

INVITATION TO TENDER No. ENER/C3/412-2010

concerning

Support for impact assessments for possible implementing measures under the Eco-design Directive of Energy Using Products¹ (Eco-design Framework Directive) and the Framework Directive on Energy Labelling of Household Appliances² (Energy Labelling Framework Directive)

CORRIGENDUM No. 1

In the Invitation to tender:

point 2.

SHALL READ

"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 **29 July 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
Att. : Unit C3 - 2010/412
B-1049 Brussels
Belgium

By private courier

European Commission
Directorate-General for Energy - DM 28 - 0/110
Att. : Unit C3 - 2010/412
Avenue du Bourget, 1
B-1140 Brussels (Evere)
Belgium

¹ Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products (recast) - OJ L 285, 31/10/2009, p. 10.

² Directive 2010/30/EU of the European Parliament and of the Council of 19 May 2010 on the indication by labelling and standard product information of the consumption of energy and other resources by energy-related products (recast) – OJ L 153, 18.06.2010, p. 1.

(b) **or delivered by hand**

Tenders must be delivered by hand at the **Central Mail of the European Commission** by **29 July 2011 not later than 4 p.m.** (Brussels time), at the following address:

European Commission
Directorate-General for Energy
(DM 28 0/110)
Att. : Unit C3 - 2010/410
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."

In the Tender Specifications:

III.2.3. Section Three: Financial proposal

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"All tenders must contain a financial proposal. The tenderer's attention is drawn to the following points:

- Prices must be quoted in **euros**, including the countries which are not in the euro-area. As far as the tenderers of those countries are concerned, they cannot change the amount of the bid because of the evolution of the exchange rate. The tenderers choose the exchange rate and assume all risks or opportunities relating to the rate fluctuation.
- Prices must be fixed amounts.
- Tenderers shall specify **one single price per person-day** whatever the type of service and qualification is requested. The price per person-day shall be valid for any services offered under a specific contract. This price must be a flat rate and include all administrative costs, **with the exception of travel and subsistence expenses, which will be reimbursed, where appropriate, in accordance with the special provisions of the Annex 5** (the Framework contract).
- **Prices per person-day** shall be fixed and not subject to revision during the whole duration of the Framework contract and any extension."
- **Prices should be quoted free of all duties, taxes and other charges, i.e. also free of VAT**, as the European Union is exempt from such charges in the EU under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union of 8 April 1965 (OJ L 152 of 13 July 1967). Exemption is granted to the Commission by the governments of the Member States, either through refunds upon presentation of documentary evidence or by direct exemption. For those countries where national

legislation provides an exemption by means of a reimbursement, the amount of VAT is to be shown separately. In case of doubt about the applicable VAT system, it is the tenderer's responsibility to contact his or her national authorities to clarify the way in which the European Union is exempt from VAT."

Section IV.3. Evaluation of Tenders – Award criteria, paragraph b)

SHALL READ

"Price: to be quoted in euros, in **person-day** (see section III.2.3). The contract will be awarded to the tender which offers the best ratio quality/price.

A contract will not be awarded to tenderers who, during the procurement procedure, are guilty of misrepresentation in supplying the information required by the contracting authority as a condition of participating in the contract procedure or fail to supply this information"