

EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

Brussels, 21 May 2011

INVITATION TO TENDER No. ENER/C1/463-2011

(open procedure)

Dear Sir/Madam,

1. The European Commission invites tenders for a service contract regarding the following project:
"Support activities for assessment of progress in renewable energy and sustainability of biofuels, and the transposition of the RES Directive."

This tender is subdivided into **2 Lots**:

Lot 1: *Assessment of the transposition of the RES Directive in Member States' national legislation*

The objective of this lot is to obtain legal support on the evaluation of conformity of the national legislative measures transposing the Renewable Energy Directive with the provisions of the respective Directive. This evaluation should also address the consistency, effectiveness and viability of the national legislative measures transposing the Renewable Energy Directive with a view at fully meeting the principles and objectives of this Directive's provisions.

Lot 2: *Support activities for assessment of progress in renewable energy and sustainability of biofuels.*

These support activities will include:

- data collection, analysis and assessment of the progress in the promotion and use of renewable energy in EU Member States on the basis of Member State reports in accordance with Article 22 of the RES Directive;

- data collection, analysis and assessment of the compliance of EU Member States and main third countries of supply with the EU sustainability criteria for biofuels in accordance with Article 17 (7) of the RES Directive;

- data collection, analysis and assessment of impacts from increased use of biofuels in the EU in accordance with Articles 17 (7), 23 (1), 23 (4), 23 (5a-f) of the RES Directive.

This invitation to tender follows the publication of:

- the contract notice in OJEU 2011/S 98-159745 of 21/05/2011

2. Each lot is subject to a separate contract. Tenderers may bid for any lot, but not for parts of lots. If you are interested in this contract, you must submit a tender in **triplicate** clearly indicating the lot for which you are bidding, in one of the official languages of the European Union, one of which must contain the signed originals of the annexes attached to the tender specifications (scans or photocopies are not accepted as original documents).

Tenders must be:

(a) **either sent by registered mail or by private courier**

The tender must be sent by registered mail or by private courier, dispatched not later than 15/07/2011 (the postmark or the receipt issued by the courier service serving as proof of the dispatch) to the following address:

By registered mail

European Commission
Directorate-General for Energy
DM 28 - 0/110 - Archives
B-1049 Brussels
Belgium

By private courier

European Commission
Directorate-General for Energy - DM 28 - 0/110
Avenue du Bourget, 1
B-1140 Brussels (Evere)
Belgium

(b) **or delivered by hand**

Tenders must be delivered by hand at the **Central Mail of the European Commission** by 15/07/2011 **not later than 4 p.m.** (Brussels time), at the following address:

European Commission
Directorate-General for Energy – DM 28 0/110
Avenue du Bourget, 1
B-1140 Brussels (Evere)
Belgium

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.

3. Tenders must be placed inside two sealed envelopes, one inside the other. **The inner envelope should be marked:**

Call for tenders No. ENER/C1/463-2011
not to be opened by the internal mail department
DM 28 0/110 – Archives

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

The non-compliance with these formal conditions will entail the rejection of the bids at the opening session.

4. Tenders will be opened at 10.00 a.m. on 29/07/2011, at 24 Rue De Mot (Directorate-General for Energy, 1040-Brussels).
This opening session will be public. Each tenderer may be represented by not more than one person. At the end of the opening session, the Chairman of the opening committee will indicate the name of the tenderers and the decision concerning the admissibility of each offer received. The prices mentioned in the bids will not be communicated.
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 accompanied by a cover letter signed by the tenderer or his duly authorised representative. All tender documents shall be perfectly legible so that there can be no doubt as to words and figures.
7. Validity period of the tender: six months as from the final date for submission of tenders mentioned under point 2 above.
8. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the specification, in the draft contract and, where applicable, waiver of the tenderer's own general or specific terms and conditions. The terms and conditions are binding on the tenderer to whom the contract is awarded during the performance of the contract.
9. Contacts between the awarding authority and tenderers are prohibited throughout the procedure except in exceptional circumstances and under the following conditions only:

Before the closing date for submission of tenders

- At the request of the tenderer, the awarding authority may provide additional information solely for the purpose of clarifying the nature of the contract.

Any requests for additional information must be sent in writing to the following address:

Co-ordination Officer Unit C1
European Commission, DG for Energy
DM 24 – 4/131
B-1049 Brussels
Belgium

Fax (+ 32 2) 296 4254
e-mail: ENER-C1-Tenders@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.

- The Commission may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other material shortcoming in the text of the tender documents.

Further information will be sent simultaneously to all tenderers who have requested the specification in writing, where this is appropriate. Tenderers who have downloaded the documents from the Directorate-General for Energy website (DG ENER) are invited to consult this site regularly until the deadline for submission.

After the opening of tenders

If a tender requires clarification, or if there is a need to correct material errors which have occurred in the drafting of the tender, the Commission may take the initiative and contact the tenderer(s). Such contact shall not lead to the conditions of the tender being altered in any way.

10. This invitation to tender is in no way binding on the Commission. A commitment will come about only when a contract with the successful tenderer has been signed.

Until a contract is signed, the awarding authority may decide not to award a contract or to cancel the tendering procedure, without the candidates or tenderers being entitled to claim any compensation. Where appropriate, the decision will be substantiated and brought to the attention of the tenderers.

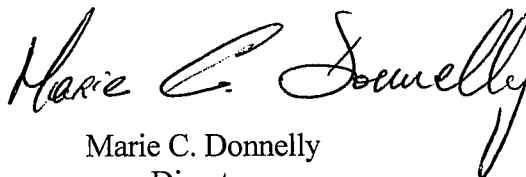
11. Tenderers will be informed of whether their tenders have been accepted or rejected.
12. If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 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 Director of the Shared Resource Directorate MOVE/ENER, acting as data controller. Details concerning the processing of your personal data are available on the privacy statement at: http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf.

13. Your personal data (name, given name if natural person, address, legal form, registration number and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the Early Warning System (EWS) only or both in the EWS and Central Exclusion Database (CED) by the Accounting Officer of the Commission, should you be in one of the situations mentioned in:

- the Commission Decision 2008/969 of 16.12.2008 on the Early Warning System (for more information see the Privacy Statement on http://ec.europa.eu/budget/info_contract/legal_entities_en.htm), or

- the Commission Regulation 2008/1302 of 17.12.2008 on the Central Exclusion Database (for more information see the Privacy Statement on http://ec.europa.eu/budget/library/sound_fin_mgt/privacy_statement_ced_en.pdf)

Yours faithfully,

A handwritten signature in black ink, appearing to read "Marie C. Donnelly". The signature is written in a cursive style with a large, sweeping initial "M".

Marie C. Donnelly
Director