



Schola Europaea
European School of Mol
Europawijk 100
2400 Mol

INVITATION TO TENDER

Date: 19/04/2024

CONCESSION OF SCHOOL RESTAURANT AND CATERING FOR EVENTS

Type of procedure: **Open procedure with publication in the Tender Electronic Daily (TED) of the European Union**

Award method: **best value for money**

Type of contract: **Framework contract (FWC)**

Contracting authority: **European School Mol**

Tender's documents available on: <https://www.esmol.be/en/procurements>

Dear Madam/Sir,

Dear Sir, Madam,

The contracting authority envisages the award of the contract in Object. The procurement documents include: this invitation letter and its appendices, in particular the specifications.

1. Submission of tenders

If you are interested in this contract, you are invited to send us an offer in English which are the working languages of the contracting authority, according to the procedures specified in the annexed contract documents.

You must send the offer exclusively by email to mol-procurement@eursc.eu. The offer must arrive no later than **Monday 20/05/2024 at 2:00 (Central European Time)**.

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 3.2.2. Specification): Copy of the profit and loss accounts and balance sheet for the last three years for which accounts have been closed from each concerned involved entity, or, failing that, appropriate statements from banks. The most recent year must have been closed within the last 18 months.	2
A list of projects meeting the minimum level of capacity. The list shall include details of their start and end date, total project amount and scope, role and amount invoiced. In case of projects still on-going only the portion	2

completed during the reference period will be taken into consideration. (see criterion T1- See 3.2.3. Specification)	
Prove or declaration that it is well covered for professional risks. (see criterion T2- See 3.2.3. Specification)	2
Minimum technical team (see criterion T3- See 3.2.3. Specification) CVs, copies of qualifications, and official justifications of the previous professional experience of the aggregated team must be provided, including the signature of these workers committing to participate in the contract	2
Annex 5: Model Form Prices proposition	3
Annex 5: Form bank account	3

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 **Monday 20/05/2023 at 12:00h** (Central European Time). Envelopes by post must clearly contain the tender reference "TENDER 2024-02" in right hand corner. Example:

<u>CONFIDENTIAL</u>
TENDER 2024_02 CONCESSION OF SCHOOL RESTAURANT AND CATERING FOR EVENTS
<u>European School Mol</u>
<i>Attention: Mr. Roberto Teruel (Procurement officer)</i>
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.

All tenders must:

- Signed by a duly authorized representative of the tenderer;
- **be established by following the indications appearing in the annexed specifications**
- be perfectly legible in order to eliminate any doubts about the terms and figures
- be denominated in euros, all costs and expenses included and excluding VAT

Tenderers must ensure that the offers they submit contain all the information and documents requested by the contracting authority at the time of submission, as indicated in the contract documents.

2. Legal effects of the invitation to tender and the submission of a tender / request to participate

This invitation to tender does not constitute any commitment on the part of the contracting authority. It only begins when the contract is signed with the successful tenderer.

The contracting authority may, until the contract is signed, cancel the procurement procedure, without candidates or tenderers being able to claim any compensation. If necessary, this decision would be reasoned and brought to the attention of candidates or tenderers.

The period of validity of the offer, during which the tenderer is bound to maintain all the conditions of the latter, is **6 months**.

Submission of an offer implies acceptance of all the conditions contained in the contract documents (both the conditions set out in this invitation to tender and the general conditions), and where applicable, the tenderer's waiver of his own general or specific conditions. It binds the tenderer to compliance with the documents included in the contract documents (and negotiations if necessary) during the performance of the contract, if he becomes the successful tenderer.

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.

The costs occasioned by the preparation and submission of tenders are fully borne by the tenderer and will not be reimbursed by the Contracting Authority.

3. Contacts during the procurement procedure

During the whole procedure, contacts between the contracting authority and candidates or tenderers are only authorized on an exceptional basis. They can only intervene under the following conditions:

3.1 Submission phase (before the deadline for receipt of tenders)

On request, the contracting authority may provide additional information strictly for the purpose of clarifying the contract documents.

Any request for additional information should be made in writing only to mol-procurement@eursc.eu

On its own initiative, the contracting authority may inform interested parties of any error, imprecision, omission or other material insufficiency in the drafting of contract documents.

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 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 day 13/05/2024 at the European School of Mol.

If you wish to participate, please send a message to mol-procurement@eursc.eu by the 7 of May 2024. The schedule for the visit will be communicated to you at the latest the 8 of May 2024.

3.2 Opening of the tenders

The contracting authority may negotiate with the tenderers the tenders they have submitted with the aim of adapting them to the contract documents and seeking the most economically advantageous tender. The minimum requirements and selection and award criteria defined in the procurement documents are not subject to negotiation. During negotiations, equal treatment of all tenderers is ensured. The contracting authority reserves the right not to negotiate and to award the contract on the basis of the offers received initially.

As soon as the contracting authority has opened the tender, the document becomes its property and is treated confidentially.

3.3 Evaluation phase (After the opening of the tenders)

Except in duly justified cases, tenderers who have not submitted the supporting documents or made the declarations provided for in the contract documents will be contacted by the contracting authority in order to supply the missing information or to clarify the supporting documents.

The contracting authority may correct manifest material errors in the tender, subject to confirmation of the correction by the tenderer. This request for information, clarifications or confirmations, may not lead to a substantial modification of the offer.

3.4 Award Phase

Tenderers will be informed of the result of this tendering procedure by email. The information will be sent to the email address indicated in the offer for the tenderer (lead partner in the event of a joint offer). The same email address will be used by the contracting authority for all other communications with the tenderer. The tenderer is required to provide a valid e-mail address and to check his e-mail regularly.

Data protection

If the follow-up of a response to the invitation to tender involves the recording and processing of personal data (for example, name, address and CV), this data will be processed in accordance with Regulation (EC) No 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of individuals with regard to the processing of personal data and with due regard for the national laws applicable to the protection of privacy and personal data. Unless otherwise indicated, personal data will be processed solely for the purposes of evaluation within the framework of the invitation to tender by the Director of the 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 17th 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.

e-Signature of Authorizing Officer.