



Brussels, 28-07-2011
FCH JU (2011) D420 280711

BY E-MAIL ONLY

Dear Sir/Madam,

Subject: Invitation to tender for "Leasing (Availability) of a Hydrogen powered Fuel Cell cars for the Fuel Cells and Hydrogen Joint undertaking"

The Fuel Cells and Hydrogen Joint Undertaking (FCH JU) is planning to award the public contract referred to above.

I invite you to examine the annexed tender specifications and to submit an offer. If you are interested in this contract, you should submit a tender in one of the official languages of the European Union, preferably in English.

In addition to the terms of the tender specifications, I call your attention on the following elements:

- a) The offer must include the information and documents required by the FCH JU for the appraisal of the tender on the basis of the exclusion, selection and award criteria set out in the annexed tender specifications:
 - A covering letter for the submission of the offer signed by the tenderer or his duly authorised representative confirming the validity of his offer during 3 months from the deadline for submission
 - The completed and signed Legal Entity File (LEF)¹
 - The completed and signed and Financial Identification Form (BAF)².
 - The declaration on the honour related to the exclusion criteria (see annexes)
 - A description of the proposed execution of the services.
 - The price

¹ The form can be downloaded at http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm#en

² The form can be downloaded at http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id/financial_id_en.cfm

- b) **Offers should be submitted by e-mail only at info.procurement@fch.europa.eu by 31/08/2011.**
- c) Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in the 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.
- d) This invitation to tender is in no way binding on the FCH JU. The FCH JU's contractual obligation commences only upon signature of the contract with the successful tenderer.
- e) Up to the point of signature, the FCH 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.
- f) Once the FCH JU has opened the tender, the document shall become the property of the FCH JU and it shall be treated confidentially.
- g) 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 info.procurement@fch.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 FCH 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 sent simultaneously to all candidates invited to tender.
 - After the opening of tenders
 - * The contracting authority may negotiate with tenderers the offers they have submitted, in order to adapt them to the requirements set out in the contract notice, 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.
- h) You will be informed whether or not your tender has been accepted.

- i) If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.

In 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 FCH JU

Date and Signature



Bert De Colvenaer
Executive Director

Enclosures:

1. Tender specifications
2. Declaration on honour related to the exclusion criteria
3. Template contract