



Brussels,
SRB/Procurement

LETTER OF INVITATION TO TENDER SRB/NEG/3/2016

Dear Sir/Madam,

Subject: **PROVISION OF LEGAL ADVICE FOR IRREVOCABLE PAYMENT COMMITMENTS & CASH COLLATERAL**

Procedure: **Negotiated Procedure with minimum 5 candidates**

1. The Single Resolution Board (hereinafter referred to as "the Contracting Authority" or "the SRB") is planning to award the public contract referred to above. Please find enclosed the related tender specifications (listing all the documents that must be produced in order to submit a tender) and the draft Service Contract.
2. Tenderers who wish to submit an offer are invited to send a bid to the SRB before the **19th February 2016 17h00 (Brussels time)**. The offer should be duly signed by the authorised representative, scanned and submitted by e-mail to the following address: SRB-PROCUREMENT@ec.europa.eu. The size of the mail may not exceed 12 Mb per one email. Please note that an original hard copy of the offer including all accompanying documentation will be requested from the company to which the contract is awarded.
3. Tenders must be:
 - signed by a duly authorised representative of the tenderer;
 - perfectly legible so that there can be no doubt as to words and figures;
 - clear and concise;
 - drawn up using the model reply forms in the tender specifications (Annexes 2 to 5).
4. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, is 9 months from the final date for submission.
5. 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 Service Contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. Submission of a tender is binding on the tenderer to whom the contract is awarded for the duration of the contract.
6. All costs incurred during the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed.
7. 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:

- * Potential tenderers may request clarifications with regard to the tender documents and for the purpose of clarifying the nature of the contract.
 - * Any requests for additional information must be made in writing and sent to the following email address SRB-PROCUREMENT@ec.europa.eu.
 - * The Contracting Authority is not bound to reply to requests for additional information received less than two working days before the final date for submission of tenders.
 - * The Contracting Authority 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 will be published by the Contracting Authority on the SRB website under the procurement section for this tender. The website will be updated regularly and it is the tenderer's responsibility to check for updates and modifications during the tendering period.
- After the opening of tenders
- * If clarification is required or if obvious clerical errors in the tender need to be corrected, the Contracting Authority may contact the tenderer provided the terms of the tender are not modified as a result.
 - * In case of negotiated procedure, SRB may negotiate with tenderers the offers they have submitted, in order to adapt them to the requirements set out in tender specifications or any additional document and in order to find the tender offering best value for money. During negotiations equal treatment of all tenderers will be ensured.
8. This invitation to tender is in no way binding on the Contracting Authority. The Contracting Authority's contractual obligation commences only upon signature of the contract with the successful tenderer.
 9. Up to the point of signature, the Contracting Authority 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.
 12. Once the Contracting Authority has opened the tender, the document shall become the property of the Contracting Authority and it shall be treated confidentially.
 13. You will be informed of the outcome of this procurement procedure. It is your responsibility to provide a valid e-mail address together with your contact details in your tender and to check it regularly.
 14. If processing your reply to the invitation to tender involves the recording and processing of personal data (such as your 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, 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 the SRB. Details concerning the processing of your personal data are available on the privacy statement at: http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf.

15. Your personal data may be registered in the Early Warning System (EWS) only or both in the EWS and Central Exclusion Database (CED) by the Accounting Officer of the Commission, should you be in one of the situations mentioned in:

- the Commission Decision 2014/792/EU of 13.11.2014 on the Early Warning System (for more information see the Privacy Statement on http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm), or

- the Commission Regulation 2008/1302 of 17.12.2008 on the Central Exclusion Database (for more information see the Privacy Statement on http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm#BDCE)

I look forward to receiving your tender in response to this call for tenders.

Yours sincerely,
(signed)

A handwritten signature in blue ink, appearing to read "T. Löyttyniemi".

Timo Löyttyniemi
Vice Chair

Annexes: Tender specifications, draft Service Contract and other annexes