



Agency for the Cooperation
of Energy Regulators

Ljubljana, 07.05.2012
ACER/2012/OB/mv/713

Dear Sir/Madam,

Subject: INVITATION TO TENDER No. ACER/NEG/ADMIN/10/2012 (negotiated tender procedure) for language training for staff members of the Agency for the Cooperation of Energy Regulators

*Lot 1: Slovene; Lot 2: Bulgarian; Lot 3: Czech; Lot 4: Danish; Lot 5: Dutch;
Lot 6: English; Lot 7: Estonian; Lot 8: Finnish; Lot 9: French; Lot 10: German;
Lot 11: Greek; Lot 12: Hungarian; Lot 13: Irish; Lot 14: Italian; Lot 15: Latvian;
Lot 16: Lithuanian; Lot 17: Maltese; Lot 18: Polish; Lot 19: Portuguese;
Lot 20: Romanian; Lot 21: Slovak; Lot 22: Spanish; Lot 23: Swedish*

1. The Agency for the Cooperation of Energy Regulators is planning to award the public contract referred to above.
2. If you are interested in this contract, you should submit a tender in triplicate in one of the official languages of the European Union.
3. Where submission is by letter, tenderers may choose to submit tenders:
 - a) either by post or by courier not later than **20.06.2012**, in which case the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip, to the following address:

**Agency for the Cooperation of Energy Regulators
For the attention of: Ms Mateja Vavtar
Trg republike 3/II., 1000 Ljubljana, Slovenia**

- b) or delivered by hand to the following address:

**Agency for the Cooperation of Energy Regulators
For the attention of: Ms Mateja Vavtar
Trg republike 3/II., 1000 Ljubljana, Slovenia**

not later than 16.00 hours Ljubljana time on **20.06.2012**. In this case, a receipt must be obtained as proof of submission, signed and dated by the official in the Agency. The Agency is open from 09.00 to 17.00 Monday to Friday. It is closed on Saturdays, Sundays and the Agency's holidays¹.

Tenders submitted by e-mail are not permitted and will not be considered.

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

4. Tenders must be placed inside two sealed envelopes. The inner envelope, addressed as indicated in the invitation to tender, should be marked as follows: **"Invitation to tender no. ACER/NEG/ADMIN/10/2012 - 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 two sealed envelopes, one containing the technical specifications and the other the financial bid. Each of these envelopes must clearly indicate the content ("Technical" and "Financial").]

5. The specification, 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.
6. 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;
 - drawn up using the model reply forms in the tender specification.
7. Period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect: six (6) months from the final date for submission.
8. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the specification 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.
9. 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) for the attention of **Ms Mateja VAVTAR**, indicating clearly **"Invitation to tender No. ACER/NEG/ADMIN/10/2012"**:

- By fax to the number: +386 (0)8 2053 413
- Or by e-mail to ACER-NEG-ADMIN-10-2012@acer.europa.eu

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

- * The Agency 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.
- * Any additional information including that referred to above will be 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.

- * The contracting authority may negotiate with tenderers the offers they have submitted, in order to adapt them to the requirements set out in the tender specifications or any additional document and in order to find the tender offering best value for money. During negotiations equal treatment of all tenderers will be ensured.
10. This invitation to tender is in no way binding on the Agency. The Agency'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 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.
 12. Once the Agency has opened the tender, the document shall become the property of the Agency and it shall be treated confidentially.
 13. You will be informed whether or not your tender has been accepted.
 14. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
 15. 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. Details concerning the processing of your personal data are available on the privacy statement at:
http://ec.europa.eu/dataprotectionofficer/privacystatement_publicprocurement_en.pdf.
 16. Your personal data 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:
 - 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/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm), 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/explained/management/protecting/protect_en.cfm#BDCE)

Alberto POTOTSCHNIG
Director



Enclosures:

Annex I: Tender specifications

Annex II: Financial offer

Annex III: Draft framework contract