EUROPEAN COMMISSION
Communications Networks, Content and Technology Directorate-General

Cooperation
International

Brussels, 22/08/2013
DG CONNECT / Ares(2013)

Subject: **INVITATION TO TENDER**
STUDY ON "European Capability for Situational Awareness" – SMART 2013/N004

CONTRACT NOTICE 2013/S 161-280231 of 21/08/2013

Dear Sir/Madam,

(1) The European Commission is planning to award the public contract referred to above. Please find enclosed the related tender specification listing all the documents that must be produced in order to submit a tender, and the draft contract.

(2) If you are interested in this contract, you should submit your tender no later than 26/09/2013, 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 Communications Networks, Content and Technology
Directorate D: Cooperation – Unit D1 – International
– office: BU25 04/075
for the attention of Eddy HARTOG, Head of unit
B–1049 Brussels, Belgium

(b) Or hand delivery by 16.00 Hours on 26/09/2013 at the latest to the following address:

European Commission
DG Communications Networks, Content and Technology
Directorate D: Cooperation – Unit D1 – International
– office: BU25 04/075
for the attention of Eddy HARTOG, Head of unit
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. 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 are prohibited throughout the procedure save in exceptional circumstances and 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 request 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 interested parties who have asked for the specifications.

Requests for additional information received less than five working days before the closing date for submission of tenders will not be processed.

at its own initiative, if it discovers any error, inaccuracy, a lack of precision, an omission or any other type of clerical defect in the text of the call for tenders, contract notice, invitation to tender or tender specifications, inform interested parties on the same date and in a manner identical with that applicable in respect of the original invitation to tender.

Any additional information including that referred to above will be posted on https://ec.europa.eu/digital-agenda/news-redirect/11626. The website will be updated regularly and it is the tenderers' responsibility to check for updates and modifications during the tendering period.

(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:

Ms Camino Manjon Sierra (camino.MANJON@ec.europa.eu), with copy to the following functional mailbox: CNECT-D1@ec.europa.eu or at the postal address mentioned in Section (2) of this invitation to tender.

(4) Presentation of the offer:

The offer (**consisting of 1 original and 3 copies and 1 copy in electronic format (pdf)**) 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** 2013/N004 / **FULL OJ REF**"
"**NOT TO BE OPENED** BY THE MESSENGER/COURIER SERVICE"
"**NOT TO BE OPENED** BY THE OPENING COMMITTEE BEFORE 16/9/2013"

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

"INVITATION TO TENDER **SMART** 2013/N004 / **FULL OJ REF**"
"**NOT TO BE OPENED** BY THE MESSENGER/COURIER SERVICE"
"**NOT TO BE OPENED** BY THE OPENING COMMITTEE BEFORE 16/9/2013"
"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 all the terms and conditions stipulated in the following documents and binds the contractor to whom the contract is awarded during the duration 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) The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect is 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 10/10/2013 at *10.00* in the Commission building located in Avenue de Beaulieu 25, Brussels.

One authorised representative of each tenderer may attend the opening of the tenders. Tenderers who plan to attend the opening session have to inform *Ms Camino Manjon Sierra* by e-mail camino.MANJON@ec.europa.eu, fax (+32 2 296 89 70) or letter at least 72h in advance.

(9) This invitation to tender is in no way binding on the Commission. The Commission's contractual obligation commences only upon signature of the contract with the successful tenderer.

(10) Up to the point of signature, the contracting authority may either abandon the procurement or cancel the award procedure, without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and the candidates or tenderers notified.

(11) Once the Commission has opened the tender, the document shall become the property of the Commission and it shall be treated confidentially.

(12) 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 and for the purpose of including such data in the No-Disconnect Strategy stakeholders list held by the International department of DG CONNECT for communications on further activities, grants and policy developments 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. Details concerning the processing of your personal data are available on the privacy statement at: http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf.

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: CNECT-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 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).

(13) Your personal data 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/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm), 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/explained/management/protecting/protect_en.cfm#BDCE

(14) You will be informed of the outcome of this procurement procedure by e-mail. It is your responsibility to provide a valid e-mail address together with your contact details in your tender and to check it regularly.

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

Yours faithfully,

Eddy HARTOG

Head of Unit

Enclosures: 1 - Tender Specifications
2 - Draft Service Contract