EUROPEAN COMMISSION
Information Society and Media Directorate-General

Audiovisual, Media, Internet
Internet; Network and Information Security

Brussels,
INFSOA3/MN D (2009) 122277

Subject: **INVITATION TO TENDER**
"Analysis of the security and resilience challenges brought about by the convergence of previously separate and distinct communication networks towards IP networks" – SMART 2009/0007

PRE-INFORMATION NOTICE 2009/S 41-058800 of 28.02.2009
CONTRACT NOTICE N° 2009/S 117-168442 of 20.06.2009

Madam, Sir,

(1) The European Commission is pleased to send you, following your request, the documentation regarding the above-mentioned call for tender.

(2) If you are interested you are requested to submit your tender no later than **24.08.2009**, either by:

(a) Registered post or by private courier services. In this case the post office stamp or the date on the slip issued by the courier service will constitute proof of compliance with the deadline given above. The offer must be sent to the following **postal address:**

European Commission
DG Information Society and Media
Audiovisual, Media, Internet
Unit A3 - Internet; Network and Information Security
For the attention of Michael NIEBEL, Head of Unit
Office BU 2/35
1-3 Avenue du Bourget
B -1049 Brussels

(b) Or hand delivery by 16.00 hours, at Brussels time, on **24.08.2009** at the latest to the following address:

European Commission
DG Information Society and Media
Audiovisual, Media, Internet
Unit A3 - Internet; Network and Information Security
For the attention of Michael NIEBEL, Head of Unit
Office BU 2/35
1-3 Avenue du Bourget
B -1140 Brussels

In this case, in order to establish proof of the date of deposit, the depositor will receive, from an official in the above-mentioned service, a receipt which will be signed, dated and time stamped. Please note that in this case it is the date and time of reception at the Commission services that will count, not the actual date in which it was dispatched.

Late delivery will lead to the exclusion from the award procedure for this contract.

(3) Contacts between contracting authorities and tenderers:

(a) Contact between the contracting authority and tenderers during the contract award procedure may take place, by way of exception, under the conditions set out in paragraphs (b) and (c) below.

(b) Before the closing date for the submission of tenders the contracting authority may:

– at the instance of tenderers, communicate additional information solely for the purpose of clarifying the nature of the contract, such information to be communicated on the same date to all tenderers who have asked for the specifications. **Requests for additional information received less than ten working days before the closing date for submission of tenders will not be processed**.

– at its own instance, if it discovers an error, a lack of precision, an omission or any other type of clerical defect in the text of the contract notice, invitation to tender or specifications, inform the persons concerned on the same date and in a manner identical with that applicable in respect of the original invitation to tender.

(c) If, after the tenders have been opened, some clarification is required in connection with a tender, or if obvious clerical errors in the tender must be corrected, the contracting authority may contact the tenderer, although such contact may not lead to any alteration of the terms of the tender.

In the respect of the limitation of this paragraph, information concerning this invitation to tender may be sought from:

Mr Jorge GRAZINA

At the postal address mentioned in § (2) (a) or by e-mail:

infso-a3@ec.europa.eu

(4) Presentation of the offer:

The offer (consisting of 1 original and 2 copies) should be enclosed in **two envelopes**, both of which should be sealed. If self-adhesive envelopes are

used, they should be further sealed with adhesive tape, upon which the depositor's signature must appear.

The **outer envelope** should bear, in addition to the address of the above-mentioned Archive Department, the following mention:

"INVITATION TO TENDER SMART N° 2009/0007 / S 117-168442 of 20.06.2009**"**
"**NOT TO BE OPENED** BY THE MESSENGER/COURIER SERVICE"
"**NOT TO BE OPENED** BY THE OPENING COMMITTEE BEFORE **07.09.2009"**

The **inner envelope** should also bear the following mention:

"INVITATION TO TENDER SMART N° 2009/0007 / S 117-168442 of 20.06.2009**"**
"**NOT TO BE OPENED** BY THE MESSENGER/COURIER SERVICE"
"**NOT TO BE OPENED** BY THE OPENING COMMITTEE BEFORE **07.09.2009"**
"FULL NAME OF THE TENDERER/COMPANY"

Non respect of the above presentation requirements may lead to the exclusion from the award procedure for this contract.

(5) The tender specifications and the draft contract are attached to this invitation to tender. The tender specifications list all the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity.

(6) Submission of a tender implies acceptance of the conditions stipulated in the following documents and binds the contractor to whom the contract is awarded during the performance of the contract:

(a) This invitation to submit a tender;

(b) The conditions contained in the attached **tender specifications**;

(c) The attached draft **service contract** (special and general conditions).

(7) Period of validity of the tender during which it may not be varied in any respect: 9 months from the deadline for submission of tenders indicated in § (2).

(8) Opening of the tenders :

The opening of received tenders will take place on Monday, **07.09.2009** at **10:00** in the Commission building located in **25, Av. de Beaulieu, B – 1160 Brussels**, **Meeting Room 0/S9**.

One authorised representative of each tenderer may attend the opening of the tenders. Tenderers who plan to attend the opening session have to inform Mr Jorge GRAZINA by e-mail, fax (+32 2 29 69229) or letter at least 24h in advance:

European Commission
DG Information Society and Media
Audiovisual, Media, Internet
Unit A3 - Internet; Network and Information Security
For the attention of Jorge GRAZINA
Office BU33 5/82
1-3 Avenue du Bourget
B-1049 Brussels
Fax: +32 2 29 69229
Tel : +32 2 29 69482
Email: infso-a3@ec.europa.eu

(9) Data Protection

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 the DATA CONTROLLER. You are entitled to obtain access to your personal data on request and to rectify any such data that is inaccurate or incomplete. If you have any queries concerning the processing of your personal data, you may address them to the DATA CONTROLLER. 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.

For the purpose of this call for tender, the "Data Controller" shall be the Head of the Unit in charge of this call for tender. Any queries concerning the processing of personal data of the tenderer can be addressed by e-mail to the following contact person: INFSO-DATA-PROTECTION-COORDINATOR@ec.europa.eu by indicating the call for tender reference.

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 Regulation 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.

(10) You will be informed whether or not your tender has been accepted.

Thank you for your interest in the work of the European Commission.

Yours faithfully,

Michael NIEBEL

Enclosures: 1 - Tender Specifications
2 – Draft Service Contract