



EUROPEAN COMMISSION  
DIRECTORATE GENERAL  
JOINT RESEARCH CENTRE  
Directorate R. Resources  
Finance and Procurement Unit (Ispra/Brussels)

**CALL FOR TENDERS**  
**Open Procedure**  
**JRC/IPR/2016/G.III.9/5008/OC**

**"JRC-Ispra's D&WM Programme Management  
Assistance Services (PMAS)"**

**Tender specifications:**  
**Part 1- Administrative Annex**

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## 1. INFORMATION ON TENDERING

### 1.1. Who may submit a tender

Participation in this procurement procedure is open on equal terms to all natural and legal persons coming within the scope of the [Treaties](#), as well as to international organisations.

It is open to all natural and legal persons established in a third country which has a special agreement with the Union in the field of public procurement on the conditions laid down in that agreement. Where the plurilateral Agreement on Government Procurement concluded within the World Trade Organisation applies, the participation to this procedure is open to all natural and legal persons established in the countries that have ratified this Agreement, on the conditions it lays down.

### 1.2. How economic operators can organise themselves to submit a tender

Economic operators can submit a tender either as a sole tenderer or as a group of tenderers (joint tender, Section 1.2.1). In either case subcontracting is permitted (Section 1.2.2). A tenderer can also rely on the capacities of other entities to fulfil the selection criteria (Section 1.2.3).

The tenderer must clearly specify the role of each economic operator involved in the tender – as a member of a group, a subcontractor or a third party on whose capacity is being relied upon. This also applies where the entities involved belong to the same economic group.

Changes in the composition of the group or change of subcontractors during the procurement procedure (after submission of the tender) or contract execution is subject to the prior written approval of the Contracting Authority.

The Contracting Authority may require the tenderer to remove or to replace an entity which is in an exclusion situation or does not fulfil a relevant selection criterion in case of subcontracting and/or reliance on a third party for the selection criteria.

#### 1.2.1. Joint tenders

A joint tender is a situation where a tender is submitted by a group (with or without legal form) of economic operators (natural or legal persons) regardless of the link they have between them.

All members of the group assume joint and several liabilities towards the Contracting Authority for the performance of the contract as a whole, i.e. both financial and operational liability.

The joint tender must clearly indicate the role and tasks of each member and designate one legal entity ("the leader") as the single point of contact for the Contracting Authority for administrative and financial aspects as well as operational management of the contract. The leader will have full authority to bind the group and each of its members during contract execution.

If the joint tender is successful, the Contracting Authority will sign the contract either with all members of the group, or with the leader, authorised by the other members to sign the contract on their behalf (e.g. via powers of attorney).

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### 1.2.2. Subcontracting

Subcontracting is the situation where the contractor enters into legal commitments with other legal entities which will perform part of the contract on its behalf. The contractor retains full liability towards the Contracting Authority for performance of the contract as a whole. Freelancing, drawing on the activities or staff of any other entirely different legal entity than the contractor, qualifies as subcontracting, independent of the applicable national law.

All tasks subject of the contract may be subcontracted unless the Technical Specifications reserve the execution of certain critical tasks to the tenderer itself, or in case of a joint tender, to a member of the group.

Tenderers must give an indication of the proportion of the contract that they intend to subcontract, if known at the time of submission of the tender, and identify subcontractors. **The Tenderer must clearly identify the subcontractors on whose capacities the tenderer relies upon to fulfil the selection criteria as described under Section 2.3.**

### 1.2.3. Reliance on a third party for fulfilment of selection criteria

For the fulfilment of selection criteria under Section 2.3 a tenderer may rely on the capacities of other entities, regardless of the legal nature of the links it has with them. It must in that case prove that it will have at its disposal the resources necessary for the performance of the contract by producing a commitment by those entities to that effect.

If the contract is awarded to a tenderer relying on another entity to meet the minimum levels of economic and financial capacity, the Contracting Authority may require the entity to sign the contract or, alternatively, to provide a joint and several first-call financial guarantee for the performance of the contract.

With regard to technical and professional selection criteria, a tenderer may only rely on the capacities of other entities where the latter will perform the works or services for which these capacities are required.

### 1.2.4. Exclusion of Conflict of Interest

Given the nature of the service, conflicts of interest have to be avoided between the Tenderer and the current D&WM Programme contractors. In this regard it is stated that a contractor (or parts of the same industrial and/or commercial group or organisation and his subcontractors if any) that has already been awarded one of the following contracts:

- 491644-2014-05-A27-ISP-IT Site laboratory operations
- 493099-2015-07-A27-ISP-FR Radiation Protection Assistance
- 492389-2014-11-A27-ISP-IT Offsite chemical analyses & radiochemical analyses
- 198607-2015-06-A27-ISP-FR Radwaste management facilities operations & maintenance
- 492746-2015-02-A27-ISP-FR Nuclear Facilities Decommissioning and Support to Operation

cannot participate in this Tender procedure. The successful Tenderer (or parts of the same industrial and/or commercial group or organisation) of the PMAS contract, will not be able to participate in other future tenders dealing with the implementation of the D&WM Programme, such as but not limited to, the call for tender procedure for "ND & WM Programme Engineering Support", if not specified differently in the individual future calls for tender.

## 2. EVALUATION AND AWARD

### 2.1. Order and basis of evaluation

Tenders received in conformity with the submission modalities of the call for tender will be subject to assessment with regard to the following criteria:

- Exclusion criteria (Section 2.2)
- Selection criteria (Section 2.3)
- Compliance with the minimum requirements of the Tender Specifications (Section 2.4)
- Award criteria (Section 2.5)

The Contracting Authority will assess these criteria. A tenderer failing to pass a given category of criteria will not be evaluated under the other categories and will be informed of the ground for rejection.

The contract will be awarded to the tenderer, who offer the most economically advantageous tender based on the award criteria specified in Section 2.5 provided that:

- the tender complies with the minimum requirements of the Tender Specifications
- the tenderer fulfils the exclusion and selection criteria specified in Sections 2.2 and 2.3 of this document, and is not subject to conflicting interests which may negatively affect the performance of the contract.

The Contracting Authority shall evaluate tenders as follows:

- Exclusion and selection criteria shall be evaluated on the basis of "Declaration(s) on Honour on Exclusion and Selection criteria" (Annex 1 of the administrative annex) to be provided at tender submission stage as evidence of non-exclusion and fulfilment of selection criteria (Section 3.2).
- Compliance with the minimum requirements shall be evaluated on the basis of documents submitted for identification of the tenderer (Section 3.1), the Technical offer (Section 3.3) and the Financial offer (Section 3.4).
- Award criteria shall be evaluated on the basis of the Technical offer (Section 3.3) and the Financial offer (Section 3.4).

Where the value of the awarded contract is equal to or above EUR **135,000**, the successful tenderer **shall** be required to provide before contract signature and within a deadline given by the Contracting Authority the following documentary evidence:

- Supporting documents of non-exclusion listed in the "Declaration on Honour on Exclusion and Selection criteria" (Annex 1). In case of a joint tender this evidence must be provided by each member of the group. The Contracting Authority reserves the right to require the evidence also from identified subcontractors (see Section 1.2.2) and/or other entities on whose capacity is being relied for fulfilment of the selection criteria (see Section 1.2.3).
- Evidence of legal and regulatory, financial and economic and technical and professional capacity specified in Section 2.3 of this document. For joint tenders, subcontracting or reliance on third parties for the fulfilment of the selection criteria, the evidence must be provided in accordance with the applicable basis for assessment of each criterion: in case of consolidated assessment – only by the entities who contribute to the fulfilment of the criterion, and in case of individual assessment – by each entity to whom the criterion applies individually.

The Contracting Authority reserves the right to require to any tenderers the above documentary evidence at any time during the procurement procedure and contract execution. Failure to provide the requested evidence may lead to the tender being rejected. If any of the declarations or information provided as a condition for participating in this procedure proves to be false the Contracting Authority may impose administrative sanctions (exclusion or financial penalties) on the entity providing the false declarations/information.

Tenderers shall not be required to submit:

- Documentary evidence that has already been submitted for the purposes of another procurement procedure of the Commission, provided that the documents are still valid and, in case of supporting documents of non-exclusion, the issuing date does not exceed one year from the date of the request of the Contracting Authority. In such cases, the tenderer shall declare on its honour that the documentary evidence has already been provided in a previous procurement procedure, indicate the reference of the procedure and confirm that that there has been no change in its situation.
- A specific document which the Contracting Authority can access on a national database free of charge. In this case the tenderer shall provide the Contracting Authority with the internet address of the database and, if needed, the necessary identification data to retrieve the document.

International organisations are exempt from the obligation to submit supporting documents of non-exclusion.

## **2.2. Exclusion criteria**

The objective of the exclusion criteria is to assess whether an economic operator is allowed to participate in the procurement procedure or to be awarded the contract.

Tenderers will be rejected from the procurement procedure if they are in any of the situations listed in Article 106 or 107 of the Financial Regulation<sup>1</sup>. Where the tenderer is a legal person, certain exclusion situations apply also to the natural persons having power of representation, decision-making or control over the tenderer and to natural or legal persons assuming unlimited liability for the debts of the tenderer. All these situations are explicitly described in the "Declaration on Honour on Exclusion and Selection Criteria" (Annex 1).

## **2.3. Selection criteria**

The objective of selection criteria is to assess the capacity of the tenderer to carry out the work subject to this procurement procedure. This includes legal and regulatory, economic, financial, technical and professional capacity.

To fulfil the selection criteria a tenderer may rely on the capacities of other entities (Section 1.2.3).

### **2.3.1. Legal and regulatory capacity**

Tenderers must prove that they are allowed to pursue the activity necessary to carry out the work that is the subject to this call for tenders. The legal and regulatory capacity shall be proven by supporting documents provided with the Legal Entity Form (Section 3).

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<sup>1</sup> Regulation (EU, Euratom) 2015/1929 of the European Parliament and of the Council of 28 October 2015 amending Regulation (EU, Euratom) No 966/2012 on the financial rules applicable to the general budget of the Union - <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32015R1929>

### 2.3.2. Economic and financial capacity

The tenderer must have the necessary economic and financial capacity to perform this contract until its end. In order to prove their capacity, the tenderer must comply with the following selection criteria.

**Please note that the evidence need not be provided with the tender but may be requested by the Contracting Authority at any time during the procedure (Section 2.1).**

- **Criterion F1:** The average yearly turnover figure for each of the past **3 financial years** (2013-2015) for which accounts have been closed must not be less than **EUR 700 000** .
  - **Evidence F1:** A signed statement attesting to overall yearly turnover realised over the past 3 financial years. The Contracting authority reserves the right to ask a copy of the profit and loss accounts for the last three years for which accounts have been closed from each concerned legal entity, or, failing that, appropriate statements from banks.
  - **Basis for assessment F1:** This criterion applies to the tenderer as a whole (consolidated assessment) - the combined capacities of all members of the group in case of a joint tender, all identified subcontractors and all entities on whose capacity is relied for the fulfilment of this criterion.
- **Criterion F2:** The average yearly turnover figure for similar services delivered during each of the past **3 financial years** (2013-2015) must not be less than **EUR 210.000**.
  - **Evidence F2:** A signed statement attesting to similar services delivered during the past 3 financial years. The Contracting authority reserves the right to ask supporting documents such as invoices and/or a copy of the profit and loss accounts for the last three years for which accounts have been closed from each concerned legal entity, or, failing that, appropriate statements from banks.
  - **Basis for assessment F2:** This criterion applies to the tenderer as a whole (consolidated assessment) - the combined capacities of all members of the group in case of a joint tender, all identified subcontractors and all entities on whose capacity is relied for the fulfilment of this criterion.

If a tenderer is unable to provide any of the above documents, it may prove its economic and financial capacity by other documentation that the Contracting Authority declares as equivalent. In such case the Contracting Authority reserves the right to request a justification for this exception.

The Contracting Authority reserves the right not to award the contract to a tenderer where the evidence provided gives rise to major concerns on its financial viability to perform the contract and the tenderer has failed to mitigate these concerns by submitting observations or other evidence of financial viability.

### 2.3.3. Technical and professional capacity

The tenderer must have the necessary technical and professional capacity to perform this contract until its end. In order to prove their capacity, the tenderer must comply with the following selection criteria.

**Please note that the evidence need not be provided with the tender but may be requested by the Contracting Authority at any time during the procedure (Section 2.1).**

- **Criterion T1:** The tenderer must prove experience in the field of:
  - Project and programme scheduling and monitoring
  - Project and programme cost management
  - Project and programme risk management
- **Minimum level of capacity T1 for the role Scheduling Engineer / Contract On-Site Coordinator**
  - At least 15 years' experience in project management within a technical environment similar or equivalent to the one described in Annex I of the Draft contract, such as but not limited to the fields: Civil engineering, Petroleum engineering, Aerospace engineering and Chemical engineering, including at least 5 years of proven experience in project planning and analyses.
  - At least 3 completed projects in a similar or equivalent context to the one described in Annex I of the Draft contract, in the role as project manager and/or responsible for the project/programme planning.
  - Program/Project Management Professional certification or equivalent released by an internationally recognized institute and/or training courses attended relevant to the aforementioned specific field.
  - At least 3 years' experience of Microsoft® Project.
  - Minimum numbers of CV's to be provided: 2
- **Minimum level of capacity T1 for the role Programme & Projects Administrative and Scheduling Assistant**
  - At least 3 years' experience in budget and schedule follow up.
  - At least 2 years' experience of Microsoft® Project ETM or similar scheduling tools.
  - Minimum numbers of CV's to be provided: 2
- **Minimum level of capacity T1 for the role Risks analyst**
  - At least 10 years' experience in projects/programmes risk analysis within a technical environment similar or equivalent to the one described in Annex I of the Draft contract, such as but not limited to the fields: Civil engineering, Petroleum engineering, Aerospace engineering and Chemical engineering.
  - At least 3 completed projects in a similar or equivalent context to the one described in Annex I of the Draft contract, as responsible for the risk analysis of the project/programme planning.
  - Program/Project Management Professional certification or equivalent released by an internationally recognized institute and/or training courses attended relevant to the aforementioned specific field.
  - At least 5 years' experience of Microsoft® Project.
  - Minimum numbers of CV's to be provided: 2



- **Evidence T1**
  - 1) A list of educational and professional qualifications (Curricula Vitae<sup>2</sup>) that demonstrate the required qualifications and skills (on the basis of educational qualifications, professional qualifications, technical and language skills.) indicating the exact starting and finishing date (in the format mm/yyyy). In the CV the required completed projects shall be described, stating the following information:
    - name of the project
    - site address of the project
    - dates (month-year) with a specification of the phases
    - total value/budget for the works of the project
    - precise role/s under the project
  - 2) A copy of the requested certifications and/or certificates from the relevant training courses and/or listed in the CV the performed training courses stating the following information:
    - Principal subject
    - Responsible institute/organiser of the training course and location
    - dates (mm/yyyy)
    - Duration - indicating the total duration in days
- **Basis for assessment T1:** This criterion applies to the tenderer as a whole - the combined capacities of all members of the group in case of a joint tender, all identified subcontractors and all entities on whose capacity is relied for the fulfilment of this criterion. The contracting authority reserves the right to perform phone interviews in order to verify the content of the CV's and the above specific requested criteria.
- **Criterion T2:** A list of principal services provided by the Tenderer during the last five years within a technical environment similar or equivalent to the one described in Annex I of the draft contract, such as but not limited to the fields: Civil engineering, Petroleum engineering, Aerospace engineering and Chemical engineering. Giving details of length/period (mm/yyyy); scope of the service; role/s held, technical equipment/tools, total value/s, dates and public or private recipients.
  - **Minimum level of capacity:** minimum 3 similar or equivalent services provided by the economic operator during the last 5 financial years (2011-2015).
  - **Evidence T2:** A signed declaration with a table listing dates (mm/yyyy), scope of the service (including a brief description of the projects/works), role/s, technical tools and public or private recipients.
  - **Basis for assessment T2:** This criterion applies to the tenderer as a whole - the combined capacities of all members of the group in case of a joint tender, all identified subcontractors and all entities on whose capacity is relied for the fulfilment of this criterion.

<sup>2</sup> The detailed CVs, which shall be drawn up in English using the Europass template – use of this form is mandatory, only CVs submitted on this form will be evaluated – downloadable at the address <http://europass.cedefop.europa.eu/en/home>

- **Criterion T3:** A UNI-EN-ISO 9001:2008/2015 Quality Management System or equivalent relevant to the scope of the service
  - **Minimum level of capacity T3:** Certification valid at the time of submission of the offer
  - **Evidence T3:** A copy of the certification and its validity or a description/certification of the equivalent together with a signed declaration of its validity.
  - **Basis for assessment T3:** This criterion applies to the tenderer as a whole - the combined capacities of all members of the group in case of a joint tender, all identified subcontractors and all entities on whose capacity is relied for the fulfilment of this criterion.

## 2.4. Verification of compliance with Tender Specifications

The aim of this verification is to assess the compliance of the tender with:

- (1) The administrative formalities of the call for tender set out in the Tender Specifications: Part 1 - Administrative Annex.
- (2) The minimum technical requirements set out in the Tender Specifications: Part 2- Technical Specifications (Annex I of the Draft Contract).

The tender must comply with the applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU<sup>3</sup>.

*The Ispra site applies Italian law<sup>4</sup> which requires that Occupational Health and Safety (OHS) risks are covered. Therefore the related costs that will arise solely from the contracted activity shall be included in the overall financial offer (in the daily offered rates) as a mandatory part of the Tenderers financial offer.*

For requirements, standards, brand names, processes or formats named in the Technical Specifications fully equivalent objects shall be accepted unless otherwise specified. It shall be for the tenderer to justify this full equivalence.

Tenders may be considered non-compliant with the Tender Specifications if they:

- do not provide the information and documents required for identification of the tenderer (see Section 3),
- contain an incomplete or inconsistent financial offer,
- propose a price exceeding the maximum budget set or an abnormally low price,
- do not cover all or deviate from the minimum requirements of the Technical Specifications,
- propose a solution different from the one prescribed in the Technical Specifications (variants are not allowed),
- do not comply with the applicable environmental, social and labour law obligations established by Union law, national legislation, collective agreements or the international environmental, social and labour conventions listed in Annex X to Directive 2014/24/EU,

<sup>3</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).

<sup>4</sup> In particular (DECRETO LEGISLATIVO 9 aprile 2008 n.81 (in Suppl. ordinario n. 108 alla Gazz. Uff., 30 aprile, n. 101).- Attuazione dell'articolo 1 della legge 3 agosto 2007, n. 123, in materia di tutela della salute e della sicurezza nei luoghi di lavoro),

- do not present mandatory options where required.
- present OHS measures or costs that are not compatible with the volume and characteristics of the tendered activities.

These tenders may be rejected on the basis of non-compliance with the Tender Specifications and will not be evaluated.

## 2.5. Award criteria

The objective of the award criteria is to evaluate the technical and financial offer with a view to choosing the most economically advantageous tender in accordance with the award method indicated below.

### - Lowest price award method

The contract shall be awarded to the tender that offers the lowest price. The price considered for evaluation will be the total price of the offer, covering all the requirements and, where applicable, all options set out in the Tender Specifications.

The total price must be a fixed amount including all charges (all-inclusive price).

## 3. STRUCTURE AND CONTENT OF THE TENDER

Tenders shall be structured as follows.

### 3.1. Identification of the tenderer

The tender must include:

1. A cover letter signed by an authorised representative of the tenderer (in case of joint tenders an authorised representative of each member or the designated leader that has been appointed by the other members). The letter must clearly indicate:
  - the name of the tenderer (including the names of all members of the group in case of a joint tender as well as their tasks during contract execution)
  - the tender reference number and title
  - if applicable, the names of subcontractors and entities on whose capacity the tenderer relies for fulfilling the selection criteria, as well as their tasks during contract execution,
  - the period of tender validity (min 6 months, in accordance with article IV.3.7 of the Contract notice),
  - contact details for communications (including contact person, address, phone number and email),
  - confirmation of acceptance of all terms and conditions of the Tender Specifications and the Draft Contract,
  - indication whether the tenderer (each member in case of a joint tender) is a Small or Medium Size Enterprise in accordance with [Commission Recommendation 2003/361/EC](#) (this information is used for statistical purposes only).

2. Evidence confirming that the person signing the cover letter and other documents on behalf of the tenderer is so authorised (e.g. copy of notice/publication of appointment or extract from trade register). Any delegation of this authorisation to another representative not indicated in the official appointment must be provided.
3. (if applicable) Evidence that the leader of the joint tender is authorised to sign the cover letter and, if the joint tender is successful, the contract on behalf of the other members of the group.
4. (if applicable) Document proving the commitment of subcontractors/third parties on whose capacity the tenderer relies for fulfilling the selection criteria and confirming that the tenderer will have at its disposal the resources necessary for the performance of the contract.
5. Legal Entity Form signed by an authorised representative of the tenderer (each member of the group in case of joint tender) and the supporting documents indicated in the form. The form is available at the following link:  
[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/legal\\_entities/legal\\_entities\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm)

Tenderers that are already registered in the Contracting Authority's accounting system (i.e. they have already been contractors of the Commission) must provide the form but are not obliged to provide the supporting documents.

6. Financial Identification Form signed by an authorised representative of the tenderer (only the leader in case of joint tender) and the supporting documents indicated in the form. The form is available at the following link:  
[http://ec.europa.eu/budget/contracts\\_grants/info\\_contracts/financial\\_id/financial-id\\_en.cfm](http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial-id_en.cfm)

### 3.2. Non-exclusion and selection

As evidence of non-exclusion and fulfilment of selection criteria it is sufficient at the tender submission stage to submit the "Declaration on Honour on Exclusion and Selection criteria" (Annex 1), signed and dated by an authorised representative of:

- the tenderer (each member of the group in case of joint tender), and
- (if applicable) each identified subcontractor (see Section 1.2.2), and
- (if applicable) each third party on whose capacity is being relied for fulfilment of the selection criteria (see Section 1.2.3).

### 3.3. Technical offer

The technical offer must cover all aspects and tasks required in the Technical Specifications and provide all the information needed to assess the compliance with the minimum requirements and the award criteria. The technical offer shall contain:

- A Technical offer
- A Technical Compliance matrix, (Annex A.2) filled out, duly signed and dated
- A Contract quality plan.

### 3.4. Financial offer

The financial offer shall be provided by filling out the Financial offer form (Annex A.3) and must be:

- **fixed** (during contract execution the price may be revised only under the terms set out in the Draft Contract),
- **free of all duties, taxes (e.g. VAT) and charges** (the European Union is exempt from such charges under Articles 3 and 4 of the Protocol on the privileges and immunities of the European Union),
- **all-inclusive** (covering all requirements of the Tender Specifications and including all possible renewals, options), and
- **expressed in Euro** (the price quoted may not be revised in line with exchange rate movements - it is for the tenderer to bear the risks or the benefits deriving from any variation).

### 3.5. Draft contract

**Filled in** and **signed** by a legal representative authorized to do so. Please note that except for the draft contract also the *Annex VII - DECLARATION OF CONFIDENTIALITY-Contractor* must be **filled in and signed** by a legal representative authorized to do so. The second page of *Annex II-DECLARATION OF CONFIDENTIALITY for [Project Management Scheduling Engineer/Contract On-Site Coordinator] [Project Management Engineer (Junior)/Programme & Projects Administrative and Scheduling Assistant] [Risks analyst]* is to be signed by the individual employees before to take up duty on-site.

## 4. ADDITIONAL INFORMATION

On the basis of Article 134(1)(e) of the Rules of Application the JRC reserves the right to launch a negotiated procedure without prior publication of a contract notice with the contractor, in view of concluding a contract for the delivery of new services consisting in the repetition of similar services, which conform to the basic project

## 5. ANNEXES

Annex A.1: Declaration on Honour on Exclusion and Selection criteria

Annex A.2: Technical Compliance Matrix

Annex A.3: Financial Offer form

