



Brussels, 5 August 2011

Dear Madam/Sir,

Subject: Invitation to tender GSA/OP/02/2011-'Information and Communication services for the European GNSS Agency'

Publicity measures: Open call for tenders, following the publication of a contract notice in the Official Journal of the European Union, reference: 2011/S 149-247065 on 5 August 2011

1. The European GNSS Agency (hereinafter named as the GSA) is planning to award the public contract referred to above.
2. If you are interested in this contract, you should submit a tender on paper in triplicate (one original, 2 copies) and one electronic copy in one of the official languages of the European Union.
3. Where submission is by letter, candidates may choose to submit tenders:
 - a) either by post or by courier not later than 4 November 2011, 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 GNSS Agency
Legal Department - Procurement (GSA/OP/02/11)
Rue de la Loi 56
B-1049 Brussels
Belgium

- b) or delivered by hand to the same address

European GNSS Agency
Legal Department - Procurement (GSA/OP/02/11)
L56 07/12
Rue du Bourget 1

B-1140 Brussels (Evere)
Belgium

not later than 16.00 on 4 November 2011. 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 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.

4. Tenders must be placed inside two sealed envelopes. The inner envelope, addressed to the department indicated in the invitation to tender, should be marked as follows: "Invitation to tender GSA/OP/02/11 - not to be opened by the internal mail department". If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.
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. Tenders must be:
 - signed by the tenderer or his duly authorised representative;
 - perfectly legible so that there can be no doubt as to words and figures;
 - (if necessary) drawn up using the model reply forms in the specification.
7. Period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect: 6 months from the closing date for the reception of the Bids.
8. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the specification and in the draft contract 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.
9. Contacts between the contracting authority and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:
 - Before the final date for submission of tenders:
 - * At the request of the tenderer, the contracting authority may provide additional information solely for the purpose of clarifying the nature of the contract.

Any requests for additional information must be made in writing only to tenders@gsa.europa.eu.

Requests for additional information received after 5 October 2011 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.
 - * Any additional information including that referred to above will be published in the form of "Clarification note" on <http://www.gsa.europa.eu/go/gsa/procurement> and will be available for all the tenderers. 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.
- After the opening of tenders
- * If clarification is required or if obvious clerical errors in the tender need to be corrected, the contracting authority may contact the tenderer provided the terms of the tender are not modified as a result.
10. The bids will be opened on 14 November 2011 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, indicating the name of the attending person and the tenderer he/she represents.
 11. This invitation to tender 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 or tenderers being entitled to claim any compensation. This decision must be substantiated and the candidates or tenderers notified.
 12. You will be informed of the outcome of the evaluation in due course.
 13. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
 14. 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 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.

15. 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).

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 Regulation¹ may be included in a central database and communicated to the designated persons of the 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 Commission.

Yours sincerely,

/signed/

Carlo des Dorides (Mr)

¹ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 (OJ L 248 of 16.09.2002), as amended by Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006 (OJ L 390 of 30.12.2006)