



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

Directorate C - New and renewable sources of energy, Energy efficiency & Innovation
The Director

Brussels, 22 November 2011
C/HvS D(2011)-PH/JT/766131

INVITATION TO TENDER No. ENER/C3/2011-491
(open procedure)

Dear Sir/Madam,

1. The European Commission invites tenders for a service contract regarding the following project:
EU Energy Star Programme: Development and Maintenance of the Website and Technical Support for the development of new Technical Specifications

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

Lot 1: Website Development and Maintenance

The EU Energy star website (<http://www.eu-energystar.org>) is an essential instrument for the implementation of the EU Energy Star Programme which aims at improving the energy efficiency of Office Equipment. The site should contain relevant information related to the programme, including the applicable legal texts, forms for product and partner registrations, continuously updated database of registered products and list of partner companies, links to relevant websites, search tools for identifying the most efficient equipment per category, recent developments and reviews of the technical specifications/eligibility criteria for office equipment.

The tender aims at covering the maintenance and the development of the website for a period of 2 years starting in the second trimester of 2012.

Lot 2: Technical Support for the Development of new Technical Specifications

The tender aims at covering the cost of an expert in office equipment technology, in particular as regards the energy performance of such equipment. The task is to advise the European Commission and the European Union Energy Star Board (ECESB) in developing new specifications for revising the Annex C to the EU-US Energy Star Agreement.

The tender aims at providing the Commission with technical support for the development of new technical specifications starting in the second trimester of 2012.

This invitation to tender follows the publication of the contract notice in OJEU S 2011/S 224-362734 of 22/11/2011.

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 **12 January 2012** (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 Energy
DM 28 - 0/110 – Archives
Att. : Unit C3 - 2011-491
B-1049 Brussels
Belgium

By private courier

European Commission
Directorate-General Energy - DM 28 - 0/110
Att. : Unit C3 - 2011-491
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 **12 January 2012 not later than 4 p.m.** (Brussels time), at the following address:

European Commission
Directorate-General Energy – DM 28 0/110
Att. : Unit C3 - 2011-491
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/C3/2011-491
not to be opened by the internal mail department
DM 28 0/110

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 **11.00 a.m. on 23 January 2012**, at 1040 Brussels, 24 Rue De Mot, Directorate-General for Energy, Office DM24 – 4/146.
- 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:

Mr Jacek Truszczynski
European Commission
DM24 – 4/24
B-1049 Brussels
Belgium
Fax (+ 32 2) 296.60.16
E-mail: ENER-TENDER-2011-491@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.

All additional information will be made available via Energy website (DG ENER). Tenderers 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.

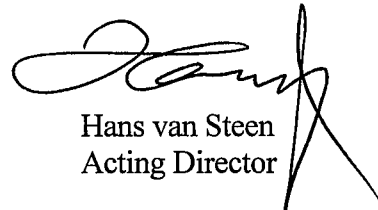
10. This invitation to tender is in no way binding on the Commission. A commitment will come about only when a contract with the successful tenderer has been signed.
Until a contract is signed, the awarding authority may decide not to award a contract or to cancel the tendering procedure, without the 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 your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
13. 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.

14. 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/explained/management/protecting/privacy_statement_ced_en.pdf)

Yours faithfully,



Hans van Steen
Acting Director