



European GNSS Supervisory Authority

The Executive Director

Brussels, 19/05/2009  
GSA(2009)D/558

**INVITATION TO TENDER No. GSA/OP/03/09**  
**(OPEN PROCEDURE)**

Dear Sir/Madam,

1. The European GNSS Supervisory Authority (GSA) is launching an invitation to tender for the procurement of a PRS Operational Tool to Evaluate and Counteract Threats Originating from Radio-sources (PROTECTOR).

The invitation to tender follows the publication of a contract notice published in the *Official Journal of the European Union* (OJEU) S: 2009 / S 107 -153953

2. Tenderers who wish to submit an offer are invited to send to the GSA a bid duly signed by their authorised representative, together with three copies of their bid, strictly identical to the original bid, and one electronic copy (total: 1 original, 3 hard copies, 1 electronic copy). Bids can be submitted in three different ways:

**(a) By registered post**

The bid should be posted not later than **25 August 2009** (the stamp of the **post office** acting as proof) to the following address:

European GNSS Supervisory Authority  
Legal Office - Procurement (GSA/OP/03/09)  
L56 07/28  
B-1049 Brussels  
Belgium

**(b) By hand-delivery**

Hand delivery should be made at the **Central Mail of the European Commission** no later than 16:00 (Brussels local time) on **25 August 2009**. Such hand delivery should be made at the following address:

European Commission  
European GNSS Supervisory Authority  
Legal Office - Procurement (GSA/OP/03/09)  
L56 07/28  
Rue du Bourget 1  
B-1140 Brussels (Evere)  
Belgium

A dated and signed receipt issued by an official of the Central Mail of the European Commission **has to be requested by the person delivering the bid** as proof of delivery of the bid.

**(c) By private courier service**

The bid should be 'deposited' with the private courier service not later than **25 August 2009** (the slip issued by the private courier services acting as proof) to the following address:

European Commission  
European GNSS Supervisory Authority  
Legal Office - Procurement (GSA/OP/03/09)  
L56 07/28  
Rue du Bourget 1  
B-1140 Brussels (Evere)  
Belgium

**Please pay particular attention to the different post codes used for each of the delivery means as failure to respect this can lead to undelivered bids.**

3. Bids must be submitted in two envelopes, one inside the other. Both envelopes are to be sealed. The inner envelope must be marked as follows:

**Call for tenders No. GSA/OP/03/09**  
**NOT TO BE OPENED**  
**BY THE INTERNAL MAIL DEPARTMENT**  
**L56 07/28**

If self-sealed envelopes are used, they must be closed by adhesive tape with the sender's signature written across it.

**Non-respect of these above instructions may lead to the exclusion of the bid.**

4. The bids will be opened on **1 September 2009** at 10:00 (Brussels local time), in the offices of the GSA, Rue de la Loi n° 56, B-1000 – Brussels, Belgium.

This opening session will be public. A representative of each tenderer may attend the opening of the bids. 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 indicated in each received bid will not be communicated. Should you wish to attend, please send a request (at least 5 calendar days before the date of the opening) to the following e-mail address: [tenders@gsa.europa.eu](mailto:tenders@gsa.europa.eu), indicating the name of the attending person and the tenderer he/she represents.

5. Submission of a bid implies full acceptance of the draft contract annexed to the present invitation letter (annex V).
6. The technical specifications concerning this call for tenders are annexed to the present invitation letter.
7. Validity period of the tender: **until 25 August 2010.**
8. Tenderers will be informed by the GSA whether or not their bids have been accepted.
9. Please note that, in order to assess the required effort, the GSA will provide tenderers with [RD7] to [RD9] input documents (see for more details point I.8 of the Tender Specifications), upon request, and after the conclusion of a non-disclosure agreement for the classified documents.

The request shall be addressed through the tenderer's Local Security Officer (LSO), at least 30 calendar days before the deadline, to the e-mail address [tenders@gsa.europa.eu](mailto:tenders@gsa.europa.eu) indicating the name and address of the Tenderer and the name of the LSO, as well as proof that the LSO is appointed in this position by his organisation. Tenderers shall also send with their requests a scanned version of the Non Disclosure Agreement provided in Annex 8, dully completed, while the original signed documents (two original copies) shall be sent in parallel by conventional mail at:

European GNSS Supervisory Authority  
Rachelle Antal  
L56 07/18  
B-1049 Brussels (Belgium)

10. A tenderer that fails to submit an offer must return all documents provided by the GSA within two months following the deadline for the submission of offers. A tenderer who submits an offer but is not awarded the contract must return all documents provided by the GSA within two months following publication of the award notice.
11. During the procedure, any contact concerning the tender between the GSA and the tenderers is prohibited. However, any additional information deemed necessary for preparing an adequate bid could be requested at the latest 6 calendar days prior to the deadline for submission of the offers. Such requests should be sent by e-mail to the following address: [tenders@gsa.europa.eu](mailto:tenders@gsa.europa.eu).

The GSA will reply to any request for additional information in strict compliance with the equal treatment principle. Provided that they have reached the GSA before the deadline, requests will be answered and published under the Procurement Section relevant to the present call to tender on the GSA webpage at the following address: <http://www.gsa.europa.eu>.

Tenderers are invited to consult the "question/answer" section under the above-mentioned Procurement Section on a daily basis. The name of the requesting party will not appear on the website.

12. Public Procurement rules applying to calls for tender launched by the GSA are contained in the GSA Financial Regulation, which provides, inter alia, that all relevant provisions of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation application to the general budget of the European Communities, as amended by Council Regulation (EC, Euratom) No 1995/2006, and Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 shall apply subject to Article 74 GSA Financial Regulation.
13. Tenderers are made aware that the GSA may, before the contract is signed, either abandon the procurement or cancel the award procedure without the tenderers being entitled to claim any compensation. Furthermore, the GSA may suspend the procedure and may take whatever measures are necessary, including the cancellation of the procedure, under the conditions laid down in Article 103 of Council Regulation (EC, Euratom) No 1605/2002.

Yours sincerely

*Opisiel CROP, Interm E1*

  
Pedro PEDREIRA

**CAVEAT:** The final budget availability for this Invitation to Tender is subject to a Commission Decision to delegate the management of the FP7 second call to the GSA and the conclusion of a delegation agreement. Potential tenderers are hereby notified that, in the absence of such a Decision, the GSA will not be in a position to award any contracts. Therefore, the potential tenderers are kindly requested to take this into account in the assessment of their investment in any preparatory work. The GSA expects to be notified of the Commission Decision early this year. As soon as this is the case, a notice of information will be published on both the GSA and the Cordis website.