



Brussels, 4 June 2015

Dear Sir/Madam,

Subject: - INVITATION TO TENDER

FCH/OP/contract 145

Management of a Joint Procurement Strategy for Fuel Cell Buses

1. The Fuel Cells and Hydrogen 2 Joint Undertaking (FCH 2 JU) is planning to award the public contract referred to above. The tender documentation consists in this letter, the tender specifications with its annexes and the draft contract.
2. If you are interested in this contract, you should submit a tender in one of the official languages of the European Union. It is strongly recommended that tenders are presented in English although presentation in another official language of the European Union does not lead to exclusion.
3. You must submit your tender with one paper copy and one electronic copy. The paper version must be placed inside two closed envelopes addressed as indicated below. The inner envelope should be marked as follows: "CALL FOR TENDERS – NOT TO BE OPENED BY THE INTERNAL MAIL DEPARTMENT".

You must submit the tender:

- a) either by post or by courier no later than 20 July to the address indicated below. In this case, the evidence of the date of dispatch shall be constituted by the postmark or the date of the deposit slip,
- b) or delivered in person no later than 16.00 CET on 20 July to the address indicated below.

Mail can be received from 08.00 to 17.00 Monday to Thursday, and from 08.00 to 16.00 on Fridays. The service is closed on Saturdays, Sundays and official holidays of the European Commission.

<u>Address for submission by post:</u> CALL FOR TENDERS FCH/OP/contract 145	<u>Address for submission by courier or in person:</u> CALL FOR TENDERS
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<p>FCH 2 JU TO 56 office 4/24 For the attention of Nicolas Brahy and Georgiana Buznosu B – 1049 Brussels Belgium</p>	<p>FCH/OP/contract 145 Fuel Cells and Hydrogen 2 Joint Undertaking For the attention of Nicolas Brahy and Georgiana Buznosu Avenue De la Toison d’Or 56-60 B-1060 Brussels (Saint-Gilles) Belgium</p>
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4. Tenders must be:

- perfectly legible so that there can be no doubt as to words and figures;
- signed by an authorised representative of the tenderer;

In case of joint tender, and if applicable, please add the duly signed and dated power of attorney by each of the joint tenderers, specifying the company or person heading the project and authorized to submit a tender on behalf of all the joint tenderers.

5. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the tender specification and in the draft contract and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. Submission of a tender is binding on the tenderer to whom the contract is awarded for the duration of the contract.
6. All costs incurred during the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed.
7. Contacts between the FCH 2 JU and tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Before the date indicated in point 3:

At the request of the tenderer, the FCH 2 JU 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 info.procurement@fch.europa.eu

The FCH 2 JU is not bound to reply to requests for additional information received less than five working days before the final date for submission of tenders.

The FCH 2 JU 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 posted on the FCH 2 JU website.

After the opening of tenders

If clarification is required or if obvious clerical errors in the tender need to be corrected, the FCH 2 JU 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 on the FCH 2 JU. **The conclusion of this procurement procedure is subject to a decision of the FCH 2 JU Governing Board.** The FCH 2 JU's contractual obligation commences only upon signature of the contract with the successful tenderer.
9. Up to the point of signature, the FCH 2 JU 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.
10. Once the FCH 2 JU has opened the tender, it becomes its property and it shall be treated confidentially.
11. You will be informed of the outcome of this procurement procedure by e-mail. It is your responsibility to provide a valid e-mail address together with your contact details in your tender and to check it regularly.
12. 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 FCH 2 JU. Details concerning the processing of your personal data are available on the privacy statement at:
<http://www.fch.europa.eu/sites/default/files/PRIVACY%20STATEMENT%20-%20experts%20procurement%20grants%20AND%20recruitment%20-%20MERGED%20%28FINAL%20version%29%20%28ID%20147829%29%20updated-1.pdf>
13. 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 2014/792/EU of 13.11.2014 on the Early Warning System to be used by the authorising officers of the Commission and by the executive agencies (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)

Date and signature

A handwritten signature in blue ink, consisting of a large, stylized loop. Below the signature, the date '4/6/15' is written in blue ink.

Bert De Colvenaer
Executive Director