

Riga, 31/08/2016

Subject: PROVISION OF REGULATORY INFORMATION SERVICES ON ISSUES RELATED TO ELECTRONIC COMMUNICATIONS AND OTHER TOPICS WITHIN THE SCOPE OF BEREC ACTIVITIES

Contract notice 2016/S 139-251101 amended by contract notice 2016/S 156-281937, amended by a contract notice 2016/S 167-299981

Dear Sir/Madam,

1. The Office of the Body of European Regulators for Electronic Communications (hereinafter 'BEREC Office') is planning to award the contract referred to above. The procurement documents consist in the contract notice, this invitation letter, the tender specifications 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 and preferably in English which is an official language of the BEREC Office.
3. You must submit your tender exclusively on paper in one original and one copy provided in electronic form (on a CD or USB drive). The tender must be placed inside two closed envelopes addressed as indicated below. The inner envelope should be marked as follows: **"CALL FOR TENDERS – NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT"**.

The inner envelope must also contain two closed envelopes, one containing the technical tender and the other the financial tender. Each of these envelopes must clearly indicate the content ("Technical" and "Financial").

The time limit for receipt of the tender is **16/09/2016**. You must use one of the means of submission listed below. Receipt is understood as the time at which the tenderer hands over the tender to the post office or courier service or central mail department.

Means of submission	Time limit	Evidence	Address for delivery
Post	16/09/2016 24:00 EEST	Postmark	CALL FOR TENDERS PROVISION OF REGULATORY INFORMATION SERVICES ON ISSUES RELATED TO ELECTRONIC COMMUNICATIONS AND OTHER TOPICS WITHIN THE SCOPE OF BEREC ACTIVITIES BEREC Office

			Z.A. Meierovica bulv. 14, 2 nd Floor For the attention of Legal & Administrative Support Officer LV-1050 RIGA, Latvia
Courier	16/09/2016 24:00 EEST	Deposit slip of courier service	CALL FOR TENDERS PROVISION OF REGULATORY INFORMATION SERVICES ON ISSUES RELATED TO ELECTRONIC COMMUNICATIONS AND OTHER TOPICS WITHIN THE SCOPE OF BEREC ACTIVITIES BEREC Office Z.A. Meierovica bulv. 14, 2 nd Floor For the attention of Legal & Administrative Support Officer LV-1050 RIGA, Latvia
In person (hand delivery)	16/09/2016 16:00 EEST	Proof of receipt, signed and dated by the official in the central mail department who takes delivery	

NB: Please note that the BEREC Office is closed on 15/08/2016 for public holiday.

4. Tenders must be:

- perfectly legible so that there can be no doubt as to words and figures;
- signed by an authorised representative of the tenderer;

5. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, is 6 months indicated in Heading IV.3.7 of the contract notice.

6. Submission of a tender implies acceptance of all the terms and conditions set out in the procurement documents and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. The submitted tender is binding on the tenderer to whom the contract is awarded for the duration of the contract.

7. All costs incurred for the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed.

8. Opening of the tenders:

The opening of received tenders will take place on **30/09/2016 at 11:00** at the BEREC Office premises located at Z. A. Meierovica bulv. № 14, 2nd floor, Riga LV-1050, Latvia.

A maximum of two representatives per tender can attend the opening of tenders as provided in Section IV.3.8 of the contract notice. For organisational and security reasons, the tenderer must provide the full name and ID or passport number of the representatives at least 3 working days in advance to: procurement@bereg.europa.eu . Failing that, the contracting authority reserves the right to refuse access to its premises.

9. Contacts between the contracting authority and candidates or tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the date of receipt indicated in point 3:

Upon request, the contracting authority may provide additional information solely for the purpose of clarifying the procurement documents.

Any request for additional information must be made in writing only to procurement@bereg.europa.eu by indicating in the subject area 'Call for Tenders No 2016-BEREC-OT-02 – questions).

The contracting authority is not bound to reply to requests for additional information received less than six working days before the date of receipt of tenders indicated in point 3.

The contracting authority may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other type of clerical error in the text of the procurement documents.

Any additional information including that referred to above will be posted on the BEREC website: http://www.berec.europa.eu/eng/berec_office/public_procurement/

The website will be updated regularly and it is your responsibility to check for updates and modifications during the tendering period.

After the opening of tenders:

If obvious clerical errors in the tender need to be corrected or confirmation of a specific or technical element is necessary, the contracting authority will contact the tenderer provided this does not lead to substantial changes to the terms of the submitted tender.

10. 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.
11. Up to the point of signature, the contracting authority may cancel the procurement 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, it becomes its property and it shall be treated confidentially.
13. You will be informed of the outcome of this procurement procedure (award decision) by e-mail only. It is your responsibility to provide a valid e-mail address together with your contact details in your tender and to check this e-mail address 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 BEREC Office. 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 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)

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.

16. You may submit any observations concerning the procurement procedure to the contracting authority using the contact means under point 9. If you believe that there was maladministration, you may lodge a complaint to the European Ombudsman within two years of the date when you became aware of the facts on which the complaint is based (see <http://www.ombudsman.europa.eu>).
17. Within two months of notice of the award decision, you may launch an action for annulment of the award decision. Any request you may make and any reply from us, or any complaint for maladministration, will have neither the purpose nor the effect of suspending the time-limit for launching an action for annulment or to open a new period for launching an action for annulment. The body responsible for hearing annulment procedures is indicated in Section VI.4.1 of the contract notice.

Yours faithfully,

signed

László IGNÉCZI

Administrative Manager