



Dear Sir/Madam,

Subject: Open call for tender EEA/OSE/09/006 for a framework contract for Redundant Internet access

1. The European Environment Agency 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 EEA members' languages, preferably in English.
3. Where submission is by letter, tenderers may choose:
 - to submit tenders either by post or by courier not later than **25 May 2009**, 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:

European Environment Agency
Kongens Nytorv 6
1050 Copenhagen K
Denmark
For the attention of: **Örjan Lindberg**
 - or to deliver tenders by hand to the above-mentioned address not later than 16:00 on **25 May 2009**. In this case, a receipt must be obtained as proof of submission, signed and dated by the receptionist of the Agency who accepts delivery. The Agency is open from 09.00 to 17.00 Monday to Friday. It is closed on Saturdays, Sundays and official holidays.
4. Tenders must be placed inside two sealed envelopes. The inner envelope should be marked as follows: "**Reply to EEA/OSE/09/006 – not to be opened by the internal mail department**". Envelopes must be sealed with adhesive tape and the sender must sign across this tape.
5. The specifications and the draft contract are attached to this invitation to tender. The specifications list all the documents that must be produced in order to tender, including supporting evidence of economic, financial, technical and professional capacity.
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.
7. Period of validity of the tender, during which the tenderer may not modify the terms of his tender in any respect: six months from the deadline for the submission of tenders.



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 to **Mr Örjan Lindberg at orjan.lindberg@eea.europa.eu** Requests for additional information received less than five working days before the closing date for submission of tenders will not be processed.
- * The Agency may also, on its own initiative, provide additional information regarding any error, inaccuracy, omission or any other clerical error in the text of the call for tenders.
- * Tenderers are invited to check the following URL address regularly, as any additional information, including that referred to above, will be available for download from this site: <http://www.eea.europa.eu/tenders>.

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.
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.

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.
 11. You will be informed whether or not your tender has been accepted.
 12. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
 13. Processing your reply to the invitation to tender will involve 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 Agency. Under the data protection Regulation (EC) No 45/2001 you are entitled to obtain access to your personal data on request and to rectify any such data that is inaccurate or incomplete. If you have any queries concerning the processing of your personal data, you may address them to the Agency. You have the right of recourse at any time to the European Data Protection Supervisor for matters relating to the processing of your personal data.

14. You are informed that for the purposes of safeguarding the financial interest of the Communities, your personal data may be transferred to internal audit services, to the European Court of Auditors, to the Financial Irregularities Panel and/or to the European Anti-Fraud Office (OLAF).

Data of economic operators which are in one of the situations referred to in Articles 93, 94, 96(1)(b) and 96(2)(a) of the Financial Regulation¹ may be included in a central database and communicated to the designated persons of the Commission, other institutions, agencies, authorities and bodies mentioned in Article 95(1) and (2) of the Financial Regulation. This refers as well to the persons with powers of representation, decision making or control over the said economic operators. Any party entered into the database has the right to be informed of the data concerning it, up on request to the accounting officer of the Commission.

Prof. Jacqueline McGlade
Executive Director

¹ Council Regulation (EC, Euratom) N° 1605/2002 of 25 June 2002 (OJEU L 248 of 16.09.2002), as amended by Council Regulation (EC, Euratom) N° 1995/2006 of 13.12.2006 (OJEU L 390 of 30.12.2006).