

Vienna, the 24<sup>th</sup> of August 2012

Ref: 2012-outgoing-

001033

**Subject: F-SE-12-T08 Catering Services**

**Ref.: Contract notice number 2012/S 162-269186 published on 24/08/2012**

Dear Sir/Madam,

Thank you for your interest in the above-mentioned invitation to tender. We are pleased to enclose a copy of the tender documents concerning it.

1. We enclose the call for tenders relating to the above mentioned contract notice.
2. The tender documents attached to this invitation to tender include:
  - Annex A – Tender Specifications
  - Annex A.1 – Technical Specifications
  - Annex B – Draft framework contract
  - Annex C – Standard Submission Form
3. If you are interested in this contract, please submit a tender in triplicate in one of the official languages of the European Union, but preferably in English.
4. Where submission is by letter, tenderers may choose to submit tenders:
  - either by post or by courier service, to be dispatched not later than 02/10/2012, in which case the evidence of dispatch is constituted by the postmark or the date of the deposit slip, to the following address:

European Union Agency for Fundamental Rights

For the attention of Procurement Section

Schwarzenbergplatz 11

A-1040 Vienna

- or to deliver tenders by hand to the same address as above not later than 17.00 on 02/10/2012. In this case, a receipt must be obtained as proof of submission, signed and dated by the official in the Contracting Authority's central mail department who took delivery. This Agency is open from 09.00 to 17.00 from Monday to Thursday and from 09.00 to 15.00 on Friday. It is closed on Saturdays, Sundays and Contracting Authority's holidays.
5. Tenders must be placed inside two sealed envelopes. The inner and the outer envelopes, addressed to the department indicated in the invitation to tender, should be marked as follows:



Morten Kjaerum, Director

European Union Agency for Fundamental Rights

Agentur der Europäischen Union für Grundrechte | Agence des droits fondamentaux de l'Union Européenne

Schwarzenbergplatz 11 | 1040 Vienna | Austria | T +43 (1) 580 30 - 0 | F +43 (1) 580 30 - 699 | info@fra.europa.eu

fra.europa.eu | www.facebook.com/fundamentalrights | twitter.com/EURightsAgency | www.linkedin.com/company/eu-fundamental-rights-agency



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"Invitation to tender F-SE-12-T08 – not to be opened by the internal mail department".

If self-adhesive envelopes are used, they must be sealed with adhesive tape and the sender must sign across this tape.

The inner envelope must also contain three sealed envelopes, containing the administrative documentation, the technical offer and the financial offer. Each of these envelopes must clearly indicate the content ("Administrative documents", "Technical Offer" and "Financial Offer").

6. The tender specifications, listing all the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity and the draft contract are attached.

7. Tenders must be:

- signed by the tenderer or his duly authorised representative
- perfectly legible so that there can be no doubt as to words and figures, and
- drawn up using the Standard Submission Form (Annex C of the Invitation to Tender).

8. Period of validity of the tender, during which the tenderer is bound of his tender in any respect will be 6 months from the deadline for submitting the tender.

9. Submission of a tender implies acceptance of the terms and conditions set out in this invitation to tender, in the tender specifications and in the draft contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. It is binding on the tenderer to whom the contract is awarded for the duration of the contract.

10. 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:

- At the request of the tenderer, the contracting authority may provide additional information solely for the purpose of clarifying the nature of the contract.

Any requests for additional information must be made in writing only to the mailbox [procurement@fra.europa.eu](mailto:procurement@fra.europa.eu) and/or to the fax number +43 (0)1 580 30 691.

Requests for additional information received less than five working days before the final date for submission of tenders will not be processed.

- 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.



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- Any additional information including that referred to above will be posted on <http://www.fra.europa.eu> and sent simultaneously to all candidates invited to tender.
    - 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
11. No visit/information meeting is planned for this tender.
12. 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.
- 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.
13. Once the Contracting Authority has opened the tender, the document shall become the property of the Contracting Authority and it shall be treated confidentially.
14. You will be informed whether or not your tender has been accepted.
15. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
16. 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 Contracting Authority's Data Protection Officer. 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).
17. Your personal data (name, given name if natural person, address, legal form, registration number and name and given name of the persons with powers of representation, decision-making or control, if legal person) 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:



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- the Commission Decision 2008/969 of 16.12.2008 on the Early Warning System (for more information see the Privacy Statement on [http://ec.europa.eu/budget/info\\_contract/legal\\_entities\\_en.htm](http://ec.europa.eu/budget/info_contract/legal_entities_en.htm)), 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/library/sound\\_fin\\_mgt/privacy\\_statement\\_ced\\_en.pdf](http://ec.europa.eu/budget/library/sound_fin_mgt/privacy_statement_ced_en.pdf))

18. The European Agency for Fundamental Rights has the task of raising awareness of fundamental rights, promoting equality between men and women and preventing discrimination on the grounds of race, ethnicity, religion, age, disability or sexual orientation (according to the Equality Directives). Applicants should be familiar with the relevant legislation, and be aware that any applicants who can be shown to have suffered legal sanction for discriminatory practices on any of the above grounds, without prejudice to the relevant provisions of the Financial Regulation, are liable to have their application rejected.



Morten Kjaerum  
Director



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