



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR ENERGY

Directorate C - Renewables, Research and Innovation, Energy Efficiency  
Director

Brussels, 31 October 2012  
ener.c.3(2012)1329575

## **INVITATION TO TENDER No. ENER/C3/2012-436-1**

(open procedure)

Dear Sir/Madam,

1. The European Commission invites tenders for a Service contract regarding the following project:  
**Market study for a voluntary common European Union certification scheme for the energy performance of non-residential buildings**

This invitation to tender follows the publication of:

- the contract notice in OJEU S [344830 of 31/10/2012]
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. A copy of the offer on a CD/DVD has also to be submitted.

Tenderers may choose to submit tenders:

**a) either by post or by courier** not later than 10/12/2012, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip, to the following address:

European Commission  
Directorate-General for Energy, Unit C3, 04/99  
For the attention of TENDER ENER/C3/2012-436  
BE – 1049 Brussels

**b) or delivered by hand to the following address:**

European Commission  
Directorate-General for Energy, Unit C3, 04/99  
For the attention of TENDER ENER/C3/2012-436  
Avenue du Bourget 1  
BE-1140 Brussels (Evere)  
Belgium

not later than 16.00 on 10/12/2012. 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/C3/2012-436**  
**not to be opened by the internal mail department**  
DM 24, 04/99

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 may entail the rejection of the bids at the opening session.**

**To be admissible, the confidentiality of the bids must have been ensured and the deadline for the submission of the bids met.**

4. Tenders will be opened at 11.00 a.m. on 18/12/2012 at the Directorate-General for Energy, Unit C3, DM 24, office 04/101, rue De Mot 24, 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. 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.

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

ENER-C3-Tenders  
European Commission  
DM 24- 04/99  
B-1049 Brussels  
Belgium

e-mail: ENER-TENDER-2012-436@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 Directorate-General for Energy website (DG ENER), [http://ec.europa.eu/dgs/energy/tenders/index\\_en.htm](http://ec.europa.eu/dgs/energy/tenders/index_en.htm) Tenderers are invited to consult this site regularly until the deadline for submission.

**After the opening of tenders**

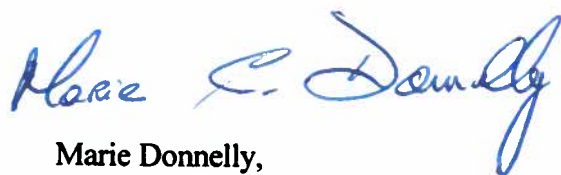
If a tender requires clarification, or if there is a need to correct material errors which have occurred in the drafting of the tender, the Commission may take the initiative and contact the tenderer(s). Such contact shall not lead to the conditions of the tender being altered in any way.

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](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](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](http://ec.europa.eu/budget/library/explained/management/protecting/privacy_statement_ced_en.pdf))

Yours faithfully,



Marie Donnelly,  
Director