



Schola Europaea  
European School Mol  
Europawijk 100  
2400 Mol, Belgium

## INVITATION TO TENDER

Date: 24/02/2023

**Object: CONCESION OF CRECHE SERVICES**

**Type of procedure: Open procedure**

**Award method: Offer with the best value for money**

**Contracting authority: European School of Mol**

Tender documents available on: <https://www.esmol.be/en/procurements/2023-02-03/concession-of-creche-service>

**Reference of the publication on TED:**

Dear Madam/Sir,

The contracting authority is planning to award the contract(s) resulting from the above procurement procedure. The procurement documents consist of the contract notice, this invitation letter, the draft direct contract and tender specifications with their annexes. All documents are available at the following address: <https://www.esmol.be/en/procurements>

### 1. Submission of request to participate/tenders.

Economic operators interested in this contract are invited to submit their application **by electronic mail** only sent to: [mol-procurement@eursc.eu](mailto:mol-procurement@eursc.eu)

In order to preserve the integrity of the tender between tenderers, it is requested that the offer documentation will be in 3 different encrypted PDF (password protected) files:

ANNEXES TO BE COMPLETED BY THE TENDERER:	Encrypted PDF file reference
Annex 1: Tenderer's legal entity form	1
Annex 2: Declaration of the honour related to the exclusion and selection criteria	1
Legal and regulatory capacity; (See 3.2.1. Specification) <ul style="list-style-type: none"> <li>proof of authorisation that the tenderer is authorised to perform the contract in Flanders (Belgium) under the regulation of Kind &amp; Gezin (<a href="https://www.kindengezin.be/nl">https://www.kindengezin.be/nl</a>)</li> </ul>	1
Copy of the profit and loss accounts and balance sheet for the <u>last three (3) financial years</u> (see criterion F1- See 3.2.2. Specification)	1

A list of projects meeting the minimum level of capacity (see criterion T1- See 3.2.3. Specification)	<b>1</b>
Annex 3: Technical offer	<b>2</b>
Annex 4: Financial offer	<b>3</b>

**And separately**, the passwords to the encrypted files should be sent by post in a closed envelope to the address above, no later than the same **Friday 24/03/2023 at 15:00h** (Central European Time). Envelopes by post must clearly contain the tender reference "TENDER 2023-01" in right hand corner. Example:

**CONFIDENTIAL**  
**TENDER 2023\_01**  
**European School Mol**  
*Attention: Mr. Roberto Teruel (Procurement officer)*  
 Europawijk 100  
 B-2400 MOL- België /Belgium

In order to secure the application documents sent electronically, they must be sent in PDF format with the exception of the financial offer tables which must be sent in PDF *and* in Excel format. The documents must be duly named according to their content.

**The time limit for receipt of the tender bid is indicated under Heading IV.2.2 of the contract notice** where local time shall be understood as local time at the contracting authority's location (the location indicated under Heading I.1 of the contract notice).

Means of submission and evidence of the respect of the time-limit for receipt of tenders are:

- Date and hours of reception by the email reception system of the contracting authority of the last electronic mail sent by the tenderer and containing the offer or part of the offer.

If the sender receives an error report, he must make every effort to ensure that the contracting authority actually receives the tender by e-mail within the deadline set.

A tender received after the time-limit for receipt of tenders will be rejected due to irregularity.

Tenders must be:

- Signed by a duly authorized representative of the tenderer;
- Perfectly legible so that there can be no doubt as to words and figures.
- be denominated in euros, all costs and expenses included and excluding VAT

Tenderers must ensure that their submitted tenders contain all the information and documents required by the contracting authority at the time of submission as set out in the procurement documents.

## **2. Legal effects of the invitation to tender and submission of a request to tender.**

This invitation to tender is in no way binding on the contracting authority. The contracting authority's contractual obligation commences only upon signature of the contract with the successful tenderer.

Up to the point of signature, the contracting authority may cancel the procurement procedure without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and tenderers notified.

The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, is indicated in Heading IV.2.6 of the contract notice.

Submission of a tender implies acceptance of all the terms and conditions set out in the procurement documents and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. The submitted tender is binding on the tenderer to whom the contract is awarded for the duration of the contract.

By submitting a tender, the tenderer also accepts all the terms and conditions set out in the draft contract annexed to these specifications. The successful tenderer of the contract may no longer request an adaptation of any clause whatsoever.

All costs incurred for the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed.

### **3. Contacts during the procurement procedure.**

Contacts between the contracting authority and candidates or tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

#### 3.1 Submission phase (before the time-limit for receipt of tenders)

Upon request, the contracting authority may provide additional information solely for the purpose of clarifying the procurement documents.

Any request for additional information must be made in writing only to [mol-procurement@eurs.eu](mailto:mol-procurement@eurs.eu)

**Attention: Please note that, in order to guarantee the integrity of the tenders, the mailbox will no longer be reachable by the contracting authority six (6) working days before the deadline of receipt of the offers, until the expected date and time for the opening of tenders.**

The contracting authority is not bound to reply to requests for additional information received during those six working<sup>1</sup> days before the time-limit for receipt of tenders.

The contracting authority may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other type of clerical error in the text of the procurement documents.

Any additional information including that referred to above will be posted on [mol-procurement@eursc.eu](mailto:mol-procurement@eursc.eu).

The website will be updated regularly and it is the tenderer's responsibility to check for updates and modifications during the submission period.

An **on-site visit (optional)** is planned to take place in the week of 6-12 of March 2023 at the European School of Mol.

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<sup>1</sup> Working days at the contracting authority's location indicated under Heading I.1 of the contract notice.

If you wish to participate, please send a message to [mol-procurement@eursc.eu](mailto:mol-procurement@eursc.eu) by the 3 of March 2023. The schedule for the visit will be communicated to you at the latest the 6 of March 2023.

### 3.2 Opening of tenders

Tenders will be opened in public at the time and place indicated under Heading IV.2.7 of the contract notice. A maximum of two representatives per tenderer can attend the opening of tenders as provided in Section IV.2.7 of the contract notice. For organisational and security reasons, the tenderer must provide the full name and ID or passport number of the representatives<sup>2</sup> at least **five (5)** working days in advance to: [mol-procurement@eursc.eu](mailto:mol-procurement@eursc.eu). The representatives will be required to present the tender reception confirmation and to sign an attendance sheet. The contracting authority reserves the right to refuse access to its premises if the above information or the tender reception confirmation are not provided as required.

The contracting authority reserves the right to organize the opening session of tenders in a virtual manner. A maximum of two representatives per tenderer can attend the opening of tenders as provided in Section IV.2.7 of the contract notice. The tenderer who want to assist to the opening session (virtual) must provide the first name and surname of the representatives at least **five (5)** working days in advance to: [mol-procurement@eursc.eu](mailto:mol-procurement@eursc.eu).

By return email, interested persons will receive an invitation to participate in the virtual opening session of the offers.

The public part of the opening session will be strictly limited to the following aspects:

- verification of compliance with the procedures for submitting tenders as provided for in the procurement documents;
- announcement of the tenders received: only the contact details of the tenderers will be announced;

Tenderers not present at the opening session may send an information request to [mol-procurement@eursc.eu](mailto:mol-procurement@eursc.eu), if they wish to be provided with the information announced during the public opening.

Once the contracting authority has opened the tender, it becomes its property and it shall be treated confidentially.

### 3.3 Evaluation phase (after the opening of tenders)

Except in duly justified cases, tenderers who have failed to submit evidence or to make statements as required in the procurement documents, shall be contacted by the contracting authority to provide the missing information or clarify supporting documents.

The contracting authority may correct obvious clerical errors in the tender after confirmation of the correction by the tenderer. Such information, clarification or confirmation shall not substantially change the tender. This request for information, clarifications or confirmations, may not lead to a substantial modification of the offer.

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<sup>2</sup> This data is necessary to ensure access to the European Schools premises

### 3.4 Award phase

Tenderers will be notified of the outcome of this procurement procedure by mail. The notification will be sent to the **electronic mail** address provided in the tender for the tenderer (group leader in case of a joint tender). The e-mail address will be used by the contracting authority for all other communications with the tenderer. It is the tenderer's responsibility to provide valid mail and valid electronic mail addresses and to check them regularly.

### **Data protection**

If processing a reply to the invitation to tender involves the recording and processing of personal data (such as name, address and CV), such data will be processed pursuant to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and pursuant to the national legislation related to the protection of privacy. Unless indicated otherwise, any personal data will be processed solely for evaluation purposes under the call for tenders by the Director of European School of Mol.

### **Means of redress**

You have the possibility to lodge an action against the judicial court of the district of Anvers, according to the Articles 14, 15, 23 and 24 of the law of the 17<sup>th</sup> of June 2013 related to « *motivation, à l'information et aux voies de recours en matière de marchés publics, de certains marchés de travaux, de fournitures et de services et de concessions* » within the time limits provided for in Article 23 of the said law.

Any requests you may make and any replies to them or complaints of maladministration will have neither the object nor the effect of suspending the time limit for lodging an appeal or of opening a new period for lodging an annulment procedure.]

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Date and signature of the authorising officer

Annexes to the invitation to tender:

- Annex I – Tender specifications- Administrative Part.
- Annex II- Tender specification- Technical Part.
- Annex III – Draft contract and annexes