



## EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Directorate F: Innovation and Advanced Manufacturing  
**Director**

Brussels, 31 July 2017

GROW/ST/jmr grow.ddg1.f.dir(2017)3948715

Dear Sir/Madam,

**Subject: Invitation to Tender - Call for tenders No 622/PP/GRO/IMA/17/1131/9942**  
**Open procedure – Study on the scale and impact of industrial espionage and theft of trade secrets through cyber.**

Thank you for your interest in the above-mentioned contract. We are pleased to enclose a copy of the procurement documents, consisting of the contract notice published in the Official Journal, this invitation letter, the tender specifications with their annexes and the draft contract.

### **1. Lodging of the tender**

If you are interested in this contract, you should submit a tender in one of the official languages of the European Union.

Your tender should be submitted through the electronic submission system (e-Submission application) at:

<https://etendering.ted.europa.eu/cft/cft-display.html?cftId=2643>

The tender must be received no later than 16:00 Brussels local time on **4/10/2017**.

Details on the electronic submission system are provided in annex to this invitation letter (Annex: e-Submission application).

### **2. Presentation of the tender**

Tenders must be drawn up in accordance with the instructions in the tender specifications, and using the model forms indicated in these specifications. The tender specifications and the draft contract are attached to this invitation to tender. The specifications list the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity.

**In order to help tenderers presenting a tender, a checklist of the documents to be submitted in the e-Submission application is provided in annex 6.7.**

For further modalities on drafting your tender, please refer to section 4 of the tender specifications and to Annex: e-Submission application.

### **3. Acceptance of terms and conditions**

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

Please refer to section 3.3 of the attached tender specifications for further information.

**4. Period of validity of the tender**

The offer must remain valid for a period of **6** months following the final date for submitting tenders (see in 1. above). During this period, the tenderer may not modify the terms of his tender in any respect.

**5. Contact between the tenderers and the Commission**

Contacts between the Commission and the tenderers may take place only under exceptional circumstances. Please refer to section 3.2 of the attached tender specifications for further details.

**6. Notification of the outcome of the procurement procedure**

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 address regularly. Please make sure that the communication from the Commission is not classified as a spam mail.

**7. Other provisions**

This invitation to tender is in no way binding on the Commission. The Commission'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 award procedure, without the tenderers being entitled to claim any compensation. This decision must be substantiated and the tenderers notified.

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>).

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 have neither 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 look forward to receiving your tender

Yours sincerely,

*(signed electronically)*  
Sławomir Tokarski

Annex: e-Submission application; tender specifications and draft contract