



Bilbao, 25/06/2018
Ref.INFO.COM (2018) D/1158

Dear Sir/Madam,

Subject:

- **Open procedure EUOSHA/2018/OP/F/SE/0061 – Supply of promotional material, storage and distribution**
- **Contract notice 2018/S 119-269873 in the Official Journal**

1. The European Agency for Safety and Health at Work (EU-OSHA) is planning to award the public contract referred to above. The procurement documents consist in the contract notice referred to above, this invitation letter, the tender specifications 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.

You must submit your tender exclusively on paper, in one original and 3 copies (2 paper copies and 1 electronic copy).

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 three closed envelopes, one containing the administrative documentation (A), one containing the technical tender (B) and the other the financial tender (C). Each of these envelopes must clearly indicate the content ("A", "B" and "C").

The time limit for receipt of the tender is 03/08/2018. 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	23:45 CET	Postmark	CALL FOR TENDERS EUOSHA/2018/OP/F/SE/0061 European Agency for Safety and Health at Work Santiago de Compostela, 12 – 5º (Edificio Miribilla) E – 48003 Bilbao, Spain
Courier	23:45 CET	Deposit slip at courier service	
In person (hand delivery)	13:00 CET	Proof of receipt, signed and dated by the department who takes delivery	

In case of hand delivery EU-OSHA will be opened from 08:00 to 13:00 and from 15:00 to 16:00 from Monday to Thursday and from 10:00 to 14:00 on Fridays. The service is closed on Saturdays, Sundays and official holidays of EU-OSHA.



3. Tenders must be:

- 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 when required;
 - signed by a duly authorised representative of the tenderer.
4. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, is indicated in Heading IV.2.6 of the contract notice.
5. 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.
6. All costs incurred during the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed.
7. A maximum of one representative per tender can attend the opening of tenders as provided in Section IV.2.7 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: cft0061@osha.europa.eu. Failing that, EU-OSHA reserves the right to refuse access to its premises.
8. Contacts between the contracting authority and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the date of receipt:

- Upon request, EU-OSHA 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: cft0061@osha.europa.eu.
- EU-OSHA 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.
- EU-OSHA 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 <https://osha.europa.eu/en/about-eu-osha/procurement>

The website will be updated regularly and it is your responsibility to check for updates and modifications during the submission 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.
9. This invitation to tender is in no way binding on the contracting authority. EU-OSHA's contractual obligation commences only upon signature of the contract with the successful tenderer.



10. Up to the point of signature, EU-OSHA 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.
11. Once EU-OSHA has opened the tender, it becomes its property and it shall be treated confidentially.
12. 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 email address regularly.
13. 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 data¹. 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 EU-OSHA. Details concerning the processing of your personal data are available on the privacy statement at: <https://osha.europa.eu/en/file/40488/>
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 Regulation². For more information, see the Privacy Statement on: http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm
15. You may submit any observations concerning the procurement procedure to EU-OSHA 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/>).
16. Referral shall be made to the Commission within 15 days of the day on which the party concerned first became aware of the act in question (in accordance with the section VI.4.3 of the contract notice).

Yours faithfully,



Authorising Officer

¹ A proposal for repealing and replacing existing Regulation (EC) 45/2001 on the protection of personal data by EU institutions and bodies is currently going through the legislative process. The specific data protection clauses contained in this framework contract may need to be amended in order to ensure compliance with this new Regulation

² 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.