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26th February 2013

Dear Sir/Madam,

Open Invitation to Tender – EBA/2013/003/OPS/SER/OP – Supply of Interim Staff for General Administration

1. I enclose the Call for Tenders relating to the abovementioned contract. The purpose of this Call for Tenders and the additional information necessary to submit a tender can be found in the attached Tender Specifications. You should note however the following important points concerning the submission of a tender and its implications.
2. If you are interested in this contract, you should submit a tender in one original and two copies in one of the official languages of the European Union. Please submit your tender to the following address which should be clearly marked as follows on the outer envelope:

European Banking Authority (EBA)

Procurement Procedure – Reference: EBA/2013/003/OPS/SER/OP
**Tower 42 (Level 20),
25 Old Broad Street,
London EC2N 1HQ
UK**

Please note that tenders may not be submitted by electronic mail or by fax. **Any tender submitted in such a way will be immediately eliminated from the procedure.**

3. Tenders must be submitted in one of the following ways:
 - Either by **registered post or by courier service**, dispatched no later than **12:00hrs (noon) BST on 3 April 2013**, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip.
 - **Or by hand delivery** to EBA premises no later than **12:00hrs (noon) BST on 3 April 2013**, directly or by a representative of the tenderer. In this case, a receipt must be obtained as proof of submission, signed and dated by the EBA official taking delivery. Please note that EBA working hours are 09:00-17:30 hrs from Monday to Friday. It is closed on Saturdays, Sundays and EBA Public

Holidays. In order to ensure hand delivery by the abovementioned deadline, the tenderer is strongly advised to take into account the time needed for security checks when entering the EBA premises and for the actual handover of its tender to the EBA official in charge of taking delivery. EBA shall not be held liable for any delays incurred by the tenderer when in EBA's premises; the tenderer alone is responsible for ensuring that its tender is delivered on time.

Please see the detailed instructions on how to submit your tender in the Tender Specifications.

Tenders which are posted, sent by courier service or hand delivered after the abovementioned deadline will be rejected.

4. Tenders must be submitted using the double envelope system – i.e. one outer envelope and one inner envelope - in order to guarantee the confidentiality and integrity of data.

Both the **outer and the inner envelopes** must carry the following information in addition to the address as given in point 2 above:

<p>Tender Ref. No. EBA/2013/003/OPS/SER/OP</p> <p>Tender Title: Supply of Interim Staff for General Administration</p> <p>TENDER – NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT</p> <p>Name of the Tenderer:</p> <p>Address of the Tenderer:</p> <p>.....</p>
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If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across the tape.

The **inner envelope** shall contain three envelopes properly marked, as follows:

- **Envelope A** containing the **Administrative documentation**
- **Envelope B** containing one signed original and two copies of the **Technical proposal**
- **Envelope C** containing one signed original of the **Financial proposal**

5. The Tender Specifications, listing all the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity and the draft contract are attached.

6. Tenders must be:
 - signed by the tenderer or his duly authorised representative;

- perfectly legible so that there can be no doubt as to words and figures;
 - drawn up using the model reply forms in the Tender Specifications.
7. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, is six months from the deadline for dispatching tenders
 8. Submission of a tender implies acceptance of all the terms and conditions set out in this Invitation to Tender, in the Tender Specifications and in the draft contract and 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.
 9. Contacts between the Contracting Authority and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the final date for submission of tenders:

The tender dossier should be clear enough to avoid tenderers having to request additional information during the procedure. However at the request of the tenderer, EBA may provide clarification and/or additional information solely for the purpose of clarifying the tender dossier and/or nature of the contract.

Should a tenderer have a question, this should be submitted in writing, preferably by email, to tenders@eba.europa.eu with a copy to aneta.alhafoudhova@eba.europa.eu before **19 March 2013**. No telephone queries will be accepted. EBA will have no obligation to provide answers to requests for clarification received after this date.

The requests shall indicate the tender reference number and title, and shall be sent to:

European Banking Authority (EBA)

Procurement Procedure – **EBA/2013/003/OPS/SER/OP**

**Tower 42 (Level 20),
25 Old Broad Street,
London EC2N 1HQ
UK**

E-mail: tenders@eba.europa.eu with a copy to aneta.alhafoudhova@eba.europa.eu.

EBA may also on its own initiative inform interested parties of any error, inaccuracy, omission or any other clerical error in the text of the Call for Tenders e.g. Contract Notice, Invitation to Tender Letter, Instructions to Tender or their Annexes.

Any additional information including that referred to above will be made available electronically on the procurement pages of the EBA website (<http://www.eba.europa.eu/Aboutus/Procurement/Current-calls-for-tender-60000.aspx>) as soon as possible and no later than 8 calendar days before the deadline for dispatching tenders.

Please note that the EBA website will be updated regularly and tenderers are therefore advised to check the EBA website on a regular basis for possible updates and/or clarifications. It is the tenderer's responsibility to check for updates and modifications during the tendering period.

Clarifications and/or amendments will be regarded as an integral part of the Tender Specifications.

After the opening of tenders

If clarification is required or if obvious clerical errors in the tender need to be corrected, EBA may contact the tenderer provided the terms of the tender are not modified as a result.

10. This Invitation to Tender is in no way binding on EBA. EBA's contractual obligation commences only upon signature of the contract with the successful tenderer.

Up to the point of signature, EBA 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.

11. EBA retains ownership of all tenders received under this Call for Tenders. Consequently the tenders cannot be returned to tenderers.
12. All cost incurred in preparing and submitting tenders are borne by the tenderers and cannot be reimbursed.
13. You will be informed whether or not your tender has been accepted.
14. Processing your reply to the Invitation to Tender will involve the recording and processing of personal data (such as names, addresses and CVs). Such data will be processed pursuant to Regulation (EC) No 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, your replies to the questions and any personal data requested are required to evaluate your tender in accordance with the specifications of the Invitation to Tender and will be processed solely for that purpose by EBA. You are entitled to obtain access to your personal data on request and to rectify any such data that is inaccurate or incomplete. If you have any queries concerning the processing of your personal data, you may address them to EBA. You have the right of recourse at any time to the European Data Protection Supervisor for matters relating to the processing of your personal data.
15. You are informed that for the purposes of safeguarding the financial interest of the Communities, your personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel and/or to the European Anti-Fraud Office (OLAF).

Data of economic operators which are in one of the situations referred to in Articles 93, 94, 96(1)(b) and 96(2)(a) of the Financial Regulation¹ may be included in a central database and communicated to the designated persons of the European Commission, other institutions, agencies, authorities and bodies mentioned in Article 95(1) and (2) of the Financial Regulation. This refers as well to the persons with powers of representation, decision making or control over the said economic operators. Any party entered into the database has the right to be informed of the data concerning it, up on request to the accounting officer of the Commission.

Yours sincerely,

Adam Farkas,
Executive Director

Enc: Annexes

LIST OF ANNEXES

See attached as separate documents:

- ANNEX I – Tender Specifications
- ANNEX II – Technical Questionnaire
- ANNEX III – Exclusion Criteria Form
- ANNEX IV – Costing Sheet
- ANNEX V – Legal Entity Form
- ANNEX VI – Financial Identification Form
- ANNEX VII – Draft Contract
- ANNEX VIII – Draft Specific Agreement
- ANNEX IX – Confidentiality Undertaking
- ANNEX X – Technical Evaluation Grid
- ANNEX XI – Service Request Form
- ANNEX XII – Tender Identification Form

¹ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 (OJ L 248 of 16.09.2002), as amended by Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006 (OJ L 390 of 30.12.2006)



ANNEX XIII – Tender Form

ANNEX XIV – Financial Capacity Form

ANNEX XV - Checklist

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