



Council of the European Union
General Secretariat

Invitation to tender

Call for tenders UCA 19/029

Open Procedure

Facility Management Helpdesk Services

The General Secretariat of the Council of the European Union invites you to tender for the above contract, in accordance with the arrangements described in the procurement documents.

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I. GENERAL COMMENTS

1. Composition of tenders

Tenders must be presented as follows:

a) Administrative information

Tenders must include a covering letter stating the name, title and contact details of the person to be contacted for information about the tender and signed by the person(s) empowered to represent the tenderer if the tender is successful¹ (see point IV.4. 'Single points of contact'). The letter must identify all entities in the case of a joint tender and the subcontractors, if applicable (see section B, 'Administrative Provisions' in the Tender Specifications).

Tenders must include in this part the signed Legal Entity form with supporting evidence for each entity and the Financial Identification form with supporting document(s) for the tenderer (for further details, see section B, 'Administrative Provisions' in the Tender Specifications).

Tenders must include a signed 'Declaration on Honour' (see points B.5.2 'Exclusion criteria' and B.5.3 'Selection criteria' sections, as well as Appendix I.1 of the Tender Specifications).

b) Technical offer

Technical offers must be legible.

Tenderers must present the proposals fully and accurately, providing all detailed information and documentation which will allow the Tender Evaluation Committee to assess compliance with all specification requirements.

The technical offer must include the 'Demonstration of conformity' forms (Appendix I.2 and Appendix I.3 of the Tender Specifications) duly completed. Use of these forms is **mandatory**.

c) Financial offer

The financial offer must be drawn up using the Financial Tender Form (Appendix I.4 of the Tender Specifications). This form may not be modified.

All prices and other financial conditions must be expressed in euros (€).

Since the contracting authority is exempted from customs duties, indirect taxes and sales taxes, including value added tax (VAT), under Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Union and the relevant Member State legislation, prices should be quoted net of such taxes and dues. Tenders must mention this exemption.

The financial offer must be clear and precise. Tenders making statements preventing comparison between tenders (such as 'to be discussed' or 'depending on X', 'excluded...', etc.) will be considered as irregular and be rejected. The same applies to tenders referring to external factors not explicitly contained in the tender (such as references to existing but separate contracts).

¹ The authority of these persons to sign must be proved by a document from an official source (e.g. official gazette) or be an internal delegation of authority established by a representative who has the relevant authority to sign.

2. Languages

Tenders must be drafted in one of the official languages of the European Union.

The contracting authority's Tender Evaluation Committee may decide to translate a tender when it considers this to be necessary in order to understand it.

3. Period during which tenders remain valid

The period during which tenders will remain valid and may not be changed, when tenderers are required to comply with all the conditions of their tenders, will be **six (6) months** from the deadline for submitting the tenders.

4. Undertakings

Submission of tenders implies that tenderers accept all the terms and provisions contained in this invitation to tender, in the tender specifications and in the draft contract and therefore renounce their own general or particular conditions.

If the tenderer is successful, the submitted tender will be binding upon the tenderer during performance of the contract.

5. Comments

Where tenderers perceive any clause in the call for tender documents to be discriminatory, they may submit a reasoned objection before the closing date for the submission of tenders and under the same conditions as those laid down in point IV.1 below.

Tenders containing reservations or comments that may be regarded as reservations² may be deemed to be irregular.

6. Non-compliance

Tenders submitted after the deadline, or tenders the confidentiality and/or integrity of which cannot be guaranteed, will be declared non-compliant and will not be considered.

7. Costs incurred by taking part in the procedure

Participation in the tendering procedure is free of charge.

The procurement documents are made available free of charge.

No costs incurred by the tenderer for the drafting and submission of the tender will be reimbursed. Such costs will be borne by the tenderer.

8. Ownership of the tender

The contracting authority will retain all tenders received in the course of the present tendering procedure and treat them confidentially.

Tenderers may not demand that their tender be returned to them.

² Any clause which prevents or distorts the comparison of bids, casts doubt on the tenderer's commitment to perform the contract in accordance with the agreed conditions, is likely to compromise the satisfactory performance of the contract, or is an attempt at manipulation or speculation will also be considered a substantial irregularity.

II. SUBMISSION OF TENDERS

1. Number of copies and format

The tender must be submitted on paper and the number of copies must be as follows:

- Technical offer: **one original and two (2) copies, clearly identified as 'Original' and 'Copy'**
- Financial offer: **one original and two (2) copies, clearly identified as 'Original' and 'Copy'**
- Administrative information: original documents only

The original of the technical offer, the original of the financial offer and the administrative information must be dated and signed by the tenderer's duly authorised representative.

The financial and technical offers and the administrative information must be submitted in separate sealed envelopes and labelled '**Technical offer**' / '**Financial offer**' / '**Administrative Information**'. If self-adhesive envelopes are used, they must be sealed with adhesive tape and the tenderer's representative must sign across the tape.

These two envelopes containing the financial and technical offers must be placed together in another sealed envelope labelled:

APPEL D'OFFRES UCA-19/029

Offre présentée par <Tenderer identification>³

À NE PAS OUVRIR

NI PAR LE SERVICE DU COURRIER

NI PAR UNE PERSONNE NON HABILITÉE ⁴

The outside package containing the tender must bear the destination address appropriate to the chosen means of submission (by post or delivery by hand - see addresses under point II.2 below).

To facilitate the evaluation, tenderers are required to enclose with their paper version a separate electronic version for the technical offer and the financial offer (for example, on a CD-ROM or USB stick). The file format must be compatible with the format of the standard Microsoft Office software (Word, Excel, PowerPoint, etc.) or PDF.

In the event of discrepancies, the paper version will take precedence over the electronic version.

2. Means of transmission

Tenders may not be submitted by email. The tender must be submitted in paper form by one of the following means:

³ State here the name or business name and address of the tenderer.

⁴ This text must not be translated.

a) **By post**

By registered post to the following address:

Council of the European Union
General Secretariat
Procurement Coordination Unit - Office 1070-KL-77
Ref. UCA-19/029
Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIUM

Deadline: 18.07.2019, date of dispatch, demonstrated by the postmark.

b) **Delivery by hand**

to the following address:

Council of the European Union
General Secretariat
Procurement Coordination Unit - Office 1070-KL-77
Ref. UCA-19/029
Quai de déchargement
Chaussée d'Etterbeek/Etterbeeksesteenweg 70
1040 Bruxelles/Brussel
BELGIUM

Deadline: by 16.30 on 18.07.2019, demonstrated by the receipt dated and signed by an authorised member of staff of the General Secretariat of the Council of the European Union.

The '*quai de déchargement*' (unloading bay) is open from 8.30 until 16.30 on working days.

III. **OPENING OF TENDERS**

As indicated in Section IV.2.7 of the contract notice, the opening of tenders will take place on **22.07.2019 at 15:00** on the premises of the Council of the European Union, General Secretariat, Rue de la Loi/Wetstraat 175, 1048 Bruxelles/Brussel, Belgium. Each tenderer may be represented by no more than one person, whose name must be forwarded by email (tendering@consilium.europa.eu) no later than **18.07.2019**. The opening of tenders may have to be rescheduled at short notice, should unforeseen events take place on the General Secretariat's premises on the planned date for the opening of tenders.

The public part of the opening session will be strictly limited to the following aspects:

- verification that each tender has been submitted in accordance with the submission requirements of the call for tender;
- announcement of the tenders received: the names of the tenderers (all members in the case of a joint tender) will be announced;

- announcement of the total price of each tender for which the award method is lowest price (in case of lots, the total price of each tender submitted for the lot(s)).

Tenderers not present at the opening session may send an information request to email: tendering@consilium.europa.eu if they wish to be provided with the information announced during the public opening.

IV. CONTACTS BETWEEN THE CONTRACTING AUTHORITY AND TENDERERS

Contact between the contracting authority and tenderers during the contract award procedure may take place only by way of exception, under the conditions set out below:

1. Before the closing date for the submission of tenders

Before the closing date for the submission of tenders, in writing only via the eTendering website at:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=4994>

- at the request of potential tenderers, the Secretariat may communicate additional information on the tender documents for the sole purpose of clarifying the nature of the contract. The Secretariat is not bound to provide a reply to any request received **less than six working days** before the deadline for receipt of tenders;
- the Secretariat may notify candidates if it discovers an error, a lack of precision, an omission or any other type of clerical defect in the text of the tender documents.

Such information may be communicated only via the eTendering website at:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=4994>

The website will be updated regularly and it is the responsibility of tenderers to check for updates and modifications during the submission period.

2. After the tenders have been opened

If, after the tenders have been opened, some clarification is required in connection with a tender, or if obvious clerical errors in the tender need to be corrected, the contracting authority may contact the tenderer, although such contact may not lead to any alteration of the terms of the tender.

Tenderers will be required to respond to such requests within **five calendar days**.

3. Notification

All tenderers will be notified by email only of decisions reached concerning the award of the contract. It is the responsibility of tenders to provide a valid email address and to check it regularly.

4. Single points of contact

a) Point of contact with the tenderer

Tenderers will be required to indicate a single point of contact in their tenders (see point I.1.a) above, cf. "covering letter").

The exchanges referred to above must take place exclusively between this point of contact and the contracting authority.

b) Point of contact at the Secretariat

Tenderers may only communicate with the contracting authority via the eTendering website at:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=4994>

Only in the event of malfunction of the eTendering website, the contracting authority's single point of contact will be:

General Secretariat of the Council of the European Union
Procurement Coordination Unit - Office 10-70-KL-77
175, Rue de la Loi/Wetstraat 175
1048 Bruxelles/Brussel
BELGIUM
Tel. **+32.2.281 8062**
Fax **+32.2.280 0262**
Email **tendering@consilium.europa.eu**

V. 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) 2018/1725 of the European Parliament and of the Council 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 Procurement Coordination Unit as data controller. Details concerning the processing of your personal data are available at <https://www.consilium.europa.eu/en/general-secretariat/corporate-policies/data-protection/search/details/?Id=216>.

The tenderers' personal data may be registered in the Early Detection and Exclusion System (EDES) if they are in one of the situations mentioned in Article 136 of the Financial Regulation⁵. For more information, see the Privacy Statement on:

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

You are requested to send two forms, a "Legal Entity File" and a "Financial Identification Form" (see Tender Specifications, point B.3); for more information, see the Privacy Statement on:

https://www.consilium.europa.eu/media/29525/privacy_statement_en_council.pdf.

VI. CANCELLATION OF PROCEDURE

The present invitation to tender does not under any circumstances constitute an undertaking on the part of the contracting authority.

The contractual obligation of the contracting authority will commence only when the contract is signed with the successful tenderer.

The contracting authority may, before the contract is signed, either abandon the procurement or cancel the award procedure without the tenderers being entitled to

⁵ 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

claim any compensation. Such a decision must be justified and communicated to the tenderers.

VII. ANNEXES

The following documents are attached hereto:

I. Tender Specifications:

Annex I.1: Declaration on honour on exclusion and selection criteria

Annex I.2: Form for completion: Demonstration of conformity of the tenderer with the Selection Criteria (Technical Capacity)

Annex I.3: Form for completion: Demonstration of conformity of the tender with the tender specifications (Minimum Requirements)

Annex I.4: Financial Tender Form

II. Draft Contract