EUROPEAN INSURANCE
AND OCCUPATIONAL PENSIONS AUTHORITY

Frankfurt am Main, 04/08/2016
Our ref: EIOPA/OP/121/2016
Please quote when replying

Contract: **EIOPA/OP/121/2016 Interim staffing services**

Procedure: **Open tender**

Dear Sir/Madam,

1. The European Insurance and Occupational Pensions Authority, hereinafter referred to as "EIOPA", is planning to award the public contract referred to above. The procurement documents consist in the contract notice referred to above, this invitation letter, the tender specifications with their annexes and the draft contract.

2. Please be informed that EIOPA is an autonomous EU Agency and has therefore its own Financial Regulation.

3. If you are interested in this contract, you should submit a tender in one of the official languages of the European Union.

4. You must submit your tender exclusively on paper, in 1 (one) original and 3 (three) copies and electronic version (CD or USB)] to the following address:

EIOPA
Procurement
WesthafenTower, Westhafenplatz 1
60327 Frankfurt am Main
Germany

The time limit for receipt of the tender is ***04 October 2016***. You may submit your tender in one of the following ways:

a) Either by post or by courier, posted not later than Tuesday 04 October 2016. The postmark or the date of the deposit slip shall be taken as proof of the date of dispatch. EIOPA appreciates to be informed about the date of dispatch of the offer. You may do so to the following e-mail address: procurement@eiopa.europa.eu.

b) By hand-delivery (in person or via an authorised representative) to EIOPA's Reception Office on the 28th floor of Westhafen Tower (address given above) between the hours of 08:00 and 17:00, not later than ***04 October 2016, 17:00 hours CET***. If this delivery option is chosen, a receipt must be obtained as proof of submission, signed and dated by one of EIOPA's reception officers. Offers

delivered by hand after this deadline will be sent back to the respective tenderers unopened.

Please note that EIOPA is closed on Saturdays, Sundays and EIOPA's official holidays. More information can be found at https://eiopa.europa.eu/Contacts.

5. Your offer must be submitted as follows:

Tenders must be placed inside two sealed envelopes. Both envelopes, addressed to EIOPA as indicated in point 4, should be marked as follows:

EIOPA/OP/121/2016, "INTERIM STAFFING SERVICES" NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT SUBMITTED BY ..... *[OFFICIAL DESIGNATION OF THE TENDERER]*

If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

The inner envelope must also contain three separate, sealed envelopes. Each of these envelopes must clearly indicate the content ("Technical", "Financial" and "Supporting").

a) Envelope A (Technical) should contain:
   i) One original version of the Technical Offer (unbound and signed and clearly marked "Original") and an electronic copy (CD or USB) prepared according to the template enclosed to Annex I Tender Specifications;
   ii) 3 (three) copies of the Technical Offer (bound and each marked as "Copy");

b) Envelope B (Financial) should contain:
   i) One original version of the Financial Offer, prepared in accordance with the template enclosed in Annex I Tender Specifications (unbound and signed and clearly marked "Original") and an electronic copy (CD or USB);
   ii) 3 (three) copies of the Financial Offer (bound and each marked as "Copy").

c) Envelope C (Supporting) should contain all documents as described in detail in Annex I Tender Specifications.

The documentation to be provided is described in more details in Annex I Tender Specifications.

6. Tenders must be:
   - signed by the tenderer or his/her duly authorized representative.
   - perfectly legible so that there can be no doubt as to words and figures;
   - drawn up using the model reply forms in the tender specifications.

7. 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.

8. 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.

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

10. A public opening session will take place as provided in Section IV.2.7 of the contract notice. Tenderers' representatives (one person per tenderer) are welcome. Their participation shall be restricted to an observer's role. Please duly inform EIOPA at least two days in advance via e-mail: procurement@eiopa.europa.eu about your participation. Failing that, EIOPA reserves the right to refuse access to its premises.

11. Once EIOPA has opened the tender, the document shall become the property of EIOPA and it shall be treated confidentially.

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

Before the date of receipt indicated in point 4:

Upon request, EIOPA 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 eTendering website at [https://etendering.ted.europa.eu/cft/cft-display.html?cftId=1823] in the "questions and answers" tab, by clicking "create a question".

The contracting authority is not bound to reply to requests for additional information received less than six working days before the date of receipt of tenders indicated in point 4.

EIOPA 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 the eTendering website indicated above The website will be updated regularly and it is your responsibility to check for updates and modifications during the submission period.

After the opening of tenders:

If obvious clerical errors in the tender need to be corrected or confirmation of a specific or technical element is necessary, the contracting authority will contact the tenderer provided this does not lead to substantial changes to the terms of the submitted tender.

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

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

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

16. You will be informed of the outcome of this procurement procedure (award decision) by e-mail only. It is your responsibility to provide a valid e-mail address together with your contact details in your tender and to check this e-mail address regularly.

17. If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your name, address and CV), such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by *EIOPA's Executive Director acting as data controller*. Details concerning the processing of your personal data are available on the website of EIOPA at: http://eiopa.europa.eu/about-eiopa/procurement.

18. Your personal data may be registered in the Early Detection and Exclusion System (EDES) if you are in one of the situations mentioned in Article 106 of the Financial Regulation[1]. For more information, see the Privacy Statement on http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm), or http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm)

19. You may submit any observations concerning the procurement procedure to EIOPA using the contact means under point 4. If you believe that there was maladministration, you may lodge a complaint to the European Ombudsman within two years of the date when you became aware of the facts on which the complaint is based (see http://www.ombudsman.europa.eu).

20. Within two months of notice of the award decision, you may launch an action for annulment of the award decision. Any request you may make and any reply from us, or any complaint for maladministration, will have neither the purpose nor the effect of suspending the time-limit for launching an action for annulment or to open a new period for launching an action for annulment. The body responsible for hearing annulment procedures is indicated in Section VI.4.1 of the contract notice.

Yours faithfully,

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Fausto Parente
Executive Director

Annexes:

Annex I: Tender Specifications

Annex II: Draft Framework Service Contract

[1] Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298 of 26.10.2012, p. 1) as amended.