



Subject: Invitation to submit a request to participate in restricted procedure ref. SatCen-RP-02/20 – Studies Supporting Multisource Analytical Assessments

17 April 2020

Dear Sir/Madam,

1. The European Union Satellite Centre referred to below as the contracting authority or the SatCen, is planning to award the contract resulting from the above procurement procedure. The procurement documents are available at the following TED e-Tendering website:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=6316>

2. Please be informed that SatCen is an autonomous EU Agency and has therefore its own Financial Regulation and Procurement Rules, available at:

<https://www.satcen.europa.eu/procurement/procurement-policy-and-procedure>

3. If you are interested in bidding for this contract, please submit a signed request to participate in English, to the following address:

European Union Satellite Centre
Avenida de Cádiz, Ed. 457
Base Aérea de Torrejón
E-28850 Torrejón de Ardoz
Madrid,
SPAIN
For the attention of Adrian Sanchez

4. You may submit your requests to participate:

a) Either by post or by courier, posted not later than **29/05/2020, 23:59 h CET**, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip. SatCen appreciates to be informed about the details of dispatch of the application (date and the mail service or courier used). You may do so to the following email address: procurement.satcen@satcen.europa.eu.

b) By hand (in person or by an authorised representative) to the SatCen's Reception Desk at the ground floor at the address indicated in point 3, not later than **29/05/2020, 16:00 h CET**. In this case, a receipt must be obtained as proof of submission, signed and dated by the official who took delivery at the SatCen's registry. The registry is opened from Monday to Friday, from 09:00 to 16:00, and closed on Saturdays, Sundays and official holidays. Should candidates opt to deliver the request to participate

by hand, they must send prior notice, at least 24 hours in advance, to the following email address: procurement.satcen@satcen.europa.eu.

5. Requests to participate must be submitted in one (1) sealed envelope containing one **hardcopy** and one **electronic copy** (USB flash drive). The envelope should be marked as follows:

- The Procurement reference: SATCEN-RP- 02/20
- Contract title and lot(s): “Studies Supporting Multisource Analytical Assessments”
- The name of the Economic Operator submitting the request to participate, either individually or on behalf of a consortium or grouping
- The indication “Request to Participate - Not to be opened by the internal mail service”
- The address for submission of Requests to Participate (as specified in point 3 above)
- The date of submission, which shall be legible on the outer envelope

The requests to participate must contain all the information and documents required in the “Conditions for Request to Participate” (Annex 2), relating to access to procurement, minimum requirements to participate, grounds of exclusion and selection criteria of candidates, in order to enable a proper assessment of the candidates’ eligibility and capacity to participate in this procurement procedure.

Forms and/or certificates may be originals or copies. If copies are submitted, the originals must be dispatched to the SatCen upon request.

6. Requests to participate must:

- a) Be signed by a duly authorised representative of the Applicant.
- b) Be perfectly legible in order to leave no doubts as to the terms and figures stated.
- c) Be drawn up using the Standard Reply Form (Annex 1) and the templates and tables provided therein.

7. The period of validity of the request to participate during which the Candidate may not modify the terms of his application in any respect is 3 months from the deadline stipulated in point 4 above.

8. The submission of a request to participate implies the acceptance of the terms and conditions set out in this invitation and its annexes and, where appropriate, a waiver of the Candidate’s own general or specific terms and conditions. A submitted request to participate is binding on the Candidate to whom the contract is awarded for the duration of the contract.

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

Before the date for submission of the requests to participate:

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 is not bound to reply to requests for additional information received less than six working days before the time-limit for receipt of tenders.

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

After receipt of the requests to participate

If clarification is requested or if obvious clerical errors in the request to participate need to be corrected, the Contracting authority may contact the Candidate provided the terms of the Request to Participate are not modified as a result.

Any other contacts are prohibited and can lead to the exclusion of the Candidate.

10. Late submission will lead to the non-admissibility of the request to participate and its rejection from the procurement procedure. Requests to participate sent by email or by fax will be discarded.

11. All costs incurred during the preparation and submission of requests to participate are to be borne by the candidates and will not be reimbursed.

12. This Invitation is in no way binding on SatCen. SatCen's obligations commence only upon signature of the Contract with the successful tenderer. Up to the point of signature, SatCen 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.

13. Once SatCen has opened a request to participate, the document shall become the property of SatCen and it shall be treated confidentially.

14. You will be notified by email whether or not your request to participate has been accepted.

15. Any attempt by a Candidate to obtain confidential information, enter into unlawful agreements with competitors or influence the evaluation committee or the SatCen during the process of examining, clarifying, evaluating and comparing Requests to Participate will lead to the rejection of its application and may result in administrative penalties.

16. Candidates who have been guilty of making false declarations concerning situations of their companies or have been found to have seriously failed to meet their Contractual obligations in an earlier procurements or grants shall be subject to the financial penalties set out in Article 138 of 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 (the "EU Financial Regulation").

17. If processing a reply to this invitation to submit a request to participate involves the recording and processing of personal data (such as name, address and CV), such data will be processed pursuant to Regulation (EU) 2018/1725 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/EC¹. Unless indicated otherwise, any personal data will be processed solely for evaluation purposes under the call for tender by the SatCen. Details concerning the processing of personal data are available in the privacy statement at:

<https://www.satcen.europa.eu/procurement/procurement-policy-and-procedure>

The tenderer's personal data may be registered in the Early Detection and Exclusion System (EDES) if the tenderer is in one of the situations mentioned in Article 136 of the EU Financial Regulation. For more information, see the privacy statement:

http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm.

18. 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 tenderers believe that there is maladministration, they may lodge a complaint to the European Ombudsman within two years of the date from which they become aware of the facts which form the basis for the complaint (see <https://www.ombudsman.europa.eu>).

Within two months of notification of the outcome of the procedure, 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 under Heading VI.4.1 of the contract notice.

Yours sincerely,

Adrian Sanchez

Procurement Officer

¹ OJ L 295, 21.11.2018, p. 39



Annexes to this Invitation to Submit a Request to Participate

Annex 1: Standard Reply Form

Annex 2: Conditions for Request to Participate

Annex 3: Draft Framework Contract