



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT
DIRECTORATE-GENERAL FOR ENERGY

Shared Resource Directorate
The Director

Brussels, 18.01.2012

Ares(2012) 11930

INVITATION TO TENDER No. SRD MOVE/ENER/SRD.1/2012-409

(open procedure)

Dear Sir/Madam,

1. The European Commission invites to tender for a multiple framework service contract regarding the following project: provision of services of legal, economic and technical assistance in the field of energy and mobility and transport policies.

This invitation to tender follows the publication of:

- the contract notice in OJEU 2012/S 11-015912 of 18/01/2012

The contract is based on the system of a Multiple Framework Contract with reopening of competition.

The framework contract is divided into 6 lots:

Lot 1: "Legal assistance activities in the field of Energy"

Lot 2: "Economic assistance activities in the field of Energy"

Lot 3: "Technical assistance activities in the field of Energy"

Lot 4: "Legal assistance activities in the field of Mobility and Transport"

Lot 5: "Economic assistance activities in the field of Mobility and Transport"

Lot 6: "Technical assistance activities in the field of Mobility and Transport"

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-Rom has also to be submitted.

Tenderers can submit a bid for **one or more lots**, but a **separate bid should be submitted for each individual lot**, specifying the number of the lot.

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 **16/03/2012** (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
Shared Resource Directorate MOVE/ENER
DM 28 – 7/65
B-1049 Brussels
Belgium

By private courier

European Commission
Shared Resource Directorate MOVE/ENER
DM 28 - 7/65
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 **16/03/2012 not later than 4 p.m.** (Brussels time), at the following address:

European Commission
Shared Resource Directorate MOVE/ENER – DM 28 7/65
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 should be placed inside two sealed envelopes, one inside the other. **The inner envelope should be marked:**

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Call for tenders No. SRD MOVE/ENER/SRD.1./2012-409

Lot 1/Lot2/Lot 3/Lot4/Lot5/Lot6

not to be opened by the internal mail department

Secretariat SRD 1. - DM 28 7/65

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 10:00.a.m. on **27/03/2012**, at 28 Rue De Mot (Directorate-General for Transport, mail department, ground floor, office to requested at reception, 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: eight 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:

Ms Christelle ROUSSEAU
European Commission

DM 28 - 07/80
B-1049 Brussels
Belgium
e-mail: MOVE-ENER_TENDER_SRD1_409_2012@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 both Directorates-General for Energy and for Mobility and Transport websites (DG ENER/MOVE). **Tenderers are invited to consult one of those sites 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. Once the Commission has opened the tender, the document shall become the property of the Commission and it shall be treated confidentially.
13. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
14. 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.

15. 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,

[signed]

Augusto Bonucci

