

Ljubljana, 09.02.2012

NOTICE ON PROSPECTION FOR OFFICE PREMISES

Agency for the Cooperation of Energy Regulators (ACER) intends to rent or lease business premises according to the preliminary specifications provided below (Sections 1 and 2), and soon to launch a negotiated procedure. At this stage, ACER is carrying out a market prospection. Owners or operators of suitable premises who are interested in participating in the negotiated procedure (see Section 3) are invited to submit a proposal by 16.00 hrs (Ljubljana time) on 8 March 2012, according to the instruction provided below (Section 4 and 5).

1. Object of the market survey

ACER intends to rent for a period of five years, with a possibility for extension, or lease unequipped business premises in Ljubljana with a gross above-ground surface area between 3.200 m² and 3.500 m².

The premises must be located within or on the Ljubljana ring road, and preferably in the city centre. If located outside the city centre, the location of the premises must be served by frequent municipal public transport services connecting it to the city centre, with a bus stop in the immediate vicinity of the premises.

The premises shall be made available to ACER fully fitted for their use. Fitting shall be understood to include, without limitation, ancillary works such as partitioning, wiring, security installations and other completion work carried out in accordance with the requirements which ACER will specify at a later stage.

The premises shall be located in a single building complex intended exclusively for business activities and shall form a functionally self-contained whole. ACER will not share office space with other occupants, but accepts mixed occupation of the base of a building on condition that it functions independently and completely separately from the proposed office space. This applies particularly to building technology, other grantees, vertical and horizontal movement, points of access and emergency exit routes.

The premises should be suitable to accommodate office space for approx. 85 staff members, conference facilities and other ancillary services which shall be for the Agency's exclusive use. In addition, the premises should have, depending on the location, between 30 and 85 parking places in the immediate vicinity.

2. Availability of the premises

The business premises should be made available preferably on or just before 1 February 2013, but in any case not later than 30 June 2013.

3. Procedure

On the basis of the proposals received within the stated deadline (see Section 4) and in line with Article 91 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities, and Article 126(1)(h) of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002, laying down detailed rules for the implementation of the Financial Regulation, ACER plans to launch a negotiated procedure without prior publication of a contract notice.

The current stage will be concluded with the pre-selection of proposals complying with ACER's requirements. ACER will then launch a negotiated procedure, inviting proponents of preselected proposals, but not limited to them only.

This notice is not in any way binding on ACER as regards contract award procedures. ACER reserves the right, at any time, to renounce or cancel this notice, without proposers being entitled to claim any compensation. Prior to, or during, the negotiated procedure, ACER will not sign any exclusivity contracts or similar clauses in favour of any proposer.

4. Requirements on the content of the proposals

The information contained in the proposal shall include:

- the (name and) full address of the building;
- proponent's name and full address;
- owner's full name and particulars and, where these are different from those of the proponent, authorisation signed by the owner;
- a description of the building including 1:100 scale drawings indicating the surface area, if applicable also per floor;
- availability of the proposed premises; and
- an operating licence for business premises.

5. Submission of proposals

Proposals have to be delivered to the Agency for the Cooperation of Energy Regulators, Trg republike 3, 1000 Ljubljana not later than 16.00 hours Ljubljana time on 8 March 2012.

The proposals can be sent either by registered post or delivered in person or by courier. In all cases a receipt will be issued as proof of submission, signed and dated by an official of ACER. ACER is open from 9.00 hrs to 17.00 hrs Monday to Friday. ACER is closed on Saturdays, Sundays and ACER public holidays¹.

The proposal shall be submitted in three (3) copies which must be placed inside two sealed envelopes. The inner envelope should be marked as follows: "ACER premises – not to be opened by the internal mail department".

6. Contacts and additional information

Proponents will be informed of the decision taken with regard to their proposals. Any contacts between proponents and ACER departments responsible for this market prospection are prohibited.

¹http://www.acer.europa.eu/portal/page/portal/ACER_HOME/The_Agency/Public_procurement/General%20Documents%20for%20Procurement%20Procedures/19_Director%20Decision%202011-018%20on%20ACER%20holidays%202012.pdf