



Floor 46, One Canada Square,  
London E14 5AA UNITED KINGDOM

t: +44(0) 20 7382 1776

f: +44(0) 20 7382 1771

info@eba.europa.eu

www.eba.europa.eu

27 April 2016

Invitation to Tender:

**Website Services for the European Banking Authority (EBA/2016/02/COMM/SER/OP)**

This invitation follows the publication of the Contract Notice in the TED (Tenders Electronic Daily) database ([www.ted.europa.eu](http://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 to Tender, and the enclosed Tender Specifications with their annexes.
2. If you are interested in the 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 set out 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.

Ian Palombi

**European Banking Authority (EBA)**

Procurement Procedure – Reference: **EBA/2016/02/COMM/SER/OP**

**Floor 46,**

**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 **3<sup>rd</sup> June 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 BST on 3<sup>rd</sup> June 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.
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 inner envelope should be marked with the following: "CALL FOR TENDERS – NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT". The inner envelope must contain three sealed envelopes containing (a) the administrative documents (b) the technical proposal (c) the financial proposal and each of these envelopes should clearly indicate the content as described in Section C of the Tender Specifications. Tenders are to be signed by the tenderer or his/her duly authorised representative and should be perfectly legible so there can be no doubt as to words and figures included. Tenders should be drawn up using the model reply forms in the Tender Specifications and should be drawn up using double-sided printing and be free of brochures, booklets and general publicity material not requested by EBA.
5. 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.
6. Submission of a tender in response to this invitation automatically implies the tenderer's acceptance of all the terms and conditions set out in the procurement documents (e.g. Invitation to Tender, the enclosed Tender Specifications with their annexes) 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. You are requested to confirm acceptance of the draft contract and terms and conditions of this tender as part of your tender response.

7. 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 procurement documents should be clear enough to avoid tenderers having to request additional information during the procedure. However at the request of a tenderer EBA may provide clarification and/or additional information solely for the purpose of clarifying the procurement documents and/or nature of the contract. Should a tenderer have a question, this must be submitted in writing, **preferably by email**, to [tenders@eba.europa.eu](mailto:tenders@eba.europa.eu) with a copy to [ian.palombi@eba.europa.eu](mailto:ian.palombi@eba.europa.eu). No telephone queries will be accepted. The EBA however is not bound to reply to requests for additional information received less than six (6) working days before the closing date for submission of tenders. Tenderers should note that such requests may not be processed for practical reasons. Requests shall indicate the tender reference number and title and shall be sent to:

**European Banking Authority (EBA)**

**Procurement Procedure – Reference: EBA/2016/02/COMM/SER/OP**

**For the attention of: Ian Palombi**

**Floor 46,**

**One Canada Square,**

**Canary Wharf,**

**London E14 5AA**

**UK**

**E-mail: [tenders@eba.europa.eu](mailto:tenders@eba.europa.eu) with a copy to [ian.palombi@eba.europa.eu](mailto:ian.palombi@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 procurement 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 procurement 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.

8. This Invitation to Tender is in no way binding upon the EBA. Contractual obligations commence only upon signature of the respective framework contract with the successful tenderer.

9. 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. Once the EBA has opened the tender it retains ownership of it and it shall be treated confidentially. Consequently the tenders cannot be returned to the 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 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.
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 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 Tender Specifications annexed to this Invitation to Tender and will be processed solely for that purpose 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](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 Regulation<sup>1</sup>. For more information, see the Privacy Statement on [http://ec.europa.eu/budget/explained/management/protecting/protect\\_en.cfm](http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm)
15. Tenders will be opened at the premises of the EBA at One Canada Square, Canary Wharf, London E14 5AA at **11:30hrs BST on 13<sup>th</sup> June 2016**. A maximum of two (2) representatives per tenderer are permitted to be present at the opening of the tenders. The names of any such representatives are to be notified in advance in writing by email to the EBA at [tenders@eba.europa.eu](mailto:tenders@eba.europa.eu) with a copy to [ian.palombi@eba.europa.eu](mailto:ian.palombi@eba.europa.eu) at least three (3) working days before the opening session. For security and organisational reasons the tenderer must also provide in advance the ID or passport numbers of the representatives who will attend the opening of the tenders. EBA may refuse access to persons who have not registered or do not carry a valid ID.

Yours sincerely,

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<sup>1</sup> 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.

SIGNED

Signatory's name: Adam Farkas

Position: Executive Director

Annex:

**Tender Specifications for Website Services for the European Banking Authority  
(EBA/2016/02/COMM/SER/OP)**