



EUROPEAN
COURT
OF AUDITORS

Directorate of the Quality Control Committee
Director

Subject: Invitation to tender

Ref. : Open Call for tenders AO 635 – Study on the European Union’s liabilities for pension and other employee benefits - actuarial services

Dear Sir or Madam,

1. SUBJECT MATTER

The European Court of Auditors is planning to award the contract for an expert study on the verification of the yearly calculations made by the Directorate General of the European Commission responsible for statistics (Eurostat) of the amount of the European Union’s liabilities for pension and other employee benefits for 2017 and 2018.

For further information please consult the procurement documents. The procurement documents consist in the contract notice, this invitation letter, the draft contract, the tender specifications and the model offer.

The procurement documents are only available on eTendering platform via the following link:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=3008>

2. LODGING AND PRESENTATION OF THE TENDERS

If you are interested in this contract, you are invited to submit a tender in **triplicate** (one original and two stamped copies, in recto-verso where possible) in one of the official languages of the European Union.

You may choose to submit tenders:

- a) either by post or by courier service not later than **11/12/2017**, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip, to the address indicated below.

- b) or delivered by hand not later than 5.00 pm on **11/12/2017** at the following address: European Court of Auditors, Reception Desk Building K3, Rue Tony Rollman, L-1468 Luxembourg. In this case, a receipt must be obtained as proof of submission, signed and dated by the official at the European Court of Auditor's Reception Desk who took delivery. The Reception Desk is open **from 8.00 am to 5.00 pm**, Monday to Friday. It is closed on Saturdays, Sundays and European Court of Auditors' holidays.

Electronic transmission (fax or email) of tenders is not permitted!

The tenderer must comply with the following transmission terms:

- In order to maintain the confidentiality and integrity of tenders, they must be sent under double cover. The two envelopes shall be sealed and bear a distinctive mark identifying the tenderer;
- The following label must be attached to the **outer envelope of each tender**:

<p>European Court of Auditors Reception Desk – Procurement Service 12, rue Alcide de Gasperi L-1615 Luxembourg</p> <p>INVITATION TO TENDER No AO 635</p> <p>NOT TO BE OPENED BY THE RECEPTION DESK OR MAIL SERVICE OR ANY UNAUTHORISED PERSON</p>
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- The following label must be attached to the **inner envelope**:

<p>European Court of Auditors INVITATION TO TENDER No AO 635</p> <p>Bid from (name of tenderer)</p> <p>NOT TO BE OPENED BY THE RECEPTION DESK OR MAIL SERVICE OR ANY UNAUTHORISED PERSON</p>
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The inner envelope must also contain two sealed envelopes, one containing the technical tender and the other, the financial tender. Each of these envelopes must clearly indicate the content ("Technical" and "Financial").

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

Tenders not complying with the rules referred to above or which arrive in an envelope which is not closed shall be considered inadmissible.

It is strongly recommended that the tenders are submitted in an environmentally friendly way, e.g. double-sided printing, limiting attachments to what is required in the technical specifications, avoiding plastic folder and binders.

Tenders must be:

- signed by the tenderer or his duly authorised representative;

- perfectly legible so that there can be no doubt as to words and figures;
- drawn up using the model reply forms (Annex 3)

Failure to provide any of the above-mentioned supporting documents may result in the disqualification of a tenderer's bid.

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

3. VALIDITY OF THE TENDER

The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect: nine (9) months from the final date for submission.

4. GENERAL CONDITIONS

Submission of a tender implies for the tenderer:

- acceptance of all the terms and conditions set out in the Financial Regulation¹ and its rules of application²,
- acceptance of all the terms and conditions set out in this invitation to tender, in the tender specifications and in the draft contract,
- irrevocable commitment to perform the contract under the conditions set out in the offer if it is accepted,
- waiver of the tenderer's own general or specific terms and conditions.

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

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

5. CONTACT WITH THE INSTITUTION

Contacts between the Court of Auditors and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

- Before the final date for submission of tenders:
- * At the request of the tenderer, the Court may provide additional information solely for the purpose of clarifying the nature of the contract.

¹ Financial Regulation – Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, as amended, hereafter referred to as FR.

² Rules of application – Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, as amended, hereafter referred to as RAP.

Any requests for additional information must be made in writing to Procurement Service via eTendering:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=3008>

Requests for additional information received fewer than five working days before the final date for submission of tenders will not be processed.

- * The Court may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the call for tenders.
- * Any additional information including that referred to above will be available only on eTendering so the tenderers are strongly advised to consult it at regular intervals as additional information may be added at any time up to the closing date for submission of tenders. Tenderers are informed that the procurement documents may be amended and including the financial offer sheet (Annex 3 - Form 7). Therefore, it is recommended to register on the e-tendering application to be notified of any changes.
- After the opening of tenders
- * If clarification is required or if obvious clerical errors in the tender need to be corrected, the Court may contact the tenderer provided the terms of the tender are not modified as a result.

6. AWARD AND SIGNATURE OF THE CONTRACT

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

Up to the point of signature, the Court may either abandon the procurement or cancel the award procedure, without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and the candidates or tenderers notified.

You will be informed of the outcome of this 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 regularly.

7. PERSONAL DATA

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 the authorising officer's service. However, personal data may, where appropriate, be transferred to our external and internal audit bodies, the Financial Irregularities Panel (FIP) and the European Anti-Fraud Office (OLAF) of the European Commission and the Early Detection and Exclusion System (EDES) set up by the Commission. For more information, see the Privacy Statement on mailto:http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm.

You may, upon request, obtain access to your personal data and ask for any inaccurate or incomplete personal data to be rectified. Should you have any queries concerning the processing of your personal data, please address them to the ECA's Data Protection Officer. As regards the processing of your personal data, you have the right of recourse at any time to the European Data Protection Supervisor.

Data regarding economic operators which are in one of the situations referred to in Articles 106 of the FR may be recorded in the Early Detection and Exclusion System (EDES) set up by the Commission and communicated to persons designated by the Commission, to other institutions, agencies, authorities and bodies referred to in Article 108(4) of the Financial Regulation. This provision also concerns persons empowered to represent, take decisions for, or monitor the said financial operators. Any economic operator recorded in the database is entitled to access the data held about them, by means of a request addressed to the Commission.

8. OPENING OF THE BIDS

The opening of the bids will take place on: **15/12/2017 at 10.00 am**, at European Court of Auditors, Rue Tony Rollman, L-1468 Luxembourg-Kirchberg.

Tenderers or their representative who wish to be present at the opening of the bids must inform the European Court of Auditors in writing (fax (+352) 4398-46667, e-mail: ECA-procurement.service@eca.europa.eu) by **14/12/2017 at 12.00 am** at the latest, and must produce their authorisation from the tendering company. Only one representative per tenderer will be admitted.

9. ANNEXES

The following annexes that are available on the Court of auditors' website form an integral part of this invitation to tender:

- Annex 1: Draft contract
- Annex 2: Tender specifications (Administrative part and Tender Specifications)
- Annex 3: Model offer including all standard reply forms

I look forward to hearing from you and thank you in advance for your interest in the Court of Auditors activities.

Yours faithfully,



Geoffrey Simpson

