

GENERAL ADMINISTRATIVE AND SUBMISSION CLAUSES

The European Investment Bank (EIB) is launching a Call for Tenders (open procedure) with the aim of awarding framework agreements to service providers which will deliver various IT related training for EIB staff through either collective formal training sessions or eLearning courses.

If you wish to participate in this call for tenders, please forward your tender enclosed in three sealed envelopes, all of which shall be enclosed in a single outer sealed envelope. The content of each inner envelope is defined in the checklist provided at the end of this document.

The three inner envelopes shall be marked:

- 'Envelope I — Administrative information' – original + electronic version
- 'Envelope II — Technical offer' – original + electronic version
- 'Envelope III — Financial offer' – original + electronic version

The outer envelope shall be marked:

DO NOT OPEN:
Ref.: CFT-1489
Subject: Classroom and eLearning computer technology training
Deadline for submission of tenders: 24 October 2018

The tender shall be delivered:

- (a) either by registered post, to the following address:

EUROPEAN INVESTMENT BANK
For the attention of CS PROCUREMENT
Ref.: CFT-1489
Procurement and Purchasing Division
98-100 boulevard Konrad Adenauer
L-2950 LUXEMBOURG

- (b) or by handing it in (by messenger or courier) at the reception desk of the

EUROPEAN INVESTMENT BANK
For the attention of CS PROCUREMENT
Ref.: CFT-1489
Procurement and Purchasing Division
98-100 boulevard Konrad Adenauer
L-2950 LUXEMBOURG

Tenders must be posted (as evidenced by the postmark) or handed in by **24 October 2018** at the latest (up to midnight in the case of delivery as described in (b) above). The receipt dated and signed by the employee at the reception desk who receives the tender (reception desk open 24 hours a day) shall form the evidence of the tender having been handed in.

Tenders will not be accepted which:

- (a) are not sent in three sealed envelopes;
- (b) are not sent or delivered by hand to the EIB before the specified deadline (as evidenced by the postmark or receipt signed and dated by the officer at the reception desk);
- (c) do not conform to the provisions of this call for tenders.

The tender must take account of the following provisions:

1. Prices must be firm and non-revisable, quoted in euros and free of taxes and duties, the European Investment Bank being exempt therefrom under the Protocol on the Privileges and Immunities of the European Union.
2. The tenderer must declare that it has taken note of the terms and conditions of the call for tenders and has had the opportunity to gauge the scope and quality of the services required, as well as the possible difficulties.
3. The price(s) will be fixed for the whole duration of the contract.
4. The tenderer cannot invoke any error, inaccuracy or omission in its tender to call the contract into question or to attempt to have it amended.
5. The EIB reserves the right to reject any tender that fails to comply with the specifications of this call for tenders.
6. Tenders must be drawn up in writing in one of the following two languages: English (offers in other languages will not be accepted).
7. Tendering organisations must submit a full dossier.
8. Documents of general interest submitted by tenderers will be taken to form an integral part of the tender.
9. Tenders must correspond to the tender specifications item by item.
10. It is strictly forbidden to pass on documents relating to this call for tenders to third parties, except where the EIB has given its prior authorisation.
11. The EIB reserves the right to award the contract to the tenderer(s) of its choice, in accordance with the criteria set out in the tender documents, or not to award it to any tenderer, or to award the lots separately to different tenderers, or to cancel certain lots or part of certain lots. The Bank may cancel the tendering procedure without notice at any time. Prospective Tenderers should only participate to the tendering process on the understanding that they would not be entitled to any form of compensation, should the EIB decide to interrupt the purchasing procedure before the contract is signed.

12. The tenderer has an obligation to achieve a particular result; its assignment is comprehensive and includes all aspects relating to the implementation of the solution adopted.
13. The tenderer is free to use subcontracting, but will remain fully responsible with respect to the Bank. The choice of subcontractors will be subject to the Bank's approval.
14. Participation in this call for tenders involves the following obligations for the tenderers:
 - to accept all the terms and conditions mentioned in the present call for tenders, the conditions of the specifications as well as all the general terms and conditions defined by the EIB;
 - to waive their own terms and conditions.
15. The annexes, in WORD or EXCEL format, to these General Administrative and Submission Clauses, are provided solely for the purpose of allowing you to insert the required information. Under no circumstances should you modify any other text in these WORD format documents. For the avoidance of doubt, the PDF versions will prevail for all text apart from the required information that you insert.
16. The following documents shall form an integral part of this call for tenders:
 - Annex 1 "Declaration on honour on exclusion and selection criteria and on the absence of conflict of interest"
 - Annex 2 "Deed of undertaking"
 - Annex 3 "Non-Collusion Declaration"
 - Annex 4 "Technical tender specifications – terms of reference" with all its appendices
 - Annex 5 "Model Framework Agreement for Provision of Services"
 - Annex 6 "General Terms & Conditions for Framework Agreements (services)"
 - Annex 7 "Candidate Contact Sheet"
 - Annex 8 "Consortium Member Declaration"
 - Annex 9 "Subcontractor Letter"

Annexes 1, 2, 3, 7, 8 and 9 should be returned completed and signed to the EIB as part of the tender (the last two – only if applicable).
17. **Any requests for additional information should be addressed in writing by 10 October 2018 at the latest** exclusively via the eTendering platform. Requests not submitted via the eTendering platform will not be considered. The corresponding link is indicated in the Contract Notice, section I.3) Communication. The eTendering platform contains a questions/answers section permitting tenderers to send questions within the deadline specified above and consult the EIB's replies. The EIB will publish its replies on this platform at least 6 calendar days before the deadline for submission of tenders.
18. Tenders must be drawn up on paper as well as in electronic version clearly marked with the name of the tenderer and the Ref. Number. Electronic copies of the offer may be provided in the form of either CD/DVDs or USB devices but MUST NOT be password protected. **Paper version and electronic version must be identical, otherwise tenders might be rejected for non-compliance with the tender specifications.**

19. Before the assignment begins, the service provider will undertake to comply with all current laws and provisions and to obtain all relevant permits required to provide the services described.
20. Tenderers will be informed by e-mail of the outcome of their application/tender. It is the tenderers' responsibility to provide a valid e-mail address together with their contact details and to check this e-mail address regularly.
21. If foreseen in the Specifications for the Call for Tenders, selected candidates may be invited to make an oral presentation. Tenderers will not be permitted to modify the terms and conditions of their tender during their presentation or at any other time after the tender has been submitted to the Bank.
22. Any dispute concerning procurement conducted by the EIB would fall under the jurisdiction of the European Court of Justice.

Privacy statement

The personal data provided by you will be processed in accordance with Regulation (EC) 45/2001 of the European Parliament and of the Council of 18 December 2000 and any future legislation amending or repealing it. The information requested for the call for tenders is necessary in order to assess your tender and will be used solely for that purpose under the authority of the EIB Procurement and Purchasing division (CS/IMP/PROCUR), in accordance with the EIB's Corporate and Technical Assistance Procurement Guide¹, approved by the Management Committee of the EIB. Please note that for your tender to be considered, it may be mandatory to answer some or all of the questions in the declaration to be made by the tenderer. The mandatory/optional nature of these questions is outlined in the specific call for tenders document. In order to assess the tender, the personal data provided by you will be accessed by members of the Evaluation Committee and the Directorate which requested the call for tenders. Upon request, access to this data may be granted to the EIB's Office of the Chief Compliance Officer, the legal service or the Inspectorate General. The data of the successful candidate shall be retained for the duration of the contract, plus two years in the central archives, unless these are needed in the context of litigation or claims. The data of unsuccessful candidates shall be retained for four years, unless these are needed in the context of litigation or claims. You have the right to access and rectify or update your data. You can exercise these rights by contacting the Head of the CS/IMP/PROCUR division (CS-procurement@eib.org). You also have the right to have recourse at any time to the European Data Protection Supervisor.

¹ http://www.eib.org/attachments/strategies/eib_corporate_and_technical_assistance_procurement_guide_2017_en.pdf

CHECKLIST (SOLELY FOR THE USE OF THE TENDERER)

(this checklist may be used by the tenderers to ensure that their tender contains the vital elements and is submitted correctly)

<p>The tender must be submitted in <u>one outer envelope</u>, which contains <u>three separate inner envelopes</u> clearly marked I, II and III.</p>	<input type="checkbox"/>
<p>Envelope I - Administrative information must contain: Exclusion and administrative documentation:</p> <ul style="list-style-type: none"> • Annex 1 “Declaration on honour on exclusion and selection criteria and on the absence of conflict of interest” • Annex 2 “Deed of undertaking” • Annex 3 “Non-collusion declaration” • Annex 7 “Candidate Contact Sheet” • Annex 8 “Consortium Member Declaration” (if applicable) • Annex 9 “Subcontractor Declaration” (if applicable) • An official document (statutes, power of attorney, notary statement, etc.) proving that the person who will sign on behalf of the Tenderer (if successful) is duly authorised to do so <p>Evidence on the selection criteria (economic and financial capacity and technical and professional capacity), as specified in Section 10.1 of Annex 4 Terms of Reference</p> <p>All of the above is to be provided in original and electronic copy.</p>	<input type="checkbox"/>
<p>Envelope II - Technical proposal must contain:</p> <p>Technical proposal documents in line with the requirements stated in section 10.1 of Annex 4 ‘Terms of Reference’.</p> <p>The front page of the technical proposal shall be signed by a legal representative of the tenderer.</p> <p>All of the above is to be provided in original and electronic copy.</p>	<input type="checkbox"/>
<p>Envelope III — Financial proposal must contain:</p> <p>Financial proposal documents in line with the requirements stated in section 10.1 of Annex 4 ‘Terms of Reference’.</p> <p>Each page of the ‘Financial proposal form’ shall be signed by a legal representative of the tenderer</p> <p>All of the above is to be provided in original and electronic copy.</p>	<input type="checkbox"/>
<p>The outer envelope must be sealed with adhesive tape and signed across the seal in order to guarantee the confidentiality and integrity of data.</p>	<input type="checkbox"/>

<p>The outer envelope must carry the following information:</p> <div style="border: 1px solid black; padding: 5px; background-color: #f0f0f0;"> <p>TENDER – NOT TO BE OPENED BY INTERNAL MAIL DEPARTMENT Call for Tenders Ref. No: CFT-1489 Call for Tenders Title: Classroom and eLearning computer technology training Name of the Tenderer: ----- Address of the Tenderer: ----- Deadline for the submission of tenders: 24 October 2018</p> </div>	<input type="checkbox"/>
<p>The tender must be dispatched BEFORE the dispatch time and date stated on page 1 of these 'General Administrative and Submission Clauses'.</p>	<input type="checkbox"/>