

## Invitation to negotiate

Procedure n°: 2021/0208

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Object: **School furniture and office furniture**

Type of procedure: negotiated procedure for middle value contract

Award method: Offer with the best value for money

Type of contract: Framework contract

Contracting authority: European School of Mol

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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 is one of 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-deputy-director-finance-and-administration@eursc.eu**. The offer must arrive no later than 08/03/2021 at 16:00h (Central European Time).

Tenders received after the deadline will be rejected. An offer received by email is considered to have been received by the contracting authority on the day of its dispatch, provided that it is sent to the email address indicated above. The sender must be able to prove the date of dispatch. If the sender receives a dispatch error report, he must do everything in his power to ensure that the contracting authority receives the tender by e-mail.

All tenders must:

- **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.

The costs incurred for the preparation and submission of tenders are fully borne by the tenderer and will not be reimbursed.

## 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 90 days.

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.

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-deputy-director-finance-and-administration@eursc.eu](mailto:mol-deputy-director-finance-and-administration@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.

#### **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 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 information, clarifications or confirmations, must not bring substantial modifications to 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.

### **Appeal procedure**

You can appeal against the award decision to the competent national courts. Any requests from you and responses to them or complaints of maladministration will neither have the object nor the effect of suspending the time limit for bringing an appeal or opening a new period for the introduction of an appeal.

Date: 08/02/2021

Name of Authorizing Officer: Maria-José Perez Blanco

Signature of Authorizing Officer:



### Annexes to this invitation to negotiate:

- Annex 1: Specifications
- Annex 2: Declaration of honour on exclusion and selection criteria
- Annex 3: Draft contract and applicable general conditions
- Annex 4: Legal Entity form
- Annex 5: Financial offer form