



EUROPEAN UNION
DELEGATION IN HAITI

Port-Au-Prince - Haiti, date

Subject: Security Services for the Delegation of the European Union in Haiti

EEAS/DELHTIP/2020/CPN/0020

Dear Madam/Sir,

The European Union, represented by the EU Delegation in Haiti, (referred to below as *the contracting authority*) is planning to award the contract(s) resulting from the above procurement procedure. The procurement documents consist of the contract notice, this invitation letter, the draft contract(s) and tender specifications with their annexes. All documents are available at the following TED e-Tendering website¹:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=6146>

1. Submission of requests to participate.

This contract will be awarded in two steps. As a first step, if economic operators are interested in this contract, they are invited to submit a request to participate in one of the official languages of the European Union. In a second step, only selected candidates will be invited to submit a tender. Any tender received from a legal or natural person not invited to tender will be rejected.

Economic operators must submit requests to participate exclusively on paper, in one original and two paper copy and one electronic copy on CD or USB.

The time limit for receipt of the requests to participate is indicated under Heading IV.2.2 of the contract notice where local time shall be understood as local time at the contracting authority's location (the location indicated under Heading I.1 of the contract notice). Economic operators must use one of the means of submission listed below. Receipt is understood as the time at which the candidate hands over the request to participate to the post office or courier service or central mail department.

A request to participate received after the time-limit for receipt of requests to participate will be rejected. The reception confirmation with the official date and time of receipt constitutes proof of compliance with the time-limit for receipt of requests to participate.

¹ Subscription to the call for tender at the above link allows interested economic operators to receive e-mail notifications when new information or documents are published. Subscription is free of charge and does not involve any commitment to submit a tender.

Means of submission	Time limit	Evidence of dispatch	Address for delivery
Post	24:00 (midnight)	Postmark	CALL FOR TENDERS Security Services for the Delegation of the European Union in Haiti - EEAS/DELHTIP/2020/CPN/0020 EU Delegation to Haiti, For the attention of the Head of Delegation 19, Rue de Borno , Pétienville BP 15588 HT 6140 Pétienville, Haïti
Courier	24:00 (midnight)	Deposit slip of courier service	
In person (hand delivery)	15:00 local time	Proof of receipt, signed and dated by the duly authorised agent, <i>aware of the rules of submission</i> , who takes delivery	

Mail can be received from 08:00 to 15:00 Monday to Fridays. The service is closed on Saturdays, Sundays and official holidays of the contracting authority.

Candidates and tenderers must ensure that their submitted requests to participate or tenders contain all the information and documents required by the contracting authority at the time of submission as set out in the procurement documents.

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

2. Legal effects of the invitation to tender and submission of a request to participate/tender.

This invitation 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.

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

The period of validity of the tender, during which tenderers may not unilaterally modify the terms of their tenders in any respect, is indicated in Heading IV.2.6 of the contract notice.

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.

3. Contacts during the procurement procedure.

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

3.1 Submission phase (before the time-limit for receipt of requests to participate or tenders)

Upon request, the contracting authority 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 above TED e-Tendering website in the "Questions & answers" tab, by clicking "Create a question" (registration on TED e-Tendering is required to be able to create and submit a question).

The contracting authority 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 published on the TED e-Tendering website indicated above. The website will be updated regularly and it is the economic operator's or the candidate's responsibility to check for updates and modifications during the submission period¹.

3.2 Opening of requests to participate or tenders

The opening of the received requests to participate or tenders is not public.

Once the contracting authority has opened the requests to participate or the tenders, they shall become its property and shall be treated confidentially.

3.3 Evaluation phase (after the opening of the requests to participate or tenders)

The contracting authority may negotiate with tenderers the tenders they have submitted, in order to adapt them to the procurement documents and in order to find the most economically advantageous tender. The minimum requirements defined in the procurement documents are not subject to negotiation. During negotiations equal treatment of all tenderers will be ensured. The contracting authority reserves the right not to negotiate and to award the contract on the basis of the tenders initially received.

Except in duly justified cases, candidates or tenderers who have failed to submit evidence or to make statements as required in the procurement documents, shall be contacted by the contracting authority to provide the missing information or clarify supporting documents.

The contracting authority may correct obvious clerical errors in the tender after confirmation of the correction by the tenderer.

3.4 Award phase

Candidates and tenderers will be notified of the outcome of this procurement procedure by e-mail. The notification will be sent to the e-mail address provided in the request to participate or the tender for the candidate/tenderer (group leader in case of a joint tender). The same e-mail address will be used by the contracting authority for all other communications with the

candidate or tenderer. It is the candidate's/tenderer's responsibility to provide a valid e-mail address and to check it regularly.

4. Data protection

If processing a reply to the invitation to tender involves the recording and processing of personal data (such as name, address and CV), such data will be processed pursuant to Regulation (EU) 2018/1725² of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC. Unless indicated otherwise, any personal data will be processed solely for evaluation purposes under the call for tenders by the Head of EU Delegation to Haiti. Details concerning the processing of your personal data are available in the privacy statement at: https://ecas.europa.eu/sites/ecas/files/procurement_-_privacy_statement.pdf.

The candidate's or tenderer's personal data may be registered in the Early Detection and Exclusion System (EDES) if the candidate or the tenderer is in one of the situations mentioned in Article 136 of the Financial Regulation³. For more information, see the Privacy Statement on http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm.

5. Means of redress

Candidates or tenderers may submit any observations concerning the procurement procedure to the contracting authority using the contact details under Heading I.1 of the contract notice. If they believe that there is maladministration, they may lodge a complaint to the European Ombudsman within two years of the date when they become aware of the facts which form the basis for the complaint (see <https://www.ombudsman.europa.eu>).

Within two months of notice of the outcome of the procedure (award decision), tenderers may launch an action for its annulment. Any request tenderers may make and any reply from the contracting authority, or any complaint for maladministration, will have neither the purpose nor the effect of suspending the time-limit for launching an action for annulment nor 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,



Sylvie Tabesse

Authorising Officer by sub-Delegation

(Approval may be given via a workflow in ARES in place of a handwritten signature.)

² OJ L 295, 21.11.2018, p. 39

³ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193 of 30.07.2018, p.1).

Annexes to the invitation to submit requests to participate:

- Tender specifications
- Draft contract
- Request to participate form