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25 November 2015

Invitation to Tender:

Supply of Interim Staff - Business Analysts (EBA/2015/05/OVSREG/SER/OP)

This invitation follows the publication of the Contract Notice in the TED (Tenders Electronic Daily) database (www.ted.europa.eu).

To Whom It May Concern

Dear Madam/Sir,

1. The EBA is planning to award the contract referred to above. The procurement documents consist of the abovementioned Contract Notice, this Invitation Letter, the enclosed Instructions to Tender with their annexes and the draft contract.
2. If you are interested in this contract you should submit a tender in one of the official languages of the European Union, preferably in English. You should submit your tender in one original paper copy with two copies and with one copy of all documents on CD-ROM or USB memory stick to the address below. Your tender should be clearly marked as indicated below on the outer envelope. Please note only one tender per tenderer can be submitted (this includes only one financial offer). Any tenderer submitting more than one tender shall be eliminated from the procedure. All documents in electronic copy on CD-ROM/USB memory stick should be in either Adobe Portable Document Format (.pdf) or in standard Office 2010 format (i.e. doc and .xls). In case of any discrepancy the paper copy shall prevail over the copy on CD-ROM or USB memory stick. Tenderers should note that the EBA is unable to accept electronic signatures on the paper copy. **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.

Mario Quagliariello
European Banking Authority (EBA)
Procurement Procedure – Reference: **EBA/2015/05/OVSREG/SER/OP**
Floor 45,
One Canada Square,
Canary Wharf,
London E14 5AA UK

3. Tenders must be submitted in one of the following ways:
- Either by **registered post or by courier service** dispatched no later than **19th January 2016** in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip with the courier service.
 - Or **by hand delivery** to the EBA no later than **17:00 GMT on 19th January 2016** 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. 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 as well as the time needed 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 the EBA’s premises. **The tenderer is responsible for ensuring that its tender is delivered on time.** In the case where deliveries are effected by hand, the deadline to be respected shall be the date and time of delivery cited above and not the date and time of transmission/deposition by the tenderer to its representative.

Tenders which arrive after the abovementioned deadline will be rejected.

4. Tenders must be submitted using the double envelope system i.e. one sealed outer envelope and one sealed inner envelope in order to guarantee the confidentiality and integrity of data. The following must be written on the **inner envelope**:

Tender Ref. No. EBA/2015/05/OVSREG/SER/OP

Tender Title: Supply of Interim Staff – Business Analysts

TENDER – NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT

Name of the Tenderer

.....

Address of the Tenderer

.....

.....

.....

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 sealed envelopes** marked as follows:

- **Envelope A** containing the **administrative documents**
- **Envelope B** containing the signed original **technical proposal with two copies**
- **Envelope C** containing the signed original **financial proposal with two copies**.

Please note that all information relating to prices must be contained in the Costing Sheet and not mentioned in any other part of the tender. The Costing Sheet must be submitted in a separate binder or folder and on separate USB memory stick or CD ROM which must be clearly labelled. The Instructions to Tender for this tender procedure are attached to this invitation letter. Section 8 of the Instructions to Tender lists all the documents which must be produced in order to tender.

5. Tenders **must** be:

- signed by the tenderer or his/her duly authorised representative
 - perfectly legible so there can be no doubt as to words and figures included
 - drawn up using the model reply forms in the Instructions to Tender
 - drawn up using double-sided printing
 - free of brochures, booklets and general publicity material not requested by EBA
6. 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.
7. Submission of a tender in response to this Invitation to Tender automatically implies the tenderer's acceptance of all the terms and conditions set out in this Invitation to Tender, the Instructions to Tender and the draft contract and waiver of the tenderer's own general or specific terms and conditions. It also implies that the tenderer renounces his own terms and conditions. It is binding on the tenderer to whom the contract is awarded for the duration of the contract. You are requested to confirm acceptance of the draft contract and terms and conditions of this tender as part of your tender response.
8. Contacts between the EBA and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the final date for dispatch/submission of tenders:

The tender documents 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 documents 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 mario.quagliariello@eba.europa.eu. No telephone queries will be accepted. Requests for additional information received less than 5 calendar days before the closing date for submission of tenders will not be processed for practical reasons. EBA shall have no obligation to provide

answers to requests for clarification received after this date. Requests shall indicate the tender reference number and title and shall be sent to:

European Banking Authority (EBA)
Procurement Procedure – Reference: EBA/2015/05/OVSREG/SER/OP
For the attention of: Mario Quagliariello,
Floor 45,
One Canada Square,
Canary Wharf,
London E14 5AA
UK
E-mail: tenders@eba.europa.eu with a copy to mario.quagliariello@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 tender documents. Any additional information including that referred to above will be published on the procurement pages of the EBA website. **Tenderers are therefore advised to check the EBA website on a regular basis for possible updates, clarifications or corrigenda.** It is the tenderer's responsibility to check for these updates and modifications during the tendering period. Clarifications and/or corrigenda will be regarded as an integral part of the tender documents.

After the opening of the 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.

9. This Invitation to Tender is in no way binding upon 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 procurement procedure without the candidates or tenderers being entitled to claim any compensation. This decision would be substantiated and all tenderers would be notified.
10. EBA retains ownership of all tenders received. Consequently the tenders cannot be returned to tenderers.
11. All costs incurred in preparing and submitting a tender shall be borne by the tenderer and cannot be reimbursed separately.
12. You will be informed whether or not your tender has been accepted.
13. If processing your reply to the Invitation to Tender involves 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 European Union 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 Invitation to Tender and its annexes and will be processed solely for that purpose and, if necessary, for any other relevant purposes which may be specified by EBA. Details concerning the processing of your personal data are available on the privacy statement at: http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf.

14. Your personal data may be registered in the Early Detection and Exclusion System (EDES) if you are in one of the situations mentioned in Article 106 of the Financial Regulation¹. For more information, see the Privacy Statement on http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm#BDCE)
15. Tenders will be opened at the premises of the EBA at One Canada Square, Canary Wharf, London E14 5AA at **11:00hrs GMT on 26th January 2016**. One representative per tenderer is permitted to be present at the opening of the tenders. The name of any such representative is to be notified in advance in writing by email to the EBA at tenders@eba.europa.eu with a copy to mario.quagliariello@eba.europa.eu at least two working days before the opening session. For security reasons visitors are requested to identify themselves with a valid identity card or passport. EBA may refuse access to persons who have not registered or do not carry a valid ID.

All tenderers will be informed of the outcome of their tender.

Yours sincerely,

SIGNED

Signatory's name: Adam Farkas

Position: Executive Director

Annex:

Instructions to Tender

¹ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298 of 26.10.2012, p. 1) as amended.