



EUROPEAN COMMISSION
Health and Consumers Directorate-General
Directorate B
Unit B1 Consumer Markets

Brussels,
SANCO/B1/D(2009)

Dear Sir/Madam,

Subject: Invitation to tender SANCO/2009/B1/010 concerning Multiple Framework Contracts with reopened competition for the provision of Consumer Market Studies

Contract Notice in the Official Journal of the European Union of 09/05/2009, reference 2009/S 89-127616.

Website:

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

1. You will find on this website all documents necessary to respond to the call for tenders relating to the above-mentioned contract.
2. If you are interested in this contract, you should submit a tender in triplicate in one of the official languages of the European Union.
3. Where submission is by letter, tenderers may choose to submit tenders:

→ *The date must be the same in both cases*

- a) either by post or by courier not later than 03/07/2009, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip, to the following address:

European Commission
Health and Consumers Directorate-General, Unit B1, Office B232 02/39
For the attention of Mr David Mair
B – 1049 Brussels

b) or delivered by hand to the following address:

European Commission
Health and Consumers Directorate-General
For the attention of Mr David Mair, Unit B1, Office B232 02/39
Avenue du Bourget 1
B-1140 Brussels (Evere)
Belgium

not later than 16.00 on 03/07/2009. In this case, a receipt must be obtained as proof of submission, signed and dated by the official in the Commission's central mail department who took delivery. The department is open from 08.00 to 17.00 Monday to Thursday, and from 8.00 to 16.00 on Fridays. It is closed on Saturdays, Sundays and Commission holidays.

4. Tenders must be placed inside two sealed envelopes. The inner envelope, addressed to the department indicated in the invitation to tender, should be marked as follows: "Invitation to tender - not to be opened by the internal mail department". If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

The inner envelope must also contain two sealed envelopes, one containing the technical specifications and the other the financial bid. Each of these envelopes must clearly indicate the content ("Technical" and "Financial").

The technical offer must not contain any reference to amounts that could indicate the price offered by the tenderer.

5. The specification, listing all the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity and the draft contract are attached.
6. Tenders must be:
 - signed by the tenderer or his duly authorised representative;
 - perfectly legible so that there can be no doubt as to words and figures.
7. Period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect: 6 months from 10/07/2009.
8. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the specification 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 contracting authority and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

- 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 David Mair at SANCO-CONSULT-B1@ec.europa.eu

Requests for additional information received less than five working days before the closing date for submission of tenders will not be processed (*for practical reasons*).

- * The Commission 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.

- 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 at the following address:

Health and Consumers Directorate-General, B232B – 1049 Brussels

The purpose of the info session is to familiarise potential tenderers with the Commission background and clarify any aspect of the Tender Specifications, which may be necessary for the preparation of the tenders. Information regarding the date and time of the information meeting will be published on our website.

During the info session potential tenderers may request additional clarifications. The Commission will collect these requests and answer them during the info session or – if not possible – at a later stage in writing.

The minutes of the info session, including the answers to all questions asked by potential tenderers, will be compiled and made available electronically on the web site: http://ec.europa.eu/consumers/tenders/information/tenders/cont_notices_en.htm

One - or more - representative(s) per potential tenderer are allowed to attend the info session.

Should a potential tenderer wish to be present, it shall inform the Commission of the name of its representative(s) by email (SANCO-CONSULT-B1@ec.europa.eu). The deadline for this confirmation will be published on our website.

For security reasons, potential tenderers who do not register within the given deadline will not be allowed to attend the info session.

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

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.

12. You will be informed whether or not your tender has been accepted.
13. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
14. Processing your reply to the invitation to tender will involve 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 DG SANCO (DG Health and Consumers) Unit B1. If you have any queries concerning the processing of your personal data, you may address them to DG SANCO Unit B1. You have the right of recourse at any time to the European Data Protection Supervisor for matters relating to the processing of your personal data.
15. You are informed that for the purposes of safeguarding the financial interest of the Communities, your personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel and/or to the European Anti-Fraud Office (OLAF).

Data of economic operators which are in one of the situations referred to in Articles 93, 94, 96(1)(b) and 96(2)(a) of the Financial Regulation¹ may be included in a central database and communicated to the designated persons of the Commission, other institutions, agencies, authorities and bodies mentioned in Article 95(1) and (2) of the Financial Regulation. This refers as well to the persons with powers of representation, decision making or control over the said economic operators. Any party entered into the database has the right to be informed of the data concerning it, up on request to the accounting officer of the Commission.

David Mair
Head of Unit

¹ Council Regulation (EC, Euratom) N° 1605/2002 of 25 June 2002 (OJEU L 248 of 16.09.2002), as amended by Council Regulation (EC, Euratom) N° 1995/2006 of 13.12.2006 (OJEU L 390 of 30.12.2006).