

The Executive Director

GSA/2011/D/586252

Dear Sir/Madam,

Subject: Invitation to tender GSA/OP/04/2011-'Engineering Services for the GSA'

Publicity measures: Open call for tenders, following the publication of a contract notice in the Official Journal of the European Union, reference: 2011/S252-410614 on 31 December 2011

1. The European GNSS Agency (GSA) is launching an invitation to tender for Engineering Services for GSA

The invitation to tender follows the publication of a contract notice published in the OJEU.

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 on CD-ROM in PDF-format readable with Adobe Reader version 8.0 or higher). Bids can be submitted in the following ways:

(a) either by registered post
in this case the bid should be posted not later than 24 February 2012 (the stamp of the post office acting as proof) to the following address:

European GNSS Agency
Procurement Department (GSA/OP/04/2011)
Rue de la Loi 56
B-1049 Brussels
Belgium

(b) or by hand-delivery
in this case hand delivery should be made at the Central Mail of the European Commission not later than 16h00 (Brussels local time) on 24 February 2012. Such hand delivery should be made at the following address:

European Commission
European GNSS Agency
Procurement Department (GSA/OP/04/2011)
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) or by private courier service

in this case the bid should be 'deposited' with the Private courier service not later than 24 February 2012 (the slip issued by the private courier services acting as proof) to the following address:

European Commission
European GNSS Agency
Procurement Department (GSA/OP/04/2011)
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. Tenders must be placed inside two sealed envelopes. The inner envelope, addressed to the GSA as indicated in the invitation to tender, should be marked as follows:

Invitation to tender No. GSA/OP/04/2011 <u>NOT TO BE OPENED</u> <u>BY THE INTERNAL MAIL DEPARTMENT</u> L56 08/O11
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If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

The inner envelope must also contain two sealed envelopes, one containing the technical specifications and the other the financial bid. Each of these envelopes must clearly indicate the content ("Technical" and "Financial").]

4. 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 freely available for download on the same website as this invitation to tender (<http://www.gsa.europa.eu/go/home/gsa/procurement/>).
5. 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;
 - Tenders must be clear and concise, with continuous page numbering, and assembled
 - in a coherent fashion (e.g. bound or stapled, etc.).
 - Tenders must be written in one of the official languages of the European Union.
6. Period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect: 6 months following the final date for submitting tenders.
7. 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 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.

8. 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 less than five working days before the final date for submission of tenders will not be processed.
- * 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 posted on <http://www.gsa.europa.eu/go/home/gsa/procurement/>.
- 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.
9. The bids will be opened on 28 February 2012 at 11h00 (Brussels local time), in the offices of the European GNSS Agency, 56 Rue de la Loi, 1049 – Brussels, Belgium.
- This opening session will be public. A representative of each tenderer may attend to 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 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.
10. 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.
11. Once the GSA has opened the tender, the document shall become the property of the GSA and it shall be treated confidentially.
12. You will be informed whether or not your tender has been accepted.
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 GSA. 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. 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,

Carlo des Dorides (Mr)
Executive Director