



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY
Directorate A – General Policy

Brussels,
ENER/A2/FL/RS Adonis N° D(2010) 53458

INVITATION TO TENDER No. ENER/A2/360-2010

(Open procedure)

Dear Sir/Madam,

1. The European Commission is launching an invitation to tender for a multiple framework services contract regarding **Impact Assessments and Evaluations (ex-ante, intermediate and ex-post) in the field of energy.**

This invitation to tender follows the publication of the contract notice in OJEU S [2010/S 66-098339]

The contract is based on the system of a **Multiple Framework Contract with reopening of competition**. Therefore, one Framework Contract will be concluded with each selected contractor, **up to a maximum of 8 contractors**, setting out the general contractual terms (legal, financial, technical, administrative, etc.) that apply during their period of validity and govern commercial relations between the Commission and the contractors.

This Framework Contract for Impact assessments and evaluation has the purpose to provide the Directorate-General with services aiming to:

- support the Commission in carrying out impact assessments for the design and preparation of policy initiatives and legislative proposals and to carry out ex-ante evaluations on Union policies and programmes implying a Union expenditure;
 - carry out intermediate and ex-post evaluations to analyse the implementation, achievements and impact of Union policies, regulatory measures and programmes in order to give evidence of the outcomes in the short and longer terms with respect to their objectives, their economic, social and environmental impact, the efficiency, the effectiveness and relevance of the funding and to provide conclusions and recommendations for improvements.
2. If you are interested in this contract, you must submit a tender in triplicate, in one of the official languages of the European Union.

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 **11/06/2010** (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 -
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 **11/06/2010 not later than 4 p.m.** (Brussels time), at the following address:

European Commission
Directorate-General for Energy
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/A2/360-2010
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 opening session.

4. Tenders will be opened at 10 a.m. on 21 June 2010 at 28 Rue De Mot (Directorate-General for Energy, mail department, ground floor, meeting room 00/31, 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 signed by the tenderer or his duly authorised representative and 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.

Requests for additional information must be sent in writing not later than six calendar days before the closing date for submission of tenders to the following address:

Unit A2
European Commission
Directorate-General Energy
DM 28-01/96
B-1049 Brussels
Belgium

Fax (+ 32 2) 2994857
e-mail: ENER-CALL- IA-EVAL@ec.europa.eu

- 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 Energy website are invited to consult this site regularly until the deadline for submission.

After the opening of tenders

If a tenderer 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. The follow-up of your response to the invitation to tender will require the recording and further processing of personal data (i.e. name, address, CV, etc.). This data will be processed in accordance with the requirements of Regulation (EC)45/2001 on the protection of individuals with regard to the processing of personal data by Community institutions and bodies and on the free movement of such data. Unless if otherwise stated, replies to questions and personal data requested are necessary for the purpose of assessing your tender (according to the specifications of the invitation to tender) and will only be processed within the Directorate-General as data controller, for this purpose. You may, upon request, have your personal data sent to you and rectify any inaccurate or incomplete particulars. Should you have any queries concerning the processing of your personal data, please address them to the entity acting as data controller within Directorate-General. As regards the processing of your personal data, you have the right to bring the matter before the European Data Protection Supervisor at any time.
13. You are informed that for the purposes of safeguarding the financial interest of the Union, your personal data may be transferred to internal audit services, to the 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.

Candidates or tenderers and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations mentioned in:

- the Commission Decision of 16.12.2008 on the Early Warning System (EWS) for the use of authorising officers of the Commission and the executive agencies (OJ, L 344, 20.12.2008, p. 125), or

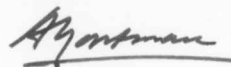
- the Commission Regulation of 17.12.2008 on the Central Exclusion Database – CED (OJ L 344, 20.12.2008, p. 12),

their personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the EWS only or both in the EWS and CED, and communicated to the persons and entities listed in the above-mentioned Decision and Regulation, in relation to the award or the execution of a procurement contract or a grant agreement or decision.

14. Timetable

deadline for submission	11 June 2010
opening of the bids	21 June 2010
evaluation of bids	28-30 June 2010 (indicative)
notification to the tenderers	19-21 July 2010 (indicative)
signature of the Framework Contracts	15-30 September 2010 (indicative)

Yours faithfully,



Anne Houtman
Director