



## EUROPEAN COMMISSION

Directorate-General for Education, Youth, Sport and Culture

Culture and Creativity  
Director

Brussels, 17/07/2017

ARES(2017)

Dear Sir/Madam,

**Subject: Open Call for tenders EAC/06/2016: Study on "Improving knowledge about illicit trade in cultural goods in the EU, and the new technologies available to combat it"**

The European Commission is planning to award the abovementioned contract. The procurement documents consist of the contract notice, this invitation letter, the declaration on honour, the tender specifications with their annexes, and the draft contract.

1. If you are interested in this contract, you should submit a tender in one of the official languages of the European Union.
3. You must submit your tender exclusively through the electronic submission system at

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=2526> Tenders that are not submitted via the electronic submission system shall be rejected and their content shall not be examined.

The tender must be received no later than **12:00 CET** on **26/09/2017**. Details on the electronic submission system are provided in the annex to this invitation letter.

4. Tenders must be:
  - Clearly legible so that there can be no doubt as to words and figures;
  - Drawn up using the model reply forms in the tender specifications (where applicable).
5. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, is 3 months from the date indicated in point 3 above.
6. Submission of a tender implies acceptance of all the terms and conditions set out in the procurement documents and, where appropriate, a 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.
7. All costs incurred for the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed.
8. A maximum of two representatives per tender can attend the opening of tenders as provided in Section IV.2.7 of the contract notice. For organisational and security

reasons, the tenderer must provide the full name and ID or passport number of the representatives at least 3 working days in advance to:

EAC-UNITE-D1@ec.europa.eu with the call reference number in the subject line of their e-mail.

Failing that, the Contracting Authority reserves the right to refuse access to its premises.

9. Any contact between the Contracting Authority and tenderers is prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the closing date for receipt of tenders indicated in point 3 above:

Upon request of the candidate or tenderer, the Contracting Authority may exceptionally provide additional information solely for the purpose of clarifying the procurement documents.

Any request for additional information must be made in writing and only through TED eTendering:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=2526>

To submit a request, please go to the "questions and answers" tab, and click "create a question".

The Contracting Authority is not bound to reply to requests for additional information received less than six working days before the closing date for receipt of tenders indicated in point 3 above.

The Contracting Authority may, on its own initiative, inform interested parties of any error, lack of precision, omission or any other type of clerical defect in the text of the procurement documents.

Any additional information provided by the Contracting Authority including that referred to above will be posted via TED eTendering as indicated above. TED eTendering will be updated regularly and it is the tenderer's 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.

10. This invitation to tender is in no way binding on the Contracting Authority. The Contracting Authority's contractual obligation commences only upon signature of the contract with the successful tenderer.
11. Up to the point of signature, the Contracting Authority may cancel the procurement procedure without tenderers being entitled to claim any compensation. This decision

must be substantiated by the Contracting Authority and the tenderers must be notified.

12. Once the Contracting Authority has opened the tender, it becomes its property and it shall be treated confidentially.
13. 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 inbox regularly.
14. If processing your reply to this 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 the Head of Unit D.1 Cultural Policy, Directorate-General for Education, Youth, Sport and Culture. Details concerning the processing of your personal data are available on the privacy statement at:  
[https://webgate.ec.europa.eu/supplier\\_portal\\_toolbox/privacyStatement/privacyStatementPage.jsp](https://webgate.ec.europa.eu/supplier_portal_toolbox/privacyStatement/privacyStatementPage.jsp)
15. 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<sup>1</sup>. For more information, see the Privacy Statement on [http://ec.europa.eu/budget/explained/management/protecting/protect\\_en.cfm](http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm)
16. You may submit any observations concerning the procurement procedure to the Contracting Authority using the following contact means: EAC-UNITE-D1@ec.europa.eu . 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>).
17. 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 neither have 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 hope this opportunity is of interest to you and we look forward to hearing from you.

Yours faithfully,

Michel Magnier  
Director

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<sup>1</sup> 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.

- **Annex- e-Submission application guide**

You must submit your tender electronically via the e-Submission application available from the e-Tendering website before the time limit for receipt of tenders.

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

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

- **HOW TO SUBMIT YOUR TENDER IN E-SUBMISSION**

You can access the e-Submission application via the corresponding call for tender in TED e-Tendering, as specified in <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=2526>.

In order to have access to e-Submission, you will need to "Subscribe to call for tenders" on TED eTendering first. To subscribe, you will need to login with your an [EU Login](#)<sup>2</sup>. In case you don't have an [EU Login](#), you can [create an account](#) at any moment. For more information see the [EU login help](#). After logging in with your EU Login password, the e-Tendering will then display a button 'submit your tender' and you will be able to access the e-Submission.

- **Information to be filled in**

In the e-Submission application, fill in and upload all necessary fields and documents as appropriate. All tenders must be clear, complete and consistent with all the requirements laid down in the tender specifications and their annexes, including:

- **Signed declaration on Honour(s).** All members of a joint tender, including subcontractors – if applicable – must upload the signed and dated declaration on honour(s),
- **Exclusion criteria.** If requested in the tender specifications, the tenderer and all members of a joint tender including subcontractors – if applicable – must provide the documentary evidence for exclusion criteria,
- **Selection criteria.** If requested in the tender specifications, the tenderer and all members of a joint tender including subcontractors – if applicable –, must provide the documentary evidence for selection criteria
- **Technical tender.** It must address all the requirements laid down in tender specifications

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<sup>2</sup> Previously called European Commission authentication system (ECAS)

- **Financial tender** The complete financial tender, including the breakdown of the price as provided in the tender specifications,

For detailed instructions on how to submit your tender, download the [Quick Reference Guide for Economic Operators](#)<sup>3</sup> (pdf document), where you will find on:

- Technical requirements to use e-Submission,
- Step-by-step guide to help you submit your tender,
- Test call for tenders,
- Important advices and information and
- how to get technical support

***Please make sure all required documents and evidence are submitted with your tender.***

#### ○ **Documents to be signed and dated while creating your Tender**

The following documents must be signed and dated during the creation of your tender in e-Submission:

- **Declaration on honour(s).** All members of a joint tender, including subcontractors must sign and date this declaration. The declaration on honour must be converted to PDF format and then signed by an authorised representative of each member with advanced electronic signature based on qualified certificates or by hand.
- **Tender Report.** This report is generated by e-Submission while you are completing your tender and it contains the list of documents that you submit. The sole tenderer's or leader's authorised representative(s) must sign the report.

The documents must be signed using any of the following 2 methods:

- *Electronically signed*, in this case you must sign with *an advanced electronic signature based on qualified certificates*.
- *Hand signature*, in this case, you must print the documents and the authorised representative must hand sign the documents and then scanned so you can upload it into the system.

In this case, you **must send by post all the original documents** that were signed by hand immediately after the electronic submission of your Tender.

In case of a joint tender, the leader must collect all the original declarations signed by hand by the members of the group and send them by post together with the Tender Report, if the latter was also signed by hand. The original documents must be sent to the postal address indicated in the section [5. Contact the Contracting Authority](#), stating the reference to the call for tenders and the Tender ID.

The documents which were signed with an advanced electronic signature based on qualified certificates are *not* required to be sent them by post.

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<sup>3</sup> An [EU Login](#) is required to download the document *Quick Reference Guide for Economic Operators*

- **RE-SUBMISSION OR ALTERNATIVE TENDER**

After submitting a tender, but within the time limit for receipt of tenders, you may still submit a new version of your tender.

You must formally notify by that the previous tender is withdrawn. You are also entitled to send several tenders to one call for tenders.

The notification must be sent to address indicated in the section [5. Contact the Contracting Authority](#), stating the reference to the call for tenders and the Tender ID you wish to withdraw.

**If you submit a new Tender you must include all your Tender documents, including the Qualification and Tender documents.**

- **WITHDRAWAL OF TENDERS**

If after submitting a tender, you wish to completely withdraw your tender, you must formally notify that you wish to withdraw your submitted Tender(s). This notification must be signed by the same authorised legal representative(s) who previously signed the tender(s) in question.

The notification must be sent to address indicated in the section [5. Contact the Contracting Authority](#), stating the reference to the call for tenders and the Tender ID(s) you wish to withdraw.

- **DEADLINE FOR RECEIPT OF TENDERS**

The tender (including all documents) must be fully uploaded and received before the deadline for receipt of tenders indicated in the invitation to tender.

**Please note that you are responsible to ensure that your full tender reaches the destination in due time.**

In case of problems with the submission of the electronic tender, we recommend that you call the helpdesk in reasonable time before the time limit for receipt. The time it takes to submit the tender and upload all your documents may vary considerably depending on the number of concurrent submissions by other economic operators, the size of your tender and the type of internet service you are using.

If the contracting authority detects technical faults in the functioning of the electronic equipment used for submitting and receiving tenders 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 the e-Tendering link indicated in <https://etendering.ted.europa.eu/cft/cft-display.html?cftId=2526>

- **CONTACT THE CONTRACTING AUTHORITY**

- Original hand signed tender report and/or hand signed declaration on honour(s) must be sent by post immediately after submission, to the following address:

**CALL FOR TENDERS**

N° EAC/06/2017

Study on "Improving knowledge about illicit trade in cultural goods in the EU, and the new technologies available to combat it"

European Commission

Directorate General for Education, Youth, Sport and Culture,

Unit D.1 Cultural Policy

Office J-70, 2/232

For the attention of Walter Zampieri

B – 1049 Brussels

Belgium

- Notifications for re-submission or withdrawal of tenders must be sent to:

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**CALL FOR TENDERS**

N° EAC/06/2017

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When communicating state the reference to the call for tenders and, if applicable, the Tender ID.

- **GET TECHNICAL HELP**

In order to get technical help please consult the [Quick Reference Guide for Economic Operators](#) or directly contact us by consulting the footer section on e-Submission application.