

FINANCE AND PROCUREMENT

DRS/PRO/Dele/RB(2022)00696
Thessaloniki, 07/06/2022

OPEN INVITATION TO TENDER

Provision of medical services for Cedefop and ENISA AO/DRS/GBACH/MedicalServices/003/22

REFERENCE: *Contract notice - 2022/S 108-303757 of 07/06/2022*

Dear Madam/Sir,

The **European Centre for the Development of Vocational Training, Cedefop**, referred to below as *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 contract(s) and tender specifications with their respective annexes. All documents are available at the following TED eTendering website¹:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=11254>

Economic operators interested in this contract are invited to submit a tender preferably in English, but in any case, in one (or in any) of the official languages of the European Union.

1. Submission of tenders.

Tenders must be submitted exclusively via the electronic submission system (eSubmission) available from the above website² and accessible on the Funding and Tenders Opportunities portal (F&T portal)³, Tenders submitted in any other way (e.g. e-mail or by letter) will be disregarded.

In order to submit a tender using eSubmission, economic operators (each member of the group in the case of a joint tender) will need to register in the European Commission's [Participant Register](#) - an online register of organisations participating in EU calls for tenders or proposals. On registering each organisation obtains a Participant Identification Code (PIC, 9-digit number) which acts as its unique identifier in the above register. Instructions on how to create a PIC can be found on this [page](#). Economic operators already registered in the Participant Register shall reuse their existing PICs when preparing tenders in eSubmission.

¹ Subscription to the call for tenders at the above link allows interested economic operators to receive e-mail notifications when new information or documents are published. Subscription is free of charge and does not involve any commitment to submit a tender.

² For detailed instructions on how to submit a tender please consult the eSubmission Quick Guide available at: https://ec.europa.eu/info/funding-tenders/opportunities/docs/esubmission/quickguidepp_en.pdf.

The supported browsers, file types, size of attachments and other system requirements can be consulted at: <https://webgate.ec.europa.eu/fpfis/wikis/x/Oo5kI>. In case of technical problems, please contact the eSubmission Helpdesk (see contact details in the eSubmission Quick Guide) as soon as possible.

³ <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home>

The time-limit for receipt of tenders is indicated in the timetable in **point 4** below as well as under Heading IV.2.2 of the contract notice where local time shall be understood as local time at Cedefop seat, i.e. Thessaloniki, Greece, which is UTC+03:00. The time-limit is published also on the above TED eTendering website which sends notifications to subscribed users when the call for tenders' data is modified.

A tender received after the time-limit for receipt of tenders will be rejected. The submission receipt provided by eSubmission with the official date and time of receipt of the submission (timestamp) constitutes proof of compliance with the time-limit for receipt of tenders⁴.

Please note that it is not possible to submit a tender through eSubmission after the time-limit for receipt of tenders indicated in the contract notice and/or the TED eTendering website. To ensure tenders are submitted on time, tenderers are invited to get familiar with the system and the system requirements, in particular the accepted file formats², well in advance.

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.

The Declaration(s) on Honour on exclusion and selection criteria (template available in the tender specifications) shall be dated and signed by an authorised representative of the signatory by applying a qualified electronic signature (preferably) or by hand.

When the Declaration(s) on Honour is/are signed by hand, a scanned copy must be attached to the tender in eSubmission. The hand-signed original(s) must be sent by letter to the contracting authority's postal address specified under Heading I.1 of the contract notice at the latest on the first working day following the electronic submission of tender. The envelope, clearly mentioning the reference to the call for tenders and the eSubmission ID of the tender must be marked as "CALL FOR TENDERS – NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT". Only the original(s) of the Declaration on Honour are to be sent by letter, not other documents.

Cedefop reserves the right to request the signed declarations on honour in original, at any time the situation returns to normal.

Tenderers should not disclose their financial offer in any other part of their tender (technical proposal, supporting documents) other than the relevant section (Financial tender) in the e-Submission application.

After submitting a tender, but before the deadline for receipt of tenders, a tenderer may definitively withdraw its tender⁵, or withdraw it and replace it with a new one⁶. A withdrawal receipt will be provided by eSubmission as proof of withdrawal.

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

⁴ If no submission receipt is received in reasonable time after submission, please contact the eSubmission Helpdesk (see contact details in the above referred eSubmission Quick Guide) as soon as possible.

⁵ A submitted tender can be withdrawn directly in the "Procurement/My Submission(s)" area in the F&T Portal. For detailed instructions on how to withdraw a tender please consult the above referred eSubmission Quick Guide.

⁶ To submit a new version, the tenderer must create a new tender in eSubmission and include all the information and documents required in the procurement documents with the submission of a tender, even if some of them have already been included in the replaced tender.

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

This invitation to tender is in no way binding on the contracting authority. The contracting authority's contractual obligation commences only upon:

- the signature of an Order or Specific Contract under the Framework Contract, whereby signature of the Framework Contract alone does not commit Cedefop to order.

Up to the signature of the contract the contracting authority may cancel the procurement procedure without tenderers being entitled to claim any compensation. Any such decision must be substantiated and tenderers notified.

Tenderers must maintain the validity of their tender for at least 6 months following the deadline of submission of tenders as indicated in the timetable **in point 4 below** as well as under Heading IV.2.6 of the contract notice. In exceptional cases, before the period of validity expires, Cedefop may ask the tenderers to extend the period of validity.

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.

3. Contacts during the procurement procedure.

Contacts between the contracting authority and 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 through the above TED eTendering website** in the "Questions & answers" tab, by clicking "Create a question" (registration on TED eTendering is required to be able to create and submit a question).

The contracting authority is not bound to reply to requests for additional information received less than six working⁷ 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 will be published on the above TED eTendering website. The website will be updated regularly and it is the economic operator's responsibility to check for updates and modifications during the submission period¹.

Please see the specific dates for requests and answers for clarification in the timetable **in point 4 below**.

⁷ Working days at the contracting authority's location indicated under Heading I.1 of the contract notice.

3.2 Opening of tenders

If opening is not by videoconference

Tenders will be opened in public at the time and place indicated in the timetable in **point 4 below** as well as under Heading IV.2.7 of the contract notice, where local time shall be understood as local time at Cedefop's seat (Thessaloniki, Greece), i.e. UTC+03:00. A maximum of two representatives per tender may attend the opening session. The names of the persons attending the opening must be notified in writing by e-mail to:

C4T-Services@cedefop.europa.eu at least two (2) working days prior to the opening session. The representatives will be required to present the Submission Receipt generated by e-Submission and to sign an attendance sheet. For organisational and security reasons, visitors are requested to identify themselves with a valid identity card or passport.

The contracting authority reserves the right to refuse access to its premises if the above information or the submission receipt are not provided as required.

If opening is by videoconference

Tenders will be opened in a virtual opening session on the date and time indicated under Section IV.2.7 of the contract notice. A maximum of two representatives per tender may attend.

Tenderers may request to attend the opening by sending an email to:

C4T-Services@cedefop.europa.eu as soon as possible and not later than one (1) working day before the scheduled start of the opening session. The request must include the full name(s) and email address(es) of the representative(s), the name of the represented tenderer and the submission receipt generated by e-Submission. The contracting authority reserves the right to refuse access to the virtual opening session if the above information is not provided as required.

The representatives will receive an invitation by email with the meeting details and instructions how to attend the opening.

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

- verification that each tender has been submitted in accordance with the submission requirements of the call for tenders;
- announcement of the tenders received: the names of the tenderers (all members in the case of a joint tender) will be announced;
- announcement of the total price of each tender per lot.

Tenderers not present at the opening session may send an information request to C4T-Services@cedefop.europa.eu in case they wish to be provided with the information announced during the public opening.

Once the contracting authority has opened the tenders, they shall become its property and will be treated confidentially.

3.3 Evaluation phase (after the opening of tenders)

Tenderers should not contact the Contracting Authority (i.e. Cedefop) on their own initiative.

Tenderers are not allowed to amend their offers, e.g. by completing the documents they sent, replacing them with amended ones or sending new documents initially not included in the tender, as this may lead to rejection of the tender.

Any such need for additional information or clarification/and or supporting documents identified by the Evaluation Committee during the evaluation process or if obvious clerical errors in the

tender need to be corrected, Cedefop may contact tenderer/s in writing. In this regard, tenderers should be prepared to reply to such requests for clarification within a short reasonable deadline as it will be stated in the request for clarification.

If the necessary information and/or supporting documents for the assessment of an award criterion are missing, these may not be requested as clarification if this might alter the proposal.

Any requests for clarification in that regard should not lead to amendment of the tender. Tenderers must not modify their tender or add any new elements to it. The reply must therefore make clear reference to the relevant information already present in the file. This will serve solely the purpose to provide the Evaluation Committee with a clarification regarding the technical proposal provided the terms of the tender are not modified as a result.

In regard to possible clarifications on obvious clerical errors in the Financial Offer, tenderers must not add any new prices, but only explain the quotation on the basis of elements and prices already present in the offer. In case a tenderer alters his financial offer during a clarification (beyond the correction of any obvious clerical/calculation errors), this offer will be automatically rejected.

3.4 Award phase

Tenderers will be notified of the outcome of this procurement procedure by e-mail. The notification will be sent to the e-mail address provided in the eSubmission application for the tenderer (group leader in case of a joint tender) under the section *Contact Person*. The same 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 a valid e-mail address and to check it regularly.

4. Timetable:

MILESTONES	DATE	TIME	COMMENTS
Deadline for request for any additional information (clarifications) from the Contracting Authority (Cedefop)	29/06/2022	23:59	Greek local time (UTC+03:00) Requests for clarifications must be made through the 'Questions & Answers' section of e-Tendering.
Last date on which clarifications are issued by Cedefop	01/07/2022	N/A	All answers to requests for clarifications will be published through the 'Questions & Answers' section of e-Tendering
Deadline for electronic reception of tenders via e-Submission	08/07/2022	15:59	Greek local time UTC+03:00
Validity of the tenders	08/01/2023	N/A	
Tenders opening session	11/07/2022	12:00	Greek local time UTC+03:00
Estimated contract signature date	September 2022	N/A	Estimated

5. 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) 2018/1725⁸ of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC. Unless indicated otherwise, any personal data will be processed solely for evaluation purposes under the call for tenders by Cedefop staff designated by its Executive Director, who is the Agency's data controller. Details concerning the processing of personal data are available in the privacy statement at: <http://www.cedefop.europa.eu/en/about-cedefop/public-procurement>.

If you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint regarding the collection and use of your personal data, you can contact the data controller at DATA-PROTECTION-OFFICER@cedefop.europa.eu by explicitly specifying your request.

The tenderer's personal data may be registered in the Early Detection and Exclusion System (EDES) if the tenderer is in one of the situations mentioned in Article 136 of the Financial Regulation⁹. For more information, see the privacy statement: http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm.

Yours faithfully,

Cedefop Procurement Service

(e-signed)

Annex: Tender specifications and annexes

⁸ OJ L 295, 21.11.2018, p. 39

⁹ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p.1).