of the tenderer’** shall contain one original (clearly marked as ‘Original’) and 3 copies (each clearly marked as ‘Copy’) of the supporting information and documentation related the tenderer’s eligibility and capacity.
- **Envelope B ‘Technical proposal’** shall contain one original (clearly marked as ‘Original’) and 3 copies (each clearly marked as ‘Copy’) of the technical proposal.

- **Envelope C ‘Financial proposal’** shall contain one original (clearly marked as ‘Original’) and 3 copies (each clearly marked as ‘Copy’) of the financial proposal.

Except in Envelope C, the tender must not contain any reference to the amounts included in the ‘Financial proposal’ that could hint the price offered by the tenderer.

Tenderers are kindly asked to number the documents placed in each envelope and provide in English the lists of numbered documents concerning each envelope.

Tenderers are asked to provide the scanned versions (in pdf format) of the signed original documents placed in each envelope on three separate CDs/DVDs (clearly marked as ‘Evidence on the eligibility and capacity of the tenderer’/’Technical proposal’/’Financial Proposal’). In addition, the Word version of Annex Ia and the Excel version of Annex VII should also be put on the relevant CD/DVD. Each CD/DVD shall be put in the relevant envelope.

In case of discrepancies between the original tender and the copies, or between the paper and the scanned version, the original tender in a paper format is binding.

- 4.2. Moreover, the **outer envelope**, addressed to the unit indicated in the invitation to tender, should be marked as follows:

<p>TENDER – NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT</p> <p>Tender Ref. no. EAHC/2011/CP/01 Title of the call for tender: Multiple Framework Contract(s) with reopening of competition for the provision of behavioural studies.</p> <p>Name of the tenderer:</p> <p>Address of the tenderer:</p> <p>Language of the tender:</p>

If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

5. The tender specifications describe the subject, the details of the call for tender and list all the documents that must be produced in order to tender, including supporting evidence of the exclusion, selection (economic and financial, technical and professional capacity) and award criteria.

The tender should be organised and presented in a way that allows for clear identification of each set of criteria, and clearly matching of these criteria with the respective supporting documents requested by the tender specifications.

The tender specifications and the draft contract can be downloaded from the following website: http://ec.europa.eu/eahc/consumers/consumers_tenders.html

6. The tenderer or his duly representative is requested to sign:
 - Annex Ia ('Tender submission' form). Please note that Annex Ia should be filled in English;
 - Annex Ib ('Letter of mandate'), only in case of consortia;
 - Annex IIa, IIb, IIc ('Legal entity form');
 - Annex III ('Financial identification form');
 - Annex IV ('Declaration on honour' form);
 - Annex V ('Financial offer' – all pages);
 - Annex VII ('Economic and Financial capacity' form).

Tenders must be perfectly legible so that there can be no doubt as to words and figures.

7. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect is 6 months from the deadline for submitting tenders.
8. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the specifications and in the draft contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. It is binding on the tenderer to whom the contract is awarded for the duration of the contract.
9. Contacts between the Executive Agency/European Commission (DG SANCO) and the tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:
 - 9.1. Before the final date for submission of tenders:

- * At the request of the tenderer, the Contracting Authority may provide additional information solely for the purpose of clarifying the nature of the contract.

Any requests for additional information must be made in writing only to the Executive Agency:

Executive Agency for Health and Consumers
Consumer and Food Safety Unit
For the attention of Mr Jean Jacques Amity
Drosbach Building A3/002
L-2920 Luxembourg

E-mail: EAHC-CP-CALLS@ec.europa.eu

Fax: +352 4301-30359

Requests for additional information received less than 10 working days before the closing date for submission of tenders will not be processed.

- * The Executive Agency may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tenders.
- * Any additional information including that referred to above will be published not later than 5 working days before the deadline for dispatching tenders on the website indicated in point 5. It is the tenderer's responsibility to check for additional information and updates during the tendering period.
- * Requests for translation of the call for tender documents into any of the official languages of the European Union can be made at latest 20 working days before the closing date for submission of tenders. Any translation request after this deadline will not be processed.

Please note that the translations can be made available only for the information of the tenderers.

9.2. After the opening of tenders:

- * If clarification is required or if obvious clerical errors in the tender need to be corrected, the contracting authority may contact the tenderer provided the terms of the tender are not modified as a result.

10. An information meeting is planned for **02/08/2011 (Tuesday)** from 14:00 to 16:00 at the following address: Directorate General for Health and Consumers- DG SANCO- (room F101 00/42), 101 Froissart Street, PC 1040, Brussels, Belgium.

Tenderers that are interested in participating should send their request by e-mail to EAHC-CP-CALLS@ec.europa.eu. Information on the issues that will be discussed during the information meeting (Questions and Answers) will be published both in EAHC's and DG SANCO's websites:

http://ec.europa.eu/eahc/consumers/consumers_tenders.html

http://ec.europa.eu/consumers/tenders/information/tenders/cont_notices_en.htm.

11. This invitation to tender is in no way binding on the Executive Agency: the Agency's contractual obligation commences only upon signature of the contract with the successful tenderer.

12. Up to the point of signature, the Contracting Authority may either abandon the procurement or cancel the award procedure, without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and the candidates or tenderers notified.

13. Once the Executive Agency has opened the tender, the documents shall become the property of the European Union and it shall be treated confidentially.
14. You will be informed whether or not your tender has been accepted.
15. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
16. If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by the Executive Agency and the Commission. Details concerning the processing of your personal data are available on the privacy statement at:
http://ec.europa.eu/eahc/about/data_protection.html.
17. Your personal data may be registered in the Early Warning System (EWS) only or both in the EWS and Central Exclusion Database (CED), should you be in one of the situations mentioned in:
 - the Commission Decision 2008/969 of 16.12.2008 on the Early Warning System¹, or
 - the Commission Regulation 2008/1302 of 17.12.2008 on the Central Exclusion Database²

11.7.2011,
[signed]

Luc BRIOL

¹ For more information see the privacy statement at:
http://ec.europa.eu/budget/info_contract/legal_entities_en.htm

² For more information see the privacy statement at:
http://ec.europa.eu/budget/library/sound_fin_mgt/privacy_statement_ced_en.pdf