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GSA/RP/17/14

Maintenance of security systems of GSA premises

**Annex I to Invitation to participate – “Conditions for Request to Participate”
Phase I**

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UNCLASSIFIED

1	OVERVIEW	3
1.1	CONTEXT OF THE TENDER	3
1.2	OUTLINE OF THE TENDER AND PROCEDURAL PROCESS	3
1.3	PURPOSE OF THE CONTRACT	4
2	TERMS OF REFERENCE.....	4
2.1	APPLICABLE LEGAL ACTS	4
2.2	TECHNICAL TERMS OF REFERENCE	6
2.3	LEGAL AND CONTRACTUAL TERMS OF REFERENCE	6
2.3.1	<i>Form of Contracts</i>	6
2.3.2	<i>Place of performance</i>	7
2.3.3	<i>Duration</i>	7
2.3.4	<i>Language of the Contract</i>	7
2.3.5	<i>Volume of the Contract</i>	7
2.3.6	<i>Participation Conditions</i>	7
2.3.7	<i>Subcontracting</i>	7
2.3.8	<i>Participation of consortia</i>	8
2.3.9	<i>Confidentiality and non-disclosure agreement</i>	8
3	ASSESSMENT OF REQUESTS FOR PARTICIPATION	9
3.1	EXCLUSION CRITERIA	10
3.2	SELECTION CRITERIA	10
3.2.1	<i>Legal capacity</i>	10
3.2.2	<i>Economical and financial capacity criteria</i>	11
3.2.3	<i>Technical and professional capacity criteria</i>	11
4	CONDITIONS OF SUBMISSION OF REQUESTS TO PARTICIPATE	12
4.1	DISCLAIMERS	12
4.2	VISITS TO PREMISES OR BRIEFING	12
4.3	PREPARATION COSTS OF REQUESTS TO PARTICIPATE	12
4.4	PRESENTATION OF THE REQUEST TO PARTICIPATE	12
4.4.1	<i>Language</i>	12
4.4.2	<i>Outer envelopes</i>	12
4.4.3	<i>Inner envelopes</i>	13
4.5	CONTENT OF THE REQUESTS TO PARTICIPATE TO BE SUBMITTED	13
4.5.1	<i>Administrative file</i>	14
4.5.2	<i>Technical file</i>	15
4.6	SUBMISSION	15
4.7	OPENING OF REQUESTS TO PARTICIPATE	15
4.8	PERIOD OF VALIDITY OF REQUESTS TO PARTICIPATE	15
4.9	FURTHER INFORMATION	16
4.10	INFORMATION FOR CANDIDATES	16
4.11	DATA PROTECTION	16
5	LIST OF ANNEXES	17

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1 OVERVIEW

The present conditions for Request to Participate are intended to complement the information contained in the Contract Notice published in the Official Journal of the European Union, providing to the candidates further information on the procurement procedure and elements to allow them to prepare for the procurement process.

1.1 Context of the Tender

The European GNSS Agency (hereinafter “GSA”, “the Agency” or “the Contracting Authority”) is an official European Union body established by the European Union to accomplish specific tasks related to the European GNSS programmes, particularly GALILEO and EGNOS.

The missions of the GSA are very sensitive and its infrastructure is highly critical to its operations. As such its security systems require adequate deployment, maintenance and protection. The headquarters of the GSA are located at Janovského 438, 170 00 Praha 7, Czech Republic. The Agency working hours are Monday to Friday from 08:00 to 18:00. The Czech Ministry of Finance is the owner of the building and the GSA its user under a lease agreement signed with the Czech authorities.

The GSA intends to award a contract for the maintenance of the security systems of its premises in Prague.

1.2 Outline of the Tender and procedural process

Name: **GSA/RP/17/14 – “Maintenance of security systems of GSA premises in Prague”**

Procedure: **Restricted Procedure** in accordance with Article 127(2), 2nd sub-paragraph RAP¹ for procurement of services under a single supplier **framework service contract**, with publication in the Official Journal of European Union.

No lots applicable.

IMPORTANT NOTE:

- This procedure is organised in **two phases**:

Phase I – Request to Participate (*the present call*): In this phase any economic operator (including consortia) established in a European Union Member State interested in the tender as described in the contract notice and this document may submit a Request to Participate. The request will be assessed against the exclusion and selection criteria detailed in this document, including references. Only candidates fulfilling all the criteria will be invited by the GSA to submit a non-negotiable tender.

Phase II – Submission of Tenders (*separate invitation required*): Following the assessment of the requests to participate, pre-selected candidates will be invited to submit a non-negotiable tender. The exact details of the technical requirements for the tender will be communicated in the tender specifications which the pre-selected candidates will be able to access following Phase I. The submitted tenders will be evaluated on the basis of the qualitative and financial evaluation criteria to be communicated also in the tender specifications.

¹ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union.

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- The requests to participate shall fulfil the conditions of submission set out in Section 4 below.
- This invitation to participate, as all follow-up elements of the tender process, are in no way binding on GSA. GSA's contractual relationship commences only upon signature of the Contract with the successful tenderer. The GSA reserves the right to make non-substantial modifications to the draft contract prior to the award, for the purpose of customising its content to the successful tenderer.
- Up to the point of signature of the Contract, GSA may either abandon procurement or cancel the award procedure, without candidates or tenderers being entitled to claim any compensation.

TIMETABLE	Date	Comments
Phase I – Selection Phase		
Launch of procurement process – submission of Contract Notice to the Official Journal	08/08/2014	All documents available at: http://www.gsa.europa.eu/gsa/procurement
Deadline for submission of Requests to Participate	15/09/2014	
Evaluation of Requests to Participate	Second half of September 2014	Estimated
Invitation of selected candidates to Phase II – dispatch of rejection letters	02/10/2014	Estimated
Phase II – Tender Phase deadlines will be communicated with invitation to phase II, however the procurement process is aimed to be closed and contract signed by end of the year.		

1.3 Purpose of the Contract

The general aim of this procurement is to award a single Framework Contract (hereinafter “the FWC” or “the Contract”) for the provision of security systems maintenance services to the GSA in its premises in Prague, within the scope of the tasks described in the terms of reference below. The FWC will be implemented through Specific Contracts.

2 Terms of reference

2.1 Applicable legal acts

Participation to the Tender is subject to applicable legal restrictions and obligations. The reference documents include:



UNCLASSIFIED

- REGULATION (EC) No 512/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 16 April 2014 amending Regulation (EU) No 912/2010 of the European Parliament and of the Council setting up the European GNSS Agency²;
- REGULATION (EU) No 1285/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 11 December 2013 on the implementation and exploitation of European satellite navigation systems and repealing Council Regulation (EC) No 876/2002 and Regulation (EC) No 683/2008 of the European Parliament and of the Council³.

As a general and essential principle, it shall be the contractor's responsibility and duty to ensure compliance with its obligations under all applicable laws. As such, the contractor shall, in the performance of all of its rights and obligations under the FWC, comply with all applicable laws, rules, regulations and by-laws and with all orders, decrees, policies and directives issued by any applicable authorities ("Applicable Laws"), and particularly any such Applicable Laws pertaining to maintenance certifications and recertification in Czech Republic. The contractor shall give written assurance that it will comply with all such Applicable Laws, that it bears sole responsibility for any violation of such Applicable Laws by itself and that it will indemnify, defend, and hold the GSA harmless for the consequences of any such violation.

The procurement procedure will be carried out in accordance with the rules of:

- European GNSS Agency Financial Regulation and its Implementing Rules 2014 adopted by its Administrative Board on 25 April 2014;
- COMMISSION DELEGATED REGULATION (EU) No 1271/2013 of 30 September 2013 on the framework Financial Regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council⁴;
- REGULATION (EU, EURATOM) No 966/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002⁵;
- COMMISSION DELEGATED REGULATION (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union⁶.

In the general implementation of its activities and for the processing of tendering procedures in particular, regarding confidentiality and public access to documents, the GSA observes the following rules:

- Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁷;
- REGULATION (EC) No 45/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 December 2000 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 data⁸;

² OJ L 150, 20.5.2014, p. 72

³ OJ L 347, 20.12.2013, p. 1

⁴ OJ L 328, 7.12.2013, p. 42

⁵ OJ L 298, 26.10.2012, p. 1 (Available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:298:0001:0096:EN:PDF>)

⁶ OJ L 362, 31.12.2012, p. 1 (Available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:362:0001:0111:EN:PDF>)

⁷ OJ L 281, 23.11.1995, p. 31

⁸ OJ L 8, 12.1.2001, p. 1

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- REGULATION (EC) No 1049/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 30 May 2001 regarding public access to European Parliament, Council and Commission documents⁹;
- GSA Internal Rules relevant to the execution of the FWC will be made available to the Contractor after the signature of the FWC.

2.2 Technical Terms of Reference

In order to allow economic operators to assess whether the procurement could be of interest for them, the following high-level description of the tasks to be performed under the FWC is provided.

The scope and task descriptions below are provided to economic operators as a first point of orientation for Phase I. The list of precise tasks will be more detailed and the scope refined in the documents the selected candidates will receive for Phase II.

The maintenance services foreseen consist in checking-up/monitoring, maintaining and repairing the GSA's security, fire safety and electro systems and equipment.

The Contractor shall perform a variety of tasks in line with the following specific objectives of the Contract:

- Maintenance, repairs, regular check-ups, service and administration of Intrusion Detection System (IDS), Access Control System (ACS) and Close Circuit Television (CCTV) integrated into a single computer network;
- Maintenance, repairs, regular check-ups, service and administration of fire detection and fire alarm systems (smoke and heat detectors, panic buttons);
- Administration, maintenance and modifications of a computer network (EU RESTRICTED) controlling Close Circuit Television (CCTV), Access Control System (ACS), Intrusion Detection System (IDS), Fire Detection System, including provision of hardware and software;
- Maintenance, repairs, regular annual check-ups and service of shielded chambers including certification (Národní Bezpečnostní Úřad - NBU);
- 24/7 Helpdesk and technical on-site support on request;
- Ad-hoc system maintenance, repairs, services and small security related purchases (as security supplies);
- Other similar services.

2.3 Legal and Contractual terms of reference

2.3.1 Form of Contracts

The aim of this procurement is to award one Framework Service Contract for the provision of services generally presented above, to be further detailed in the Tender Specifications that will be provided to the tenderers who will be invited to submit an offer in Phase II. The draft contract will be provided to pre-selected candidates with invitation to Phase II. The draft Framework Contract will be provided to tenderers who are invited to submit an offer.

The Contracting Authority reserves the right to launch an exceptional negotiated procedure for similar services with the same Contractor in case of need, as foreseen in Art. 134(1)(e)(f) RAP.¹⁰

⁹ OJ L 145, 31.5.2001, p. 43

¹⁰ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012

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2.3.2 Place of performance

The services will be provided mainly at the GSA headquarters (GSA HQ), located at Janovského 438/2, 170 00 Prague 07, Czech Republic.

GSA HQ occupies a building rented from the Czech Ministry of Finance. GSA HQ includes five floors (including ground-floor) and a reception area on the ground-floor. GSA HQ consists of approximately 60% office space, 30% meeting rooms and 10% technical rooms. During office hours the building is used by approximately 120 staff and a daily average of 10 visitors.

2.3.3 Duration

The expected duration of the Framework Service Contract is 1 year from the signature of the Contract, with the possibility of extension 3 times for duration of 1 year (4 years maximum).

The start date foreseen for the execution of the first specific contract under FWC is 1st January 2015

2.3.4 Language of the Contract

Unless specified otherwise by GSA, English shall be the working language of the Contract including all correspondence with GSA.

2.3.5 Volume of the Contract

The indicative budget estimated for the maximum duration of the Contract is EUR 700.000,00 (seven hundred thousand euro).

This budget is only indicative; it will be subject to budget allocations given to the GSA.

2.3.6 Participation Conditions

This procurement procedure is open to any natural or legal person wishing to participate and bid for the assignment and who is established in any of the member states of the European Union.

In addition, candidates must not be in any situation of exclusion under the exclusion criteria indicated in section 3.1 in this Annex I and must have the legal capacity to allow them to participate in this procurement procedure

2.3.7 Subcontracting

The candidates will be able to call on subcontractors to provide specific know-how and to fulfil the requested selection criteria. However, the Contractor will remain the sole partner and person legally and financially responsible vis-à-vis the GSA.

In case the candidate calls upon sub-contractors to fulfil specific selection criteria, he will have to clearly **identify these criteria and the sub-contractor** on who he will draw upon in order to fulfil these criteria.

Sub-contractors must satisfy the eligibility criteria applicable to the award of the Contract.

If the identity of the intended sub-contractor(s) is already known at the time of submitting the Request to Participate (i.e. in any case sub-contractors required to fulfil selection criteria), candidates must furnish a statement guaranteeing the eligibility of the sub-contractor by submitting their **declaration of honour** (Annex I.C.) together with the candidate's Request to Participate.

NOTE: For a full overview of the documents required for submission by sub-contractors for Phase I please refer to the list of Annexes under Section 5.



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2.3.8 Participation of consortia

Consortia may submit a Request to Participate on the condition that it complies with the rules of competition.

A consortium may be a permanent, legally-established grouping or a grouping which has been constituted informally for a specific Tender procedure.

Such grouping (or consortium) must specify the company or person heading the project (the leader) and must also submit a copy of the document authorising this company or person to submit the Request to Participate for Phase I **and** the Tender for Phase II on behalf of the consortium – a template for such Power of Attorney is made available as Annex I.I to this document (ref. Section 5 below)

All members of a consortium (i.e. the leader and all other members) are jointly and severally liable to the Contracting Authority.

In addition, each member of the consortium must provide the required evidence for the exclusion and selection criteria (see Section 3). Concerning the selection criteria “economic and financial capacity” as well as “technical and professional capacity”, the evidence provided by each member of the consortium will be checked to ensure that the consortium as a whole fulfils the criteria.

The participation of an ineligible person will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded.

NOTE: For a full overview of the documents required for submission by consortia for Phase I please refer to the list of Annexes under Section 5.

2.3.9 Confidentiality and non-disclosure agreement

2.3.9.1 Confidentiality

Candidates shall pay particular attention to the clauses on confidentiality. The assignment is to be considered as a highly sensitive issue, considering that the Contractor will not only have direct access and knowledge of the GSA's internal organisation, including personal details of members of staff and external visitors, but will also have to deal with sensitive information.

Therefore the selected Contractor needs to be holder of a Facility Security Clearance of at least EU CONFIDENTIAL level.

Personnel employed at GSA HQ shall be holder of a Personnel Security Clearance at EU SECRET level, before the start of employment at GSA HQ.¹¹

The Contractor undertakes to treat in the strictest confidence and not make use of or divulge to third parties any information or documents which are linked to performance of the Contract. The Contractor shall continue to be bound by this undertaking after completion of the tasks.

For Technicians and a Contract Manager, the Contractor shall declare in writing, to the GSA Local Security Officer, before start of employment of the personnel concerned by the Contractor, that the persons concerned are suitable for the performance of their duties, free from criminal convictions and enjoy full rights as citizen of the European Union. This declaration made from the future contractor allows GSA not treating and / or retaining personal sensitive data such as criminal certification records.

¹¹ Commission Decision 2001/844/EC, ECSC, Euratom on Information Security and Amendments, of 29 November 2001 (consolidated version)



UNCLASSIFIED

The Contractor shall obtain from each member of his Staff working at GSA HQ a written statement that they will respect the confidentiality of any information which is linked, directly or indirectly, to execution of the tasks and that they will not divulge to third parties or use for their own benefit or that of any third party any document or information not available publicly, even after completion of the tasks.

2.3.9.2 Non-disclosure agreement procedure

For candidates to be eligible for invitation to Phase II of this procurement process, their submission of Request to Participate must include the duly signed Non-Disclosure Agreement (NDA) (Annex I.F). The candidates shall add the missing information into the areas foreseen in Annex I.F – however, candidates must refrain from any other alterations.

In case of participation as a consortium, **each member of the consortium shall submit the NDA in two originals** duly signed, and initialled on each page, together with the Request to Participate. This shall apply to **known sub-contractors** accordingly for Phase I and any additional sub-contractors known in Phase II.

The GSA reserves further rights to ask the Contractor, or its Staff performing the services, to sign a declaration regarding confidentiality, non-disclosure and/or declaration regarding precise obligations of processing of personal data.

The NDA shall have the duration as indicated therein.

Note that the following **restrictions** apply:

- Special attention shall be paid on the possibility for the candidates to receive Proprietary Information, as defined in the NDA, at any moment in Phase II up to the submission deadline of tenders, provided that the NDA is duly signed and sent by the tenderer to the GSA with the Request to Participate by the submission deadline, deemed accepted and duly signed by the GSA.
- In case the NDA is signed and provided the compliance matrix to the SAL is reviewed, verified and deemed accepted by the GSA, further Proprietary Information will be disclosed by the GSA to the successful tenderer upon signature of the Framework Contract.
- Any economic operator belonging to a consortium and any sub-contractor performing tasks under the contract who has a need-to-know for the Proprietary Information to be released under the NDA has to enter into a separate NDA with the GSA for the purpose of this procurement procedure and the performance of services at any time of the contract term;
- Economic operators who have a need-to-know for the Proprietary Information to be released under the NDA and who have therefore obligatorily entered into the NDA with the GSA may be part of a consortium or act as a sub-contractor. Non-compliance with this requirement may lead to exclusion from the procurement procedure on discretion of the GSA;
- Previously signed NDAs giving access to the same Proprietary Information to economic operators **shall not** be regarded as fulfilling the NDA requirements under the present procurement procedure;
- Proprietary Information will and shall not be disclosed to entities and subcontractors that cannot claim to be legal entities established in EU Member States.

3 Assessment of Requests for Participation

All admissible requests for participation will be assessed. See the admissibility criteria described section 4 below.



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The assessment of the candidates in Phase I of this procurement procedure is carried out in successive stages against the exclusion and selection criteria set out below.

1) Exclusion stage- to check, on the basis of the exclusion criteria, whether candidates can take part in the tendering procedure, including conflicts of interest of each candidate.

2) Selection stage- to check, on the basis of the selection criteria, (a) economic and financial capacity and (b) the technical and professional capacity, including the capacity to manage security aspects of the Contract.

3.1 Exclusion criteria

Participation in this procurement process is only open to economic operators (all entities involved, including sub-contractors) who will be able to sign the Declaration of Honour (Annex I.D to this document). Failure to do so will lead to exclusion from the procurement process.

Before the signature of Contract the successful tenderer will have to submit supporting documents to the Declaration of Honour (listed in therein).

3.2 Selection criteria

To be assessed in selection stage, the candidates must have passed the exclusion stage described above.

Candidates must fulfil all the economic and financial capacity as well as the technical and professional capacity to perform the tasks required in this Request to Participate.

3.2.1 Legal capacity

Requirement

- a) Candidates (including all consortium members and any proposed sub-contractors) are asked to prove that they are authorised to perform the contract under the national law as evidenced by inclusion in a trade or professional register, or a sworn declaration or certificate, membership of a specific organisation, express authorisation or entry in the VAT register.
- b) Information on the Local Security Officer available for handling of any classified information linked to the procurement process and the provision of services under the subsequent contract is also required.

Evidence

- Candidates (including all consortium members and any proposed sub-contractors) shall provide a duly filled in and signed Legal Identification Form (see Annex I.B). In case of award of contract, the tenderer shall further provide upon request and within the time limit set by the contracting authority the documents requested in said Annex.
- Where a candidate has already signed another contract with the GSA, he may provide instead of the legal entity file and its supporting documents a copy of the legal entity file provided on that occasion, unless a change in his legal status occurred in the meantime or the legal entity file or its supporting documents are older than one year.
- NOTE: Due to the need for declarations on the NDA and LSO related, **all** candidates **including** subcontractor(s) or any member of a consortium or grouping, must also complete and sign the Candidate Identification Form (see Annex I.A).

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3.2.2 Economical and financial capacity criteria

The candidate (all legal entities belonging to a consortium) shall demonstrate the financial and economic capacities required for performance of this Contract.

Financial and economic capacities shall be demonstrated by:

S1.	Duly filling in the tables in Annexes I.D and I.E;
S2.	The provision of full financial statements for the last three years, including a consolidated balance sheet and the profit and loss account;
S3.	A statement of turnover relating to the relevant services for this Tender for the last 3 financial years.

The minimum requirement:

S4.	The candidate (all members of consortium cumulatively) is expected to prove minimum general turnover of 500.000,00 (five hundred thousand) EUR per year by submitting copy of the official balance sheets of the last three years approved by external auditors.
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3.2.3 Technical and professional capacity criteria

Candidates must provide evidence of their technical and professional competence on the following points:

S5.	Evidence, proved by declarations or certificates, of having performed at least 2 contracts of a nature or scope similar to the services to be carried out under this tender awarded by international organisations, embassies, government bodies or large multinational organisations with highly secured environment;
S6.	Evidence, proved by declarations or certificates, of experience of administration, maintenance and modifications of computer networks (level RESTRICTED or higher);
S7.	Being holder of certificates issued by the manufacturers of security and electro systems used by the Agency authorising the candidate to program and service the systems of manufacturers as American Dynamics, Honeywell, Spirit Information Systems – ABI + ALVIS, ETS – Lindgren, Morse Watchman, ABLOY, HID – iCLASS, Samsung CCTV cameras, Siemens;
S8.	Contractor holding a Facility Security Clearance at UE Confidential level and Proposed staff holding a Personnel Security Clearance at least at UE Secret level proven by a statement of the security responsible;
S9.	Proposed staff with a working level of knowledge of English equivalent at least to B2;
S10.	Training and certificates related to security systems of manufacturers stated in S7 (Intrusion

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	Detection System, Access Control System, Closed-Circuit Television, Fire Detection System) and shielded chambers maintenance and inspections;
S11.	Proposed staff with at least three years of experience in the security engineering area and security system maintenance (proven by a declaration);
S12.	Service helpdesk 24/7 already in place (proven by a declaration).

4 CONDITIONS OF SUBMISSION OF REQUESTS TO PARTICIPATE

4.1 Disclaimers

This request to participate is in no way binding on the GSA. The GSA's contractual obligation commences only upon signature of the contract with the successful tenderer. Up to the point of signature, the contracting authority may either abandon the procurement or cancel the award procedure, without the candidates and the tenderers being entitled to claim any compensation.

Submission of a Request to Participate and any subsequent tender implies acceptance of all the terms and conditions set out in this Invitation to Participate, in the subsequent Invitation to Tender, in the specifications and in the draft Framework Services Contract, the draft Specific Contracts, and the Order Forms, and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. It is binding on the tenderer to whom the contract is awarded for the duration of the contract.

4.2 Visits to premises or briefing

Visits to GSA's premises or briefings during Phase I are not foreseen.

4.3 Preparation costs of requests to participate

Costs incurred in preparing or submitting the requests to participate as well as any costs incurred in pre-paring or submitting the subsequent tender are borne by the candidates/tenderers alone and will not be reimbursed.

4.4 Presentation of the Request to Participate

4.4.1 Language

Requests to participate shall be drafted in one of the official languages of the European Union, preferably ENGLISH.

4.4.2 Outer envelopes

Requests to participate must be presented in one (1) outer envelope or parcel, which should be sealed with adhesive tape, signed across the seal.

Each outer envelope shall carry the following information:



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- the reference number of the tender procedure **GSA/RP/17/14**
- the tender title **"Maintenance of security systems of GSA premises"**
- **the name of the candidate**
- the indication **"Request to Participate - Not to be opened by the internal mail service"**
- **the address for submission of requests to participate** (as indicated in section 4.6)
- **the date of posting** (if applicable) should be legible on the outer envelope

4.4.3 Inner envelopes

Each outer envelope shall contain **two (2) inner envelopes**, namely **envelope 1 and envelope 2**, stating its content:

- Envelope 1: "ADMINISTRATIVE DOCUMENTS and DOCUMENTS RELATING TO EXCLUSION and FINANCIAL AND ECONOMIC CAPACITY SELECTION CRITERIA"
- Envelope 2: "DOCUMENTS RELATING TO TECHNICAL AND PROFESSIONAL CAPACITY SELECTION CRITERIA"

The inner envelopes shall contain **one (1) ORIGINAL and three (3) COPIES**. The original tender shall be marked **"ORIGINAL"**, and the copies signed in the same way as the original shall be marked **"COPY"**.

Nota bene:

- It is strictly required for requests to participate to be presented in the correct format and include all documents necessary to enable the evaluation committee to assess them. Failure to respect these requirements will constitute a formal error and may result in the rejection of the request.
- GSA retains ownership of all applications received under this procedure. Consequently candidates shall have no right to have their requests to participate returned to them.

4.5 Content of the requests to participate to be submitted

Each Request to Participate must consist of:

1. an administrative file
2. a technical file

In addition to the above, in general the Request to Participate must be:

- signed by the candidate or his duly authorised representative;
- perfectly legible so that there can be no doubt as to words and figures;
- drawn up using all model reply forms supplied in the annexes to these conditions for Request to Participate;

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- clear and concise, with continuous page numbering, and assembled in a coherent fashion (e.g. bound or stapled or organised in files).

The GSA reserves the right to request additional evidence in relation to the Request to Participate submitted for evaluation or verification purposes.

4.5.1 Administrative file

The administrative file must contain:

ENVELOPE 1 – ADMINISTRATIVE DOCUMENTS and DOCUMENTS RELATING TO EXCLUSION and FINANCIAL AND ECONOMIC SELECTION CRITERIA (one (1) ORIGINAL and three (3) COPIES per envelope).	
•	The duly filled in, signed and dated Identification sheet of the candidate using the template in Annex I.A ¹²
•	The duly filled in, signed and dated Legal Identification Form , using the template in Annex I.B ¹³ .
•	A cover letter , dated and signed by the candidate or by any other duly appointed representative and including: <ul style="list-style-type: none"> - A declaration of acceptance of the conditions in these conditions for Request to Participate; - A list of all the documentation included/enclosed in these conditions for Request to Participate. - A list of the legal entities involved, specifying each entity's role and qualifications - Candidate's contact details
•	A statement containing the name and position of the candidate's authorised representative/signatory and official documentary evidence proving the representative's legal authority to validly sign on behalf of the organisation.
•	In case of consortia, a duly signed and dated Statement/Declaration by each of the consortium members specifying the company or person heading the project and authorised to submit a Request to Participate on behalf of the consortium.
•	In case of consortium or group of service providers, a signed and dated Declaration of Intent specifying each sub-contractor's undertaking to provide the services proposed in the tender.
•	The duly filled in, signed and dated Declaration(s) of Honour ¹⁴ relating to Exclusion Stage using the standard template in Annex I.C .
•	Information required for evaluation of economic and financial capacity selection criteria mentioned in section 3.2.2 (Template provided in Annex I.D and I.E).
•	Non-Disclosure Agreement (Template provided in Annex I.F).
•	Compliance Matrix to Security Aspect Letter (Template provided in Annex I.H).
•	1 CD-ROM containing any and all electronic files related to ADMINISTRATIVE DOCUMENTS and DOCUMENTS RELATING TO EXCLUSION and FINANCIAL AND ECONOMIC SELECTION CRITERIA, strictly

¹² One per candidate (presenting all the legal entities involved in the consortium and/or sub-contractors)

¹³ One per candidate (presenting all the legal entities involved in the consortium and/or sub-contractors)

¹⁴ One per legal entity (i.e. candidate, all consortium members, all sub-contractor(s))

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identical in full to the original tender.

4.5.2 Technical file

Each candidate shall include a technical file demonstrating a good understanding of the tender requirements and the capability to satisfy them.

Candidates shall describe all prior experience relevant to perform the work requested.

Here below is a summary of the content requirements of the technical file:

ENVELOPE 2 – TECHNICAL FILE (one (1) ORIGINAL and three (3) COPIES per envelope).	
• Evidence of the candidate's technical and professional competence on the points listed at section 3.2.3	
• Technical and Professional Selection Criteria Cover Sheet (Template provided in Annex I.G);	
• 1 CD-ROM containing any and all electronic files related to TECHNICAL FILE, strictly identical in full to the original tender.	

4.6 Submission

Declarations of interest to participate sent by post mail are to be sent not later than **on date specified in section 1.2 above**, 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 physical address:

**European GNSS Agency
Legal and Procurement Department
Janovskeho 438/2
170 00 Prague 7
Czech Republic**

Declarations of interest to participate sent by express mail, commercial courier or hand-delivered should be addressed to the same postal address not later than **17.00 (CET) on date specified in section 1.2 above**. In this case, a receipt must be obtained as proof of submission, signed and dated by the reception desk officer. The reception 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, European Commission holidays and some Czech national holidays.

4.7 Opening of Requests to Participate

Requests to participate will be opened according to the time schedule specified in section 1.2 above.

This opening session will not be public.

4.8 Period of validity of Requests to Participate

Period of validity of the Requests to Participate, during which candidates may not modify the terms of their requests in any respect: 4 (four) months from the closing date for the reception of the requests.



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4.9 Further information

Contacts between the GSA and candidates/tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the final date for submission of request to participate:

- At the request of the candidate, the contracting authority may provide additional information solely for the purpose of clarifying the nature of the contract, save any information pertaining to Phase II.
- Any requests for additional information must be made in writing only to tenders@gsa.europa.eu. The subject line of the e-mail has to quote the reference of the procurement procedure.
- Requests for additional information received after deadline specified in section **Error! Reference source not found.** will not be processed (*for practical reasons*).
- The GSA may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tenders. Operators are invited to regularly monitor the GSA's website to that effect.

After the opening of requests to participate:

- If, after the requests to participate have been opened, some clarification is required in connection with a requests to participate, or if obvious clerical errors in the submitted tender must be corrected, the GSA may contact the candidate, although such contact may not lead to any alteration of the terms of the submitted requests to participate.

4.10 Information for Candidates

The GSA will inform candidates of decisions reached concerning the requests to participate in due course, including the grounds for any decision not to invite a candidate or to recommence the procedure.

If a written request is received, the GSA will inform all rejected candidates of the reasons for their rejection.

However, certain information may be withheld where its release would impede law enforcement or otherwise be contrary to the public interest, or would prejudice the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

4.11 Data protection

Evaluation of your Request to Participate/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 Request to Participate in accordance with the conditions laid down in this document and will be processed solely for that purpose by the GSA. 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 GSA. 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.

You are informed that for the purposes of safeguarding the financial interest of the Communities, your personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel and/or to the European Anti-Fraud Office (OLAF).



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Data of economic operators which are in one of the situations referred to in Articles 93, 94, 96(1)(b) and 96(2)(a) of the Financial Regulation may be included in a central database and communicated to the designated persons of the European Commission, other institutions, agencies, authorities and bodies mentioned in Article 95(1) and (2) of the Financial Regulation. This refers as well to the persons with powers of representation, decision making or control over the said economic operators. Any party entered into the database has the right to be informed of the data concerning it, up on request to the accounting officer of the European Commission.

5 List of Annexes

These Conditions for submission of Request to Participate have the following annexes:

- Annex I.A – Template Identification Sheet of the candidate (separate document)
- Annex I.B – Template Legal Identification Form (link provided hereinafter)
- Annex I.C – Template Declaration of Honour relating to Exclusion Stage (separate document)
- Annex I.D – Template Economic and Financial capacity Table of Answers (separate document)
- Annex I.E – Template Financial capacity form(separate document)
- Annex I.F – Non Disclosure Agreement (separate document)
- Annex I.G – Technical and Professional Selection Criteria Cover Sheet (separate document)
- Annex I.H – Compliance Matrix to Security Aspect Letter (separate document)



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Annex I.B- Template Legal Identification Form

To be downloaded, depending on the candidate's nationality and legal form, from the following website:

http://ec.europa.eu/budget/info_contract/legal_entities_en.htm