



EUROPEAN COMMISSION
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Modernisation of the Single Market
Director

Brussels, 08 DEC. 2016
GROW/ E5/FL
grow.ddg2.e.5(2016)6789978

Dear Sir/Madam,

Subject: Invitation to Tender – Call for tenders No 573/PP/GRO/IMA/16/1131

Ref.: Open procedure

***Study of the impact of liberalisation of access to certain professions on
the quality of services provided***

Thank you for your interest in the above-mentioned contract. We are pleased to enclose a copy of the procurement documents, consisting of the contract notice published in the Official Journal, this invitation letter, the tender specifications with their annexes and the draft contract.

1. Lodging of the tender

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

Your tender should be submitted through the electronic submission system (e-Submission application) at: <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=2003>

The tender must be received no later than **16:00 Brussels local time on 10 February 2017**.

Details on the electronic submission system are provided in annex to this invitation letter (Annex: e-Submission application).

2. Presentation of the tender

Tenders must be drawn up in accordance with the instructions in the tender specifications, and using the model forms indicated in these specifications. The tender specifications and the draft contract are attached to this invitation to tender. The specifications list the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity.

In order to help tenderers presenting a tender, a checklist of the documents to be submitted in the e-Submission application is provided in annex 6.7.

For further modalities on drafting your tender, please refer to section **Error! Reference source not found.** of the tender specifications and to Annex: e-Submission application.

3. Acceptance of terms and conditions

Submission of a tender implies acceptance of 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. It is binding on the tenderer to whom the contract is awarded for the duration of the contract.

Please refer to section 3.3 of the attached tender specifications for further information.

4. Period of validity of the tender

The offer must remain valid for a period of 6 months, the tenderer may not modify the terms of his tender in any respect.

5. Contact between the tenderers and the Commission

Contacts between the Commission and the tenderers may take place only under exceptional circumstances. Please refer to section **Error! Reference source not found.** of the attached tender specifications for further details.

6. Notification of the outcome of the procurement procedure

You will be informed of the outcome of this procurement procedure 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. Please make sure that the communication from the Commission is not classified as a spam mail.

7. Other provisions

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

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

You may submit any observations concerning the procurement procedure to the contracting authority using the contact means under point 1.9 of the Annex: e-Submission application. 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>).

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

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.

We look forward to receiving your tender.

Yours sincerely,



Hubert GAMBS
Director

Annex: e-Submission application; tender specifications and draft contract

Annex - e-Submission application

The tender should be submitted electronically using the e-Submission application, available on the e-Tendering website. Tenders should be submitted within the time limit for receipt of tenders indicated in the invitation to tender.

Make sure your tender is submitted on time. To avoid any complications with regard to late receipt/non receipt of tenders within the deadline, you are advised to submit your tender several hours before the deadline. A tender received after the deadline indicated in the procurement documents will be rejected.

1. STEP BY STEP E-SUBMISSION

The e-Submission application allows economic operators to respond to calls for tender by preparing their tenders electronically in a structured and secured way, and to submit their tenders electronically. The e-Tendering environment is the starting point for launching the e-Submission application.

The e-Submission platform can be accessed by consulting the corresponding call for tender in e-Tendering at the following link: <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=2003>

If you do not have account in the European Commission Authentication System (ECAS), you will be requested to create an account to access to e-Submission application. See 'How to create an ECAS account' for more details at: <https://webgate.ec.europa.eu/cas/eim/external/register.cgi>

1.1 Testing the e-Submission application

In order to familiarise yourself with the system and to test whether your workstation configuration is working correctly with the e-Submission environment, you may use the following test environments at:

https://webgate.ec.europa.eu/supplier_portal_toolbox/spots/openSpots.do?CFTUUID=TEST_CFT_2016-NO_LOTS&VERSION=1&CAID=5790001791483&screenWidth=1000&screenHeight=850

This will enable you to make a test submission well in advance of the time limit for receipt, as indicated in the invitation to tender letter.

Please note that data and documents uploaded through the test environment are not taken for consideration for a timely submission of the tender.

1.2 Step a: Access to the e-Submission application

After log-on in with your ECAS password, e-Tendering will display a button 'Submit a tender' and you will be able to access e-Submission. When accessing the application for the first time, you are requested to accept the terms & conditions and acknowledge the privacy statement of the e-Submission portal.

1.3 Step b: Welcome to the tender

The information and documents requested in the tender specifications should be provided using the e-Submission application. In the e-Submission application, please fill in all mandatory fields, marked with a *. Other fields should be completed as appropriate. Tenders must be clear, complete and consistent with the requirements laid down in the tender specifications, including the instructions in this annex.

1.4 Step c: Tendering data

You can either create a tender for the first time or load a draft tender created by you previously from your local disk.

Options 1 to 4 below describe the different ways to submit a tender. Please make sure the required documents and evidence are submitted with your tender.

Option 1: Submission by one tenderer: 'sole tender' in the e-Submission application.

Option 2: Submission by a group: 'joint tender' in the e-Submission application. In case of a group (joint tender) one member of the group must be designated as leader ('joint tender leader' in the e-Submission application).

Option 3: Submission by one tenderer with subcontractors: 'sole tender; involving subcontracting' in the e-Submission application.

Option 4: Submission by a group with subcontractors: 'joint tender; involving subcontracting' in the e-Submission application.

The administrative information concerning the tenderer should be provided for all the entities participating in the bid, in accordance with section 4.2.1 of the Tender Specifications.

1.5 Step d: Qualification – Exclusion criteria

For instructions, please refer to section 4.2.2 of the Tender Specifications.

1.6 Step e: Qualification – Selection criteria

For instructions, please refer to section 4.2.3 of the Tender Specifications.

1.7 Step f: Tender

a. Technical tender

For instructions please refer to section 4.2.4 of the Tender Specifications.

b. Financial tender

For instructions please refer to section 4.2.5 of the Tender Specifications.

1.8 Step g: Tender validation

To continue your submission, please click on 'validate'. A tender preview document will be generated on your local computer. This document is for your records only.

1.9 Step h: Consolidation of tender documents

Once all information and documents have been encoded and uploaded in the e-Submission application, and once you consider that the tender is complete, the application requires to create the consolidated tender package. A tender preparation report will be generated by the e-Submission application.

The application will instruct you to save both files (i.e. the consolidated tender package and the tender preparation report) on your local computer.

The tender preparation report must be signed, using one of the following possibilities:

a) Hand signature (preferably in blue ink): Print out the tender preparation report. The report should be hand signed by an authorised representative of the sole tender or the leading tenderer. The signed document should be scanned and uploaded in the e-Submission application.

In addition, the original of the hand signed tender preparation report must be sent by post, immediately after submission, to the following postal address:

European Commission
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Invitation to tender No: 573/PP/GRO/IMA/16/1131
Professional Qualifications and Skills, Unit E.5
Office address: Avenue des Nerviens 105, 1st floor, N-105 / 01/050
B-1049 Brussels, Belgium

b) Electronic signature: you may sign electronically with advanced electronic signature based on qualified certificates: the electronically signed tender preparation report must be uploaded in the e-Submission application.

For more details on the electronic Signature policy, please find below:
https://webgate.ec.europa.eu/supplier_portal_toolbox/esubmissionFileProject/files/BT3/essiSignaturePolicy/essiSignaturePolicy_en.pdf

<p>When you attach the tender preparation report, verify that it corresponds to the tender ID displayed on the screen. The contracting authority may reject your tender if you attach a tender preparation report with a different tender ID.</p>
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1.10 Step i: Submitting the tender

In order to submit the tender, both (i) the consolidated tender package; and (ii) the electronically signed or scanned hand signed tender preparation report need to be uploaded into the e-Submission application.

To start the submission of your tender, click on 'submit tender'. Please note that by clicking 'submit tender', no more changes can be made to the tender. The system will send a tender receipt confirmation to your e-Submission mailbox, indicating the timestamp put on your tender by the e-Submission system. This timestamp indicates the official time of receipt of the tender and will constitute proof of compliance with the deadline indicated in the invitation to tender.

2. RE-SUBMISSION OR ALTERNATIVE TENDER

After submitting a tender, but within the time limit for receipt of tenders, you may still resubmit the tender. To this end, generate a new consolidated tender package containing the corrected tender documents and resubmit.

In addition, a signed notification should be sent, stating that the previous tender is withdrawn. This notification should be sent by letter to the following postal address:

European Commission
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Invitation to tender No: 573/PP/GRO/IMA/16/1131
Professional Qualifications and Skills, Unit E.5
Office address: Avenue des Nerviens 105, 1st floor, N-105 / 01/050
B-1049 Brussels, Belgium

3. WITHDRAWAL OF TENDERS

If, after submission, you wish to withdraw your tender, you must send a scanned copy of a signed letter to this e-mail address: GROW-E5@ec.europa.eu, identifying the name and reference of the tender (including Tender ID) you wish to withdraw. This notification must be signed by the same authorised legal representative(s) who previously signed the tender in question.

4. DEADLINE FOR RECEIPT OF TENDERS

The tender, including the electronically signed or hand signed scanned copy of the tender preparation report, must be fully uploaded, sent and received within the deadline for receipt of tenders indicated in the invitation to tender.

Please note that it is the responsibility of the tenderer to ensure that the complete tender reaches the destination in due time.

In case of problems with the submission of the electronic tender, we recommend to call the helpdesk, as identified in the e-Submission application, in reasonable time before the time limit for receipt. The time it takes to submit the tender and upload documents may vary

considerably depending on the number of concurrent submissions by other economic operators, the size of your tender and the internet service used.

If the contracting authority detects technical defects in the functioning of the e-Submission application, due to which it is impossible to electronically submit and receive tenders, you will be informed of the extension of the time limit by the contracting authority at

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=2003>

For more information on e-Submission, please find below the link to the user manual and frequently asked questions:

https://webgate.ec.europa.eu/supplier_portal_toolbox/esubmissionFileProject/files/BT3/spotsHelpPage_en.html
