



Brussels, 11.10.2011
REF : FCH JU 2011 D587 111011

Dear Sir/Madam,

Subject: Invitation to tender. Open Procedure

**Reference: - Call for tenders n° FCH/STUDIES/2011/OP/01
-Multiple Framework Contracts for Conducting Studies on the Commercialisation of Fuel Cells and Hydrogen Technologies and competing technologies**

1. The Fuel Cells and Hydrogen Joint Undertaking (FCH JU) - the “Contracting Authority” for the purposes of this Call for Tender is pleased to inform that all the tender documents for the above-mentioned call for tenders can be obtained at the following address:

➤ <http://www.fch-ju.eu/pages/vacancies-procurement>

2. If you are interested in this contract, you should submit a tender in English **in triplicate paper copy as well as one electronic copy** (on CD, DVD or USB Key)

3. Tender must be:

a) either sent by post or by courier **not later than 2nd December 2011**, 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:

FCH Joint Undertaking
TO 56 office 04/24
For the attention of Mr. Nicolas Brahy
B – 1049 Brussels / Belgium

b) or delivered by hand, **not later than 16.00 on 2nd December 2011** to the European Commission’s Central Mail Office.

At the time of writing the European Commission’s Central Mail Office is located at the following address: av. du Bourget, 1 / Bourgetlaan 1, B-1140 Brussels (Phone: +32-(0)2-299.29.21), and open on normal working days: from Monday to Thursday from 7.00 to 17.30, on Friday from 7.00 to 16.30. It is closed on Saturdays, Sundays and Commission holidays.

However, we cannot guarantee that the information given above will continue to be accurate in the future and cannot therefore be held liable in the event of any change. You are fully responsible for ensuring that your offer is deposited in time. A Commission official of the Central Mail Office taking delivery of the offer will issue a receipt stating date and time of the delivery. This receipt will serve as proof of compliance with the deadline.

ATTENTION:

- The delivery of tenders, by hand, directly to the offices of FCH JU **is not possible**. Delivery of tenders is only possible at the address indicated above.
- Offers sent after the deadline mentioned above, offers sent to another postal address than the one indicated above, and offers submitted through personal delivery (direct or through any authorised representative of the Tenderer, including private messenger service) to another physical address than the one indicated above, **will not be accepted** in the framework of the present invitation to tender.
- Tenderers are invited to confirm the submission of the tender by email no later than 2nd December 2011 at 17.00 (Brussels time) to the following address: info.procurement@fch.europa.eu

4. Tenders must be placed inside **two sealed envelopes**.

The outer envelope must bear exactly the following reference:

"Call for Tenders - Reference: FCH/STUDIES/2011/OP/01 accompanied with the above address (point 3 (a) or point 3 (b) depending on the sending method and name and address of the tenderer¹.

The inner envelope, addressed to the department indicated in point 3 (a), should be marked as follows: **"Invitation to tender FCH/STUDIES/2011/OP/01 - 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.

This inner envelope must also contain three sealed envelopes: one (envelope "A") containing the administrative specifications; the second (envelope "B") containing the technical specifications and the third (envelope "C") containing the financial bid. Each of these envelopes must clearly indicate the content ("Administrative part", "Technical part" and "Financial offer").

The envelopes shall contain one signed original and two copies (of which one unbound) of the respective part of the tender.

5. The specification (Tender Specifications), 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 to this letter of invitation.

¹ In addition to the inner envelope, you may enclose if needed an acknowledgement of receipt form on which you must indicate the address to which it should be returned.

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 specification.
7. Period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect: 6 months from the deadline for the submission of tenders specified in point 3 above.
8. Submission of a tender implies acceptance of all the terms and conditions set out in this invitation to tender, in Tender 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.
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 the mailbox: info.procurement@fch.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 FCH JU may, on their 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 published on FCH JU website.
 - 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. The tenders received will be opened **on 8 December 2011 at 14:00** in the offices of the FCH JU Avenue de la Toison d'Or 56-60, 1060 Brussels.

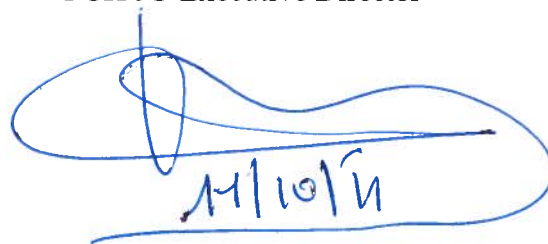
One representative per tenderer can be present at this opening session. Tenderers who plan to attend the opening session have to inform the JUs by e-mail sent to the mailbox: info.procurement@fch.europa.eu before 2nd December 2011.
11. This invitation to tender is in no way binding on the FCH JU. The FCH JU's contractual obligation commences only upon signature of the contract with the successful tenderer.

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. You will be informed whether or not your tender has been accepted.
13. If your offer includes subcontracting, it is recommended that contractual arrangements with subcontractors include mediation as a method of dispute resolution.
14. 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. 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 contact point indicated in article 3 (a). 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.
15. You are informed that for the purposes of safeguarding the financial interest of the European Union, 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).

Bert De Colvenaer
FCH JU Executive Director



Enclosures:

1. Tender Specifications and annexes.