



Brussels,
Ares2019(

Subject: - Provision of short-term interim staff services

- Reference number: FCH / Contract 225

Dear Sir/Madam,

1. The Fuel Cells and Hydrogen 2 Joint Undertaking (FCH 2 JU) is planning to award the contract resulting from the above procurement procedure. The procurement documents consist of this invitation letter, the tender specifications, the declaration on honour, the financial offer and the draft direct service contract.

Submission of request to participate/tenders

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 recommended that tenders be presented in English or French, although presentation in another EU language does not lead to exclusion.
3. You must submit your tender **exclusively** by electronic mail to info.procurement@fch.europa.eu. The tender must be received no later than **17:00 CET on 1 March 2019**.
4. Tenders must be perfectly legible so that there can be no doubt as to words and figures.
5. Tenderers must ensure that their submitted tenders contain all the information and documents required by the contracting authority at the time of submission as set out in the procurement documents.
6. All costs incurred for the preparation and submission of tenders are to be borne by the tenderers and will not be reimbursed.

Legal effects of the invitation to tender and submission of a request to participate/tender

7. This invitation to tender is in no way binding on the contracting authority. The contracting authority's contractual obligation commences only upon signature of the contract with the successful tenderer.

8. Up to the point of signature, the contracting authority may cancel the procurement procedure without the candidates or tenderers being entitled to claim any compensation. This decision must be substantiated and the candidates or tenderers notified.
9. The period of validity of the tender, during which tenderers may not modify the terms of their tenders in any respect, is six (6) months from the date indicated in point 3.
10. Submission of a tender implies acceptance of all the terms and conditions set out in the procurement documents and, where appropriate, waiver of the tenderer's own general or specific terms and conditions. The submitted tender is binding on the tenderer to whom the contract is awarded for the duration of the contract.

Contacts during the procurement procedure

11. Contacts between the contracting authority and candidates or tenderers are prohibited throughout the procedure save in exceptional circumstances and under the following conditions only:

Submission phase (before the time-limit for receipt of tenders)

Upon request, the contracting authority may provide additional information solely for the purpose of clarifying the procurement documents.

Any request for additional information must be made in writing only to info.procurement@fch.europa.eu.

The contracting authority is not bound to reply to requests for additional information received less than six working days before the date of receipt of tenders indicated in point 3.

The contracting authority may, on its own initiative, inform interested parties of any error, inaccuracy, omission or any other type of clerical error in the text of the procurement documents.

Any additional information including that referred to above will be sent simultaneously to all candidates invited to tender.

Opening of tenders

The contracting authority may negotiate with tenderers the tenders they have submitted, in order to adapt them to the procurement documents and in order to find the most economically advantageous tender. The minimum requirements defined in the procurement documents are not subject to negotiation. During negotiations, equal treatment of all tenderers will be ensured. The contracting authority reserves the right not to negotiate and to award the contract on the basis of the tenders initially received.

Once the contracting authority has opened the tender, it becomes its property and it shall be treated confidentially.

Evaluation phase (after the opening of tenders)

Except in duly justified cases, tenderers who have failed to submit evidence or to make statements as required in the procurement documents, shall be contacted by the

contracting authority to provide the missing information or clarify supporting documents.

The contracting authority may correct obvious clerical errors in the tender after confirmation of the correction by the tenderer. Such information, clarification or confirmation shall not substantially change the tender.

Award phase

Tenderers will be notified of the outcome of this procurement procedure by e-mail. The notification will be sent to the e-mail address provided in the tender for the tenderer (group leader in case of a joint tender). The same e-mail address will be used by the contracting authority for all other communications with the tenderer. It is the tenderer's responsibility to provide a valid e-mail address and to check it regularly.

Data protection

If processing a reply to the invitation to tender involves the recording and processing of personal data (such as name, address and CV), such data will be processed pursuant to Regulation (EC) No 2018/1725 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, any personal data will be processed solely for evaluation purposes under the call for tenders by the Executive Director of the FCH 2 JU. Details concerning the processing of your personal data are available in the privacy statement at: <https://www.fch.europa.eu/sites/default/files/Privacy%20Statement%20-%20procurement%20procedures%20-%202018.pdf>.

The tenderer's personal data may be registered in the Early Detection and Exclusion System (EDES) if the tenderer is in one of the situations mentioned in Article 136 FR. For more information, see the Privacy Statement on http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm).

Bart Biebuyck,

Executive Director of the FCH 2 JU

Annexes to the invitation to tender:

- Annex I - Tender specifications
- Annex II - Declaration on honour

- Annex III - Financial offer
- Annex IV - Draft contract

