

INVITATION TO TENDER Ref. SJU/LC/0082-CFT

Performance of an economic study to elaborate Business Cases associated to a pilot common project - Lot 1 and Lot 2

(open procedure with publication in OJ)

Brussels, 9 August 2012

Dear Sir or Madam,

1. I enclose the SESAR Joint Undertaking's (the "SJU") call for tenders relating to the above-mentioned contract.
2. Tenderers interested in this call for tender must send their offers **either by registered mail, private courier or in-hand delivery.**

The tender including all its supporting documents must be **received** at the SJU premises by registered mail, by private courier or delivered in-hand, not later than **1st October 2012, at noon (Brussels time)**. The tenders have to be submitted to the following address:

**SESAR Joint Undertaking
Avenue de Cortenbergh, 100
B-1000 Brussels
BELGIUM**

The tenderers are strongly advised to use the delivery service offering tracking option of the sent items. **Any tender received after the deadline will not be examined.**

3. 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.
4. Offers must be presented in the requested format and include all the requested information and documents. Failure to respect the requirements will constitute a formal incompliance and may result in the rejection of the offer.

Offers must be clear and concise, perfectly legible so that there can be no doubt as to words and figures, include continuous page numbering, and assembled in a coherent fashion (e.g. bound or stapled).

It is recommended that the offers are submitted in environmentally friendly way, e.g. by choosing a simple and clear structure (list of contents and consecutive page numbering), double side printing, limiting attachments to what is required in this call for tenders (i.e. no additional material) and avoiding plastic folders and binders.

5. Offers must be written in English [or in French] and submitted:

a) in **paper format**:

- one (1) original of the cover letter,
- one (1) original of the Administrative offer,
- one (1) original and four (4) copies of the Technical offer,
- one (1) original of the Financial offer;

b) in **electronic format**: one copy of the offer, in PDF format.

The original paper copies of the offer must be marked "**ORIGINAL**", initialled (each page) and signed by the tenderer.

6. Each offer must be submitted in accordance with the double envelope system:

a) The outer envelope or parcel should be sealed with adhesive tape and signed across the seal and carry the following information:

- the reference number of the call for tender (SJU/LC/0082-CFT),
- the name of the tenderer,
- the indication "Offer - NOT to be opened by the internal mail service".

b) The inner envelope must contain the paper copies and the electronic copy.

c) The inner envelope must also contain two sealed envelopes, one containing the administrative and technical offer and the other the financial offer. Each of these envelopes must clearly indicate the content (i.e. "Administrative and technical offer" and "Financial offer").

7. The offers must include a cover letter and three volumes, including the following information:

a) **Cover letter** shall be signed and dated and contain the following elements:

- The names, telephone and fax numbers and e-mail addresses of the persons who will be responsible for the technical and contractual management of any resulting contract and who would be nominated as such in the contract,
- The name, address, fax and telephone number and e-mail address of the contact person to whom all communications relating to this call for tender should be addressed,
- The name, title and function of the person empowered to sign the contract (if awarded),
- A reference number for the offer, identical throughout all parts of the offer,
- The reference number of the SJU's call for tender, and
- The tenderer's acceptance of all the terms and conditions set out in this invitation to tender, in the technical specifications and in the draft contract, and, where appropriate, waiver of the tender's own general or specific terms and conditions. The SJU reserves the right to reject offers stating that the provisions of the tender documents mentioned above are accepted subject to a number of conditions.

b) **Volume 1 – Administrative offer** shall contain the following elements:

- A valid power of attorney (or a clear reference to the official document), legally empowering the person/s who have signed any/all documents in response to this call for tenders;

- Legal entities' form, dully filled-in and accompanied by all the supporting documents requested therein, (please, use the form available on the following web page:
http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm);
- Financial identification form, dully filled-in (please, use the form available on the following web page:
http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm);
- Declaration on honour with respect to the Exclusion Criteria and absence of conflict of interest (please refer to section 3.2. of the tender specifications and to the template provided in Annex I to the tender specifications);
- Documentary evidence for the establishment of the legal capacity of the tenderer (please refer to section 3.3.1. of the tender specifications);
- Documentary evidence for the establishment of the economic and financial capacity of the tenderer (please refer to section 3.3.2. of the tender specifications).

c) Volume 2 - Technical offer must provide all the information required in sections 2 and 3.3.3 of the tender specifications.

d) Volume 3 - Financial offer for Lot 1 and Lot 2. Please take note of the fact that the financial offer for Lot 2 must be drawn up on the form included in Annex II to the tender specifications.

Prices for financial offer for lot 1 and lot 2 must be quoted:

- in EURO, including the countries which are not in the EURO area. Where applicable, the tenderer chooses the exchange rate and assumes all risks relating to the rate fluctuation,
- free of all duties and taxes (in particular VAT), as the SJU is exempt from such charges under Article 3 and 4 of the Protocol on the Privileges and Immunities of the EU.
- inclusive of all costs and expenses directly and indirectly connected with the services to be provided.

The financial offer should be completely unambiguous. The offer will be disqualified if it contains any statements preventing an accurate and complete comparison of the offers (such as "to be discussed", "depending on", etc.).

Please note that costs incurred in preparing and submitting offers are borne by the tenderer and shall not be reimbursed.

Please note that the financial offer must be submitted in a separate binder or folder and a separate envelope as indicated in section 6 here above which must be clearly labelled "Financial offer". Please ensure that the information related to the financial quotation is given nowhere else in the offer.

8. Period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect: ninety (90) days from the final date for submission.

9. **Contacts** between the SJU and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the opening of the offers:

At the request of the tenderer, the SJU may provide additional information solely for the purpose of clarifying the content of this call for tender and/or the nature of the contract.

Any requests for additional information must be made in writing only and sent to the following e-mail address: procurement@sesarju.eu. Requests for additional information should indicate the reference number of the call for tender and its title.

Requests for additional information received less than ten (10) calendar days before the final date for receipt of tenders will not be processed.

Clarifications will be issued by the SJU no later than six (6) calendar days before the closing date for submission of tenders.

The SJU may, 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.

Any additional information, including that referred to above, or/and corrigendum will be posted on the following website <http://www.sesarju.eu/about/procurement> as well as in the Official Journal of the European Union (OJEU). Accordingly, the tenderers are invited to make regular visits to the SJU website to check for updates.

After the opening of tenders:

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

10. The SJU will sign a contract with the successful tenderer. The contract will have an initial duration of one (1) year as from the date of signature, and may be renewed up to three (3) times, each for an additional period of one (1) year. A draft contract is annexed to this invitation to tender.
11. This invitation to tender is in no way binding on the SJU. The SJU's contractual obligation commences only upon signature of the contract with the successful tenderer.
12. Up to the point of signature, the SJU 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 the SJU has opened the tender, the document shall become the property of the SJU and it shall be treated confidentially.

14. If processing tenderer's 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 (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, tenderer's replies to the questions and any personal data requested are required to evaluate the tender in accordance with the specifications of the invitation to tender and will be processed solely for that purpose by the SJU. Details concerning the processing of personal data are available on the Privacy Statement at: <http://www.sesarju.eu/about/procurement>.

15. If the offer includes **subcontracting**, the tender must indicate clearly, which parts of the services will be subcontracted. Subcontractor(s) must satisfy the exclusion criteria as listed in section 3.2. of the tender specifications.

If the identity of the intended subcontractor(s) is already known at the time of submitting the tender, the tenderer must provide a signed statement guaranteeing the compliance of the subcontractor(s) with the exclusion criteria.

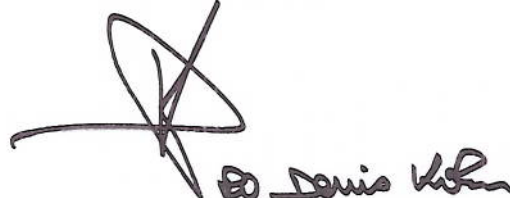
Please, note that solely the main contractor retains full liability towards the SJU for the performance of the contract as a whole. Accordingly:

- the SJU will treat all contractual matters (e.g. payments) exclusively with the main contractor, whether or not the tasks are performed by a subcontractor;
- under no circumstances can the main contractor avoid liability towards the SJU on the grounds that the subcontractor is at fault.

16. You will be informed whether your tender has been accepted or rejected for award of the contract.

Yours sincerely,

Patrick KY
Executive Director



Annexes: Tender specifications
 Draft contract

